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INTRODUCTION

The 75th Session of the General Conference of the International Labour Organisation was held in Geneva from 1 to 22 June 1988.

The agenda of the Conference was as follows:

Standing items

- I. Reports of the Governing Body and of the Director-General.
- II. Programme and budget proposals and other financial questions.
- III. Information and reports on the application of Conventions and Recommendations.

Items placed on the agenda by the Conference or the Governing Body

- IV. Safety and health in construction (*second discussion*).
- V. Employment promotion and social security (*second discussion*).
- VI. Partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107) (*first discussion*).
- VII. Rural employment promotion (*general discussion*).
- VIII. Updating of the Declaration concerning the Policy of Apartheid in South Africa.

The contents of the present volume constitute the *Record of Proceedings* of the 75th Session of the Conference in its final form. They are presented in the following order:

- a detailed table of contents of the *Provisional Record* (pp. IV-XIV);
- a list of corrigenda to the *Provisional Record*, including corrections communicated in conformity with article 23, paragraph 3, of the Standing Orders (pp. XV-XVII);
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¹ For page references see under "Sittings".

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CORRIGENDA

Provisional Record

No.	Page	
3	17	Left-hand column. The first two lines of paragraph 57 should appear at the end of paragraph 56.
7	17	Left-hand column, line 6, read "Mr. PRASHAD (<i>Minister of Labour and Co-operatives, Guyana</i>)".
9	20	Right-hand column, fourth paragraph, speech should begin "Allow me first of all to congratulate you on your unanimous election..."; third line from bottom of page, insert "per year" after "47 million jobs".
21		Left-hand column, fifth full paragraph, last sentence should begin: "We do not expect to exceed the 6 per cent mark this year..."; last full paragraph, first line, insert "vacant" before "job".
		Right-hand column, first full paragraph, third line should read: "...but also through the advances in microelectronics..."; second full paragraph, penultimate line, replace "to see" by "to find"; seventh full paragraph should start: "The Austrian system of social security is very closely related to productive work."; last paragraph, penultimate line, replace "on" by "of".
9	41	See the corrigendum printed in <i>Provisional Record</i> , No. 12.
10	37	Right-hand column, last full paragraph, fifth line, for "your" read "his".
	38	Left-hand column, seventh line, for "grossest" read "greatest".
12	17	Left-hand column, first full paragraph, line 4: the title of the Encyclical should read: " <i>Sollicitudo rei socialis</i> ".
14	28	Left-hand column, fourth paragraph, line 12, for "international" read "internal"; last paragraph should read: "Here I would like to stress that the apartheid policies of the South African authorities and their barbarous system..."; seventh line from bottom of page, insert "always" after "have".
35		Left-hand column, fourth full paragraph, line 6, for "coherent" read "coherently".
		Right-hand column, second full paragraph, second sentence should read: "There is, however, a general lack of will internationally to do what is necessary..."; fourth full paragraph, line 10, for "its economies" read "their economies".
36		Left-hand column, second full paragraph, line 5: the first sentence should end with the word "ruralisation". Insert the following phrase to complete the second sentence: "When we speak of the importance of the rural economy—or ruralisation—the intention...".
16	7	Left-hand column, last paragraph, the second part of the first sentence should read as follows: "...second, the rights of the non-paid workers—a subject to which I devoted the main part of my statement to the Conference last year, and which I believe deserves mentioning again because the non-monetarised sector of the world economy—the huge army of non-wage-earning and unsalaried workers—is undoubtedly the most neglected segment of the human workforce."
8		Left-hand column, line 21, for "year" read "years"; first full paragraph, line 15, sentence should begin: "During the past years, institutional welfare services were somewhat stepped up, including the setting up..."; last paragraph, line 2, insert "and" after "reasons".
9		Right-hand column, third full paragraph, line 7, for "and" read "as".
11		Left-hand column, at the end of the fourth paragraph add the following sentence: "We shall soon be in a position to pass the relevant legislation."
28		Right-hand column, third full paragraph, second sentence should read: "In considering employment problems, the provisions of the resolution on development...".

No.	Page	
	29	Left-hand column, first three lines, delete "and assistance in increasing the role of the unions and international co-operation of unions of every kind;" which is a repetition.
16	40	See the corrigendum printed in <i>Provisional Record</i> , No. 21.
17	7	Right-hand column, first full paragraph, penultimate paragraph should read: "As you know, when peoples start to move, they manage to shake off the yoke of their sufferings."
19	23	Right-hand column, paragraphs 4 and 5, line 2, replace "paragraph" by "Part".
21	12	Left-hand column, seventh full paragraph, first sentence should read: "Speaking of human rights we must always remember that this is a very broad concept." Right-hand column, first paragraph, second sentence should end: "...and the workers and the population as a whole are becoming increasingly active socially."; seventh paragraph, last sentence should read: "If... this possibility is not used, the option... is guaranteed, bearing in mind individual wishes, and the appropriate work is provided."; eighth paragraph should be divided into two sentences, the first ending with "employment.", the second ending "...When training is being undertaken on the job".
	13	Right-hand column, first paragraph, line 5 should read: "and social issues in collective farms were concluded)."
	23	Left-hand column, third full paragraph, lines 8 to 10, delete the repeated words "of the United Nations system have decided to suspend all participation in the activities".
23	19	Left-hand column, fifth full paragraph, line 8, for "coincides" read "coincide"; sixth full paragraph should begin: "This is the 40th anniversary of the national independence of my country. It was on...". Right-hand column, second full paragraph, line 18, for "individuality" read "indivisibility".
	20	Left-hand column, second full paragraph, line 6, for "justifiable" read "justiciable".
24	8, 15	See the corrigenda printed in <i>Provisional Record</i> , No. 26.
26	35	See the addendum printed in <i>Provisional Record</i> , No. 29.
	38	Left-hand column, sixth paragraph, last sentence should read: "Such provisions run counter to United States policy, impinge on the national sovereignty of other countries and exceed the mandate of the ILO." Right-hand column, second paragraph, lines 18 to 20 should read: "...by applying it to a political conflict in another part of the world between two peoples of the same race. And to finish on a positive note, etc.".
27	18	Right-hand column, lines 3 and 4 should read: "transmitted to the Committee by the Selection Committee. During its last sitting..."; in paragraph 210, line 7, for "13" read "30".
	19	Paragraph 219 has been repeated; the first, shorter, version should be deleted.
	25	See the corrigendum printed in <i>Provisional Record</i> , No. 35.
28	37	See the corrigendum printed in <i>Provisional Record</i> , No. 35.
	56	Right-hand column, last paragraph, line 2: for 1973 read 1983.
	57	Left-hand column, first full paragraph should begin: "The Government representative of Haiti noted the statement...".
	58	Left-hand column, fifth full paragraph, line 8, for "renove" read "remove"; lines 9 and 10, for "Plásticos Naciones" read "Plásticos del Litoral".
	66	Left-hand column, lines 24 and 35, and right-hand column, lines 19 and 21, for "officials" read "cadres".
	67	Right-hand column, line 17, for "officials" read "cadres".
	72	Right-hand column, line 1, for "requested" read "suggested".
	73	Left-hand column, second full paragraph, third line from end, for "Employers' member" read "Workers' member".
29	14	Right-hand column, last paragraph, line 3 should read: "an increase in the average monthly minimum income...".

No.	Page	
	15	Left-hand column, first full paragraph, line 11, for "wage" read "income"; line 12, after "francs" add "i.e. approximately 1,350 Swiss francs".
	23	See the corrigendum printed in <i>Provisional Record</i> , No. 31.
30	3	Left-hand column, last paragraph, line 7, for "Declarations" read "Declaration". Right-hand column, last paragraph should begin "The Nordic Employers' delegations have been advocating, and continue...".
	4	Left-hand column, first full paragraph, line 4, for "absorb" read "observe"; penultimate line, for "initiative" read "initiate".
	8	Right-hand column, first paragraph, line 11: after "notably" insert: "... the decision to put an end to abuses and to rehabilitate the victims of injustice and grant them an amnesty, as well as the release of prisoners, etc."; at the end of this paragraph a new paragraph should be inserted as follows: "With the new era, the declaration of 7 November clearly affirms the principles of dialogue and concertation in relations between the social partners, respecting the autonomy of the parties involved and freedom of association."
33	8	Paragraph 45, line 8, replace "resolutions" by "solutions".
	17, 26	See the corrigenda printed in <i>Provisional Record</i> , No. 36.
34	1	Paragraph 7, line 18, for "problem" read "problems".
	3	Paragraph 13, line 16, for "adequate" read "inadequate".
	15	Paragraph 81, line 11, for "portion" read "portions".
	17	Paragraph 92, line 8, for "paragraph" read "paragraphs".
	19	Paragraph 2 (a) of the resolution should read as follows: "(a) to bring these conclusions to the attention of member States and of workers' and employers' organisations;"
	26	Paragraph 19, line 4, for "conclusion" read "conclusions".
36	4	Right-hand column, penultimate line, for "Government of Sweden" read "Governments of the EEC".

CONVENTIONS AND RECOMMENDATIONS
ADOPTED BY THE CONFERENCE

AUTHENTIC TEXTS

Convention 167

CONVENTION CONCERNING SAFETY AND HEALTH IN CONSTRUCTION

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International
Labour Office, and having met in its Seventy-fifth Session on 1 June 1988,
and

Noting the relevant international labour Conventions and Recommendations
and, in particular, the Safety Provisions (Building) Convention and Recommendation, 1937, the Co-operation in Accident Prevention (Building) Recommendation, 1937, the Radiation Protection Convention and Recommendation, 1960, the Guarding of Machinery Convention and Recommendation, 1963, the Maximum Weight Convention and Recommendation, 1967, the Occupational Cancer Convention and Recommendation, 1974, the Working Environment (Air Pollution, Noise and Vibration) Convention and Recommendation, 1977, the Occupational Safety and Health Convention and Recommendation, 1981, the Occupational Health Services Convention and Recommendation, 1985, the Asbestos Convention and Recommendation, 1986, and the list of occupational diseases as revised in 1980 appended to the Employment Injury Benefits Convention, 1964, and

Having decided upon the adoption of certain proposals with regard to safety
and health in construction, which is the fourth item on the agenda of the
session, and

Having determined that these proposals shall take the form of an international
Convention revising the Safety Provisions (Building) Convention, 1937,

adopts this twentieth day of June of the year one thousand nine hundred and
eighty-eight the following Convention, which may be cited as the Safety and
Health in Construction Convention, 1988:

I. SCOPE AND DEFINITIONS

Article 1

1. This Convention applies to all construction activities, namely building, civil engineering, and erection and dismantling work, including any process, operation or transport on a construction site, from the preparation of the site to the completion of the project.

2. A Member ratifying this Convention may, after consultation with the most representative organisations of employers and workers concerned, where they exist, exclude from the application of the Convention, or certain provisions thereof, particular branches of economic activity or particular undertakings in respect of which special problems of a substantial nature arise, on condition that a safe and healthy working environment is maintained.

3. This Convention also applies to such self-employed persons as may be specified by national laws or regulations.

Article 2

For the purpose of this Convention:

(a) The term "construction" covers:

- (i) building, including excavation and the construction, structural alteration, renovation, repair, maintenance (including cleaning and painting) and demolition of all types of buildings or structures;

**CONVENTION CONCERNANT LA SÉCURITÉ ET LA SANTÉ
DANS LA CONSTRUCTION**

La Conférence générale de l'Organisation internationale du Travail, convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 1^{er} juin 1988, en sa soixante-quinzième session;

Notant les conventions et recommandations internationales pertinentes, en particulier la convention et la recommandation concernant les prescriptions de sécurité (bâtiment), 1937; la recommandation sur la collaboration pour la prévention des accidents (bâtiments), 1937; la convention et la recommandation sur la protection contre les radiations, 1960; la convention et la recommandation sur la protection des machines, 1963; la convention et la recommandation sur le poids maximum, 1967; la convention et la recommandation sur le cancer professionnel, 1974; la convention et la recommandation sur le milieu de travail (pollution de l'air, bruit et vibrations), 1977; la convention et la recommandation sur la sécurité et la santé des travailleurs, 1981; la convention et la recommandation sur les services de santé au travail, 1985; la convention et la recommandation sur l'amiante, 1986, et la liste des maladies professionnelles telle que révisée en 1980, annexée à la convention sur les prestations en cas d'accidents du travail et de maladies professionnelles, 1964;

Après avoir décidé d'adopter diverses propositions relatives à la sécurité et à la santé dans la construction, question qui constitue le quatrième point à l'ordre du jour de la session;

Après avoir décidé que ces propositions prendraient la forme d'une convention internationale, révisant la convention concernant les prescriptions de sécurité (bâtiment), 1937,

adopte, ce vingtième jour de juin mil neuf cent quatre-vingt-huit, la convention ci-après, qui sera dénommée Convention sur la sécurité et la santé dans la construction, 1988.

I. CHAMP D'APPLICATION ET DÉFINITIONS

Article 1

1. La convention s'applique à toutes les activités de construction, c'est-à-dire aux travaux du bâtiment, au génie civil et aux travaux de montage et de démontage, y compris tout procédé, toute opération ou tout transport sur un chantier de construction, depuis la préparation du site jusqu'à l'achèvement du projet.

2. Un Membre qui ratifie la convention peut, après consultation des organisations les plus représentatives d'employeurs et de travailleurs intéressées, s'il en existe, exclure de l'application de la convention ou de certaines de ses dispositions des branches d'activité économique déterminées ou des entreprises déterminées au sujet desquelles se posent des problèmes particuliers revêtant une certaine importance, à condition qu'un milieu de travail sûr et salubre y soit assuré.

3. La convention s'applique également aux travailleurs indépendants que la législation nationale pourrait désigner.

Article 2

Aux fins de la convention:

a) Le terme « construction » couvre:

- i) le travail du bâtiment, y compris les excavations et la construction, la transformation des structures, la rénovation, la réparation et l'entretien (y compris les travaux de nettoyage et de peinture) de même que la démolition de tous types de bâtiments ou d'ouvrages;

- (ii) civil engineering, including excavation and the construction, structural alteration, repair, maintenance and demolition of, for example, airports, docks, harbours, inland waterways, dams, river and avalanche and sea defence works, roads and highways, railways, bridges, tunnels, viaducts and works related to the provision of services such as communications, drainage, sewerage, water and energy supplies;
- (iii) the erection and dismantling of prefabricated buildings and structures, as well as the manufacturing of prefabricated elements on the construction site;
- (b) the term "construction site" means any site at which any of the processes or operations described in subparagraph (a) above are carried on;
- (c) the term "workplace" means all places where workers need to be or to go by reason of their work and which are under the control of an employer as defined in subparagraph (e) below;
- (d) the term "worker" means any person engaged in construction;
- (e) the term "employer" means:
 - (i) any physical or legal person who employs one or more workers on a construction site; and
 - (ii) as the context requires, the principal contractor, the contractor or the subcontractor;
- (f) the term "competent person" means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill for the safe performance of the specific work. The competent authorities may define appropriate criteria for the designation of such persons and may determine the duties to be assigned to them;
- (g) the term "scaffold" means any temporary structure, fixed, suspended or mobile, and its supporting components which is used for supporting workers and materials or to gain access to any such structure, and which is not a "lifting appliance" as defined in subparagraph (h) below;
- (h) the term "lifting appliance" means any stationary or mobile appliance used for raising or lowering persons or loads;
- (i) the term "lifting gear" means any gear or tackle by means of which a load can be attached to a lifting appliance but which does not form an integral part of the appliance or load.

II. GENERAL PROVISIONS

Article 3

The most representative organisations of employers and workers concerned shall be consulted on the measures to be taken to give effect to the provisions of this Convention.

Article 4

Each Member which ratifies this Convention undertakes that it will, on the basis of an assessment of the safety and health hazards involved, adopt and maintain in force laws or regulations which ensure the application of the provisions of the Convention.

Article 5

1. The laws and regulations adopted in pursuance of Article 4 above may provide for their practical application through technical standards or codes of practice, or by other appropriate methods consistent with national conditions and practice.

- ii) le génie civil, y compris les excavations et la construction, la transformation des structures, la réparation, l'entretien et la démolition d'ouvrages tels qu'aéroports, quais, installations portuaires, voies d'eau intérieures, barrages, ouvrages d'endiguement des cours d'eau et du littoral ou de protection contre les avalanches, routes et autoroutes, chemins de fer, ponts, tunnels, viaducs et les ouvrages d'utilité publique servant aux communications, au drainage, à la collecte des eaux usées et à la distribution d'eau et d'énergie;
- iii) le montage et le démontage de bâtiments et d'ouvrages préfabriqués de même que la fabrication des éléments préfabriqués sur le chantier de construction;
- b) l'expression «chantier de construction» désigne tout chantier où l'un quelconque des travaux ou des opérations décrits à l'alinéa a) ci-dessus est effectué;
- c) l'expression «lieu de travail» désigne tous les lieux où les travailleurs doivent se trouver ou se rendre du fait de leur travail et qui sont placés sous le contrôle d'un employeur au sens de l'alinéa e) ci-dessous;
- d) le terme «travailleur» désigne toute personne occupée dans la construction;
- e) le terme «employeur» désigne :
 - i) toute personne physique ou morale qui emploie un ou plusieurs travailleurs sur un chantier de construction; et,
 - ii) selon le cas, soit l'entrepreneur principal, l'entrepreneur ou le sous-traitant;
- f) l'expression «personne compétente» désigne une personne possédant des qualifications suffisantes telles qu'une formation adéquate et des connaissances, une expérience et les aptitudes suffisantes pour exécuter de façon sûre les tâches spécifiées. Les autorités compétentes peuvent fixer les critères appropriés pour la désignation de ces personnes et définir les devoirs qui leur incombent;
- g) le terme «échafaudage» désigne toute structure temporaire, fixe, suspendue ou mobile, ainsi que la charpente qui la soutient, servant de support à des travailleurs et à des matériaux, ou permettant d'accéder à une telle structure, à l'exclusion des appareils de levage au sens de l'alinéa h) ci-dessous;
- h) l'expression «appareil de levage» désigne tout appareil fixe ou mobile qui sert à monter ou descendre des personnes ou des charges;
- i) l'expression «accessoire de levage» désigne tout dispositif au moyen duquel on peut fixer une charge à un appareil de levage, mais qui ne constitue pas une partie intégrante de l'appareil ou de la charge.

II. DISPOSITIONS GÉNÉRALES

Article 3

Les organisations les plus représentatives d'employeurs et de travailleurs intéressés doivent être consultées sur les mesures à prendre pour donner effet aux dispositions de la convention.

Article 4

Tout Membre qui ratifie la convention doit s'engager, sur la base d'une évaluation des risques qui existent pour la sécurité et la santé, à adopter et à maintenir en vigueur une législation qui assure l'application des dispositions de la convention.

Article 5

1. La législation adoptée conformément à l'article 4 ci-dessus peut prévoir qu'elle sera appliquée en pratique par des normes techniques ou des recueils de directives pratiques, ou par d'autres moyens appropriés conformes aux conditions et à la pratique nationales.

2. In giving effect to Article 4 above and to paragraph 1 of this Article, each Member shall have due regard to the relevant standards adopted by recognised international organisations in the field of standardisation.

Article 6

Measures shall be taken to ensure that there is co-operation between employers and workers, in accordance with arrangements to be defined by national laws or regulations, in order to promote safety and health at construction sites.

Article 7

National laws or regulations shall require that employers and self-employed persons have a duty to comply with the prescribed safety and health measures at the workplace.

Article 8

1. Whenever two or more employers undertake activities simultaneously at one construction site—

- (a) the principal contractor, or other person or body with actual control over or primary responsibility for overall construction site activities, shall be responsible for co-ordinating the prescribed safety and health measures and, in so far as is compatible with national laws and regulations, for ensuring compliance with such measures;
- (b) in so far as is compatible with national laws and regulations, where the principal contractor, or other person or body with actual control over or primary responsibility for overall construction site activities, is not present at the site, he shall nominate a competent person or body at the site with the authority and means necessary to ensure on his behalf co-ordination and compliance with the measures, as foreseen in subparagraph (a) above;
- (c) each employer shall remain responsible for the application of the prescribed measures in respect of the workers placed under his authority.

2. Whenever employers or self-employed persons undertake activities simultaneously at one construction site they shall have the duty to co-operate in the application of the prescribed safety and health measures, as may be specified by national laws or regulations.

Article 9

Those concerned with the design and planning of a construction project shall take into account the safety and health of the construction workers in accordance with national laws, regulations and practice.

Article 10

National laws or regulations shall provide that workers shall have the right and the duty at any workplace to participate in ensuring safe working conditions to the extent of their control over the equipment and methods of work and to express views on the working procedures adopted as they may affect safety and health.

Article 11

National laws or regulations shall provide that workers shall have the duty to—

- (a) co-operate as closely as possible with their employer in the application of the prescribed safety and health measures;
- (b) take reasonable care for their own safety and health and that of other persons who may be affected by their acts or omissions at work;
- (c) use facilities placed at their disposal and not misuse anything provided for their own protection or the protection of others;

2. En donnant effet à l'article 4 et au paragraphe 1 ci-dessus, tout Membre doit dûment tenir compte des normes adoptées en la matière par les organisations internationales reconnues dans le domaine de la normalisation.

Article 6

Des mesures seront prises pour assurer, selon des modalités à définir par la législation nationale, une coopération entre les employeurs et les travailleurs en vue de promouvoir la sécurité et la santé sur les chantiers de construction.

Article 7

La législation nationale stipulera que les employeurs et les travailleurs indépendants sont tenus de se conformer aux mesures prescrites dans le domaine de la sécurité et de la santé sur les lieux de travail.

Article 8

1. Chaque fois que deux ou plusieurs employeurs entreprennent simultanément des travaux sur un chantier :

- a) il incombera à l'entrepreneur principal, ou tout autre personne ou organisme assumant le contrôle effectif ou la responsabilité principale de l'ensemble des activités du chantier de coordonner les mesures prescrites, dans le domaine de la sécurité et de la santé, et que ces mesures soient respectées pour autant que cela soit compatible avec la législation nationale.
- b) lorsque l'entrepreneur principal ou la personne ou l'organisme assumant le contrôle effectif ou la responsabilité principale de l'ensemble des activités du chantier n'y est pas présent, il doit, dans la mesure où cela est compatible avec la législation nationale, désigner une personne ou un organisme compétent sur place ayant l'autorité et les moyens nécessaires pour assurer, en son nom, la coordination et l'application des mesures prévues à l'alinéa a) ci-dessus.
- c) chaque employeur restera responsable de l'application des mesures prescrites pour les travailleurs placés sous son autorité.

2. Chaque fois que des employeurs ou des travailleurs indépendants entreprennent simultanément des travaux sur un chantier, ils seront tenus de coopérer à l'application des mesures de sécurité et de santé prescrites selon ce que pourra prévoir la législation nationale.

Article 9

Les personnes responsables de la conception et de la planification d'un projet de construction tiendront compte de la sécurité et de la santé des travailleurs de la construction, conformément à la législation et à la pratique nationales.

Article 10

La législation nationale doit prévoir que sur tous les lieux de travail, et dans la mesure où ils exercent un contrôle sur le matériel et les méthodes de travail, les travailleurs doivent avoir le droit et le devoir de contribuer à la sécurité du travail et d'exprimer des avis sur les procédés de travail adoptés pour autant qu'ils peuvent affecter la sécurité et la santé.

Article 11

La législation nationale doit prévoir que les travailleurs seront tenus :

- a) de coopérer aussi étroitement que possible avec leur employeur à l'application des mesures prescrites en matière de sécurité et de santé ;
- b) de prendre raisonnablement soin de leur propre sécurité et de leur propre santé, et de celles des autres personnes susceptibles d'être affectées par leurs actes ou leurs omissions au travail ;
- c) d'utiliser les moyens mis à leur disposition et de ne pas faire mauvais usage de ce qui leur a été fourni pour leur propre protection ou celle des autres ;

- (d) report forthwith to their immediate supervisor, and to the workers' safety representative where one exists, any situation which they believe could present a risk, and which they cannot properly deal with themselves;
- (e) comply with the prescribed safety and health measures.

Article 12

1. National laws or regulations shall provide that a worker shall have the right to remove himself from danger when he has good reason to believe that there is an imminent and serious danger to his safety or health, and the duty so to inform his supervisor immediately.

2. Where there is an imminent danger to the safety of workers the employer shall take immediate steps to stop the operation and evacuate workers as appropriate.

III. PREVENTIVE AND PROTECTIVE MEASURES

Article 13

SAFETY OF WORKPLACES

1. All appropriate precautions shall be taken to ensure that all workplaces are safe and without risk of injury to the safety and health of workers.

2. Safe means of access to and egress from all workplaces shall be provided and maintained, and indicated where appropriate.

3. All appropriate precautions shall be taken to protect persons present at or in the vicinity of a construction site from all risks which may arise from such site.

Article 14

SCAFFOLDS AND LADDERS

1. Where work cannot safely be done on or from the ground or from part of a building or other permanent structure, a safe and suitable scaffold shall be provided and maintained, or other equally safe and suitable provision shall be made.

2. In the absence of alternative safe means of access to elevated working places, suitable and sound ladders shall be provided. They shall be properly secured against inadvertent movement.

3. All scaffolds and ladders shall be constructed and used in accordance with national laws and regulations.

4. Scaffolds shall be inspected by a competent person in such cases and at such times as shall be prescribed by national laws or regulations.

Article 15

LIFTING APPLIANCES AND GEAR

1. Every lifting appliance and item of lifting gear, including their constituent elements, attachments, anchorages and supports, shall—

- (a) be of good design and construction, sound material and adequate strength for the purpose for which they are used;
- (b) be properly installed and used;

- d) de signaler sans délai à leur supérieur hiérarchique direct, et au délégué des travailleurs à la sécurité lorsqu'il en existe, toute situation susceptible à leur avis de présenter un risque et à laquelle ils ne sont pas en mesure de faire face convenablement eux-mêmes;
- e) de se conformer aux mesures prescrites en matière de sécurité et de santé.

Article 12

1. La législation nationale doit prévoir que tout travailleur doit avoir le droit de s'éloigner d'un danger lorsqu'il a de bonnes raisons de penser qu'il y a un péril imminent et grave pour sa sécurité ou sa santé et il doit en informer immédiatement son supérieur hiérarchique.

2. En présence d'un péril imminent pour la sécurité des travailleurs, l'employeur doit prendre des dispositions immédiates pour arrêter le travail et, selon le cas, procéder à une évacuation.

III. MESURES DE PRÉVENTION ET DE PROTECTION

Article 13

SÉCURITÉ SUR LES LIEUX DE TRAVAIL

1. Toutes les précautions appropriées doivent être prises pour faire en sorte que tous les lieux de travail soient sûrs et exempts de risques pour la sécurité et la santé des travailleurs.

2. Des moyens sûrs d'accéder aux lieux de travail et d'en sortir doivent être aménagés et entretenus, et signalés où cela est approprié.

3. Toutes les précautions appropriées doivent être prises pour protéger les personnes qui se trouvent sur un chantier de construction ou à proximité de celui-ci de tous les risques que ce chantier est susceptible de présenter.

Article 14

ÉCHAFAUDAGES ET ÉCHELLES

1. Lorsque le travail ne peut être exécuté en toute sécurité au sol ou à partir du sol ou à partir d'une partie d'un bâtiment ou d'un autre ouvrage permanent, un échafaudage approprié et sûr doit être installé et entretenu, ou tout autre moyen répondant aux mêmes exigences doit être fourni.

2. En l'absence d'autres moyens sûrs d'accès aux postes de travail surélevés, des échelles appropriées et de bonne qualité doivent être fournies. Elles doivent être convenablement assujetties pour parer à tout mouvement involontaire.

3. Tous les échafaudages et toutes les échelles doivent être construits et utilisés conformément à la législation nationale.

4. Les échafaudages doivent être inspectés par une personne compétente, dans les cas et aux moments prescrits par la législation nationale.

Article 15

APPAREILS ET ACCESSOIRES DE LEVAGE

1. Tout appareil de levage et tout accessoire de levage, y compris leurs éléments constitutifs, leurs attaches, ancrages et appuis, doivent être:

- a) bien conçus et construits en matériaux de bonne qualité et avoir une résistance suffisante pour l'usage qui en est fait;
- b) correctement installés et utilisés;

- (c) be maintained in good working order;
- (d) be examined and tested by a competent person at such times and in such cases as shall be prescribed by national laws or regulations; the results of these examinations and tests shall be recorded;
- (e) be operated by workers who have received appropriate training in accordance with national laws and regulations.

2. No person shall be raised, lowered or carried by a lifting appliance unless it is constructed, installed and used for that purpose in accordance with national laws and regulations, except in an emergency situation in which serious personal injury or fatality may occur, and for which the lifting appliance can be safely used.

Article 16

TRANSPORT, EARTH-MOVING AND MATERIALS-HANDLING EQUIPMENT

1. All vehicles and earth-moving or materials-handling equipment shall—

- (a) be of good design and construction taking into account as far as possible ergonomic principles;
- (b) be maintained in good working order;
- (c) be properly used;
- (d) be operated by workers who have received appropriate training in accordance with national laws and regulations.

2. On all construction sites on which vehicles, earth-moving or materials-handling equipment are used—

- (a) safe and suitable access ways shall be provided for them; and
- (b) traffic shall be so organised and controlled as to secure their safe operation.

Article 17

PLANT, MACHINERY, EQUIPMENT AND HAND TOOLS

1. Plant, machinery and equipment, including hand tools, both manual and power driven, shall—

- (a) be of good design and construction, taking into account as far as possible ergonomic principles;
- (b) be maintained in good working order;
- (c) be used only for work which they have been designed unless a use outside the initial design purposes has been assessed by a competent person who has concluded that such use is safe;

(d) be operated by workers who have received appropriate training.

2. Adequate instructions for safe use shall be provided where appropriate by the manufacturer or the employer, in a form understood by the users.

3. Pressure plant and equipment shall be examined and tested by a competent person in cases and at times prescribed by national laws or regulations.

Article 18

WORK AT HEIGHTS INCLUDING ROOFWORK

1. Where necessary to guard against danger, or where the height of a structure or its slope exceeds that prescribed by national laws or regulations, preventive

- c) entretenus en bon état de fonctionnement ;
- d) vérifiés et soumis à des essais, par une personne compétente, aux intervalles et dans les cas prescrits par la législation nationale, et les résultats de ces vérifications et essais seront consignés ;
- e) manœuvrés par des travailleurs ayant reçu une formation appropriée conformément à la législation nationale.

2. Un appareil de levage ne doit monter, descendre ou transporter des personnes que s'il est construit, installé et utilisé à cet effet conformément à la législation nationale ou, si tel n'est pas le cas, pour faire face à une situation d'urgence et parer à un risque de blessure grave ou accident mortel, lorsque l'appareil de levage peut être utilisé à cet effet en toute sécurité.

Article 16

MATÉRIEL DE TRANSPORT. ENGINS DE TERRASSEMENT ET DE MANUTENTION DES MATÉRIAUX

1. Tous les véhicules et les engins de terrassement et de manutention des matériaux doivent être :

- a) bien conçus et construits en tenant compte, dans la mesure du possible, des principes de l'ergonomie ;
- b) maintenus en bon état de fonctionnement ;
- c) correctement utilisés ;
- d) manœuvrés par des travailleurs ayant reçu une formation appropriée, conformément à la législation nationale.

2. Sur tous les chantiers de construction où l'on utilise des véhicules ainsi que des engins de terrassement ou de manutention des matériaux :

- a) des voies d'accès appropriées et sûres doivent être aménagées pour eux ;
- b) la circulation doit être organisée et contrôlée de manière à garantir leur sécurité d'utilisation.

Article 17

INSTALLATIONS. MACHINES. ÉQUIPEMENTS ET OUTILS À MAIN

1. Les installations, machines et équipements, y compris les outils à main avec ou sans moteur, doivent être :

- a) bien conçus et construits en tenant compte, dans la mesure du possible, des principes de l'ergonomie ;
- b) maintenus en bon état de fonctionnement ;
- c) utilisés exclusivement pour les travaux pour lesquels ils ont été conçus, à moins qu'une utilisation à d'autres fins que celles initialement prévues n'ait fait l'objet d'une évaluation complète par une personne compétente ayant conclu que cette utilisation est sans danger ;
- d) manœuvrés par des travailleurs ayant reçu une formation appropriée.

2. Des instructions adéquates en vue d'une utilisation sûre doivent, dans les cas appropriés, être fournies par le fabricant ou l'employeur sous une forme compréhensible pour les utilisateurs.

3. Les installations et les appareils sous pression doivent être vérifiés et soumis à des essais par une personne compétente, dans les cas et aux moments prescrits par la législation nationale.

Article 18

TRAVAUX EN HAUTEUR. Y COMPRIS SUR LES TOITURES

1. Là où cela est nécessaire pour parer à un risque, ou lorsque la hauteur ou l'inclinaison de l'ouvrage dépasse les valeurs fixées par la législation nationale, des

measures shall be taken against the fall of workers and tools or other objects or materials.

2. Where workers are required to work on or near roofs or other places covered with fragile material, through which they are liable to fall, preventive measures shall be taken against their inadvertently stepping on or falling through the fragile material.

Article 19

EXCAVATIONS, SHAFTS, EARTHWORKS, UNDERGROUND WORKS AND TUNNELS

Adequate precautions shall be taken in any excavation, shaft, earthworks, underground works or tunnel—

- (a) by suitable shoring or otherwise to guard against danger to workers from a fall or dislodgement of earth, rock or other material;
- (b) to guard against dangers arising from the fall of persons, materials or objects or the inrush of water into the excavation, shaft, earthworks, underground works or tunnel;
- (c) to secure adequate ventilation at every workplace so as to maintain an atmosphere fit for respiration and to limit any fumes, gases, vapours, dust or other impurities to levels which are not dangerous or injurious to health and are within limits laid down by national laws or regulations;
- (d) to enable the workers to reach safety in the event of fire, or an inrush of water or material;
- (e) to avoid risk to workers arising from possible underground dangers such as the circulation of fluids or the presence of pockets of gas, by undertaking appropriate investigations to locate them.

Article 20

COFFERDAMS AND CAISSONS

1. Every cofferdam and caisson shall be—

- (a) of good construction and suitable and sound material and of adequate strength;
- (b) provided with adequate means for workers to reach safety in the event of an inrush of water or material.

2. The construction, positioning, modification or dismantling of a cofferdam or caisson shall take place only under the immediate supervision of a competent person.

3. Every cofferdam and caisson shall be inspected by a competent person at prescribed intervals.

Article 21

WORK IN COMPRESSED AIR

1. Work in compressed air shall be carried out only in accordance with measures prescribed by national laws or regulations.

2. Work in compressed air shall be carried out only by workers whose physical aptitude for such work has been established by a medical examination and when a competent person is present to supervise the conduct of the operations.

dispositions préventives doivent être prises pour éviter la chute des travailleurs, des outils ou autres objets ou matériaux.

2. Lorsque des travailleurs doivent travailler sur ou à proximité d'un toit ou de toute autre surface en matériau fragile à travers lequel il est possible de faire une chute, des mesures préventives doivent être prises pour qu'ils ne marchent pas, par inadvertance, sur la surface en matériau fragile ou ne tombent pas à travers.

Article 19

EXCAVATIONS, PUITS, TERRASSEMENTS, TRAVAUX SOUTERRAINS ET TUNNELS

Des précautions adéquates doivent être prises dans une excavation, un puits, un terrassement, un travail souterrain ou un tunnel :

- a) au moyen d'un étaieement approprié ou d'une autre manière pour prévenir les dangers que les travailleurs pourraient courir au cas où la terre, des rochers ou d'autres matériaux s'effondreraient ou se détacheraient ;
- b) pour prévenir les dangers liés à la chute d'une personne, de matériaux ou d'objets, ou l'irruption d'eau dans l'excavation, le puits, le terrassement, le travail souterrain ou le tunnel ;
- c) pour assurer une ventilation suffisante à tous les postes de travail de façon à entretenir une atmosphère respirable et à maintenir les fumées, gaz, vapeurs, poussières ou autres impuretés à des niveaux qui ne soient pas dangereux ou nuisibles pour la santé et dans des limites fixées par la législation nationale ;
- d) pour permettre aux travailleurs de se mettre en lieu sûr en cas d'incendie ou d'irruption d'eau ou de matériaux ;
- e) pour éviter aux travailleurs les risques provenant de dangers souterrains possibles, notamment la circulation de fluides ou la présence de poches de gaz, en procédant à des investigations appropriées afin de les localiser.

Article 20

BATARDEAUX ET CAISSONS

1. Tous les batardeaux et caissons doivent être :
 - a) bien construits, avec des matériaux appropriés et solides, et avoir une résistance suffisante ;
 - b) pourvus d'un équipement suffisant pour que les travailleurs puissent se mettre à l'abri en cas d'irruption d'eau ou de matériaux.

2. La construction, la mise en place, la transformation ou le démontage d'un batardeau ou d'un caisson ne doivent avoir lieu que sous la surveillance directe d'une personne compétente.

3. Tous les batardeaux et tous les caissons doivent être inspectés par une personne compétente à des intervalles prescrits.

Article 21

TRAVAIL DANS L'AIR COMPRIMÉ

1. Le travail dans l'air comprimé ne doit être effectué que selon les dispositions prévues par la législation nationale.

2. Le travail dans l'air comprimé ne doit être effectué que par des travailleurs dont l'aptitude physique à ce travail a été établie par un examen médical, et en présence d'une personne compétente pour surveiller le déroulement des opérations.

Article 22

STRUCTURAL FRAMES AND FORMWORK

1. The erection of structural frames and components, formwork, falsework and shoring shall be carried out only under the supervision of a competent person.
2. Adequate precautions shall be taken to guard against danger to workers arising from any temporary state of weakness or instability of a structure.
3. Formwork, falsework and shoring shall be so designed, constructed and maintained that it will safely support all loads that may be imposed on it.

Article 23

WORK OVER WATER

Where work is done over or in close proximity to water there shall be adequate provision for—

- (a) preventing workers from falling into water;
- (b) the rescue of workers in danger of drowning;
- (c) safe and sufficient transport.

Article 24

DEMOLITION

When the demolition of any building or structure might present danger to workers or to the public—

- (a) appropriate precautions, methods and procedures shall be adopted, including those for the disposal of waste or residues, in accordance with national laws or regulations;
- (b) the work shall be planned and undertaken only under the supervision of a competent person.

Article 25

LIGHTING

Adequate and suitable lighting, including portable lighting where appropriate, shall be provided at every workplace and any other place on the construction site where a worker may have to pass.

Article 26

ELECTRICITY

1. All electrical equipment and installations shall be constructed, installed and maintained by a competent person, and so used as to guard against danger.
2. Before construction is commenced and during the progress thereof adequate steps shall be taken to ascertain the presence of and to guard against danger to workers from any live electrical cable or apparatus which is under, over or on the site.
3. The laying and maintenance of electrical cables and apparatus on construction sites shall be governed by the technical rules and standards applied at the national level.

Article 22

CHARPENTES ET COFFRAGES

1. Les charpentes et les éléments de charpente, les coffrages, les supports temporaires et les étalements ne doivent être montés que sous la surveillance d'une personne compétente.

2. Des précautions suffisantes doivent être prises pour protéger les travailleurs contre les dangers provenant de la fragilité ou de l'instabilité temporaire d'un ouvrage.

3. Les coffrages, les supports temporaires et les étalements doivent être conçus, construits et entretenus de manière à pouvoir supporter sans risque toutes les charges qui peuvent leur être imposées.

Article 23

TRAVAIL AU-DESSUS D'UN PLAN D'EAU

Si un travail est exécuté au-dessus ou à proximité immédiate d'un plan d'eau, des dispositions appropriées doivent être prises :

- a) pour empêcher les travailleurs de tomber à l'eau ;
- b) pour procéder au sauvetage de travailleurs en danger de noyade ;
- c) pour fournir des moyens de transport sûrs et suffisants.

Article 24

TRAVAUX DE DÉMOLITION

Lorsque la démolition d'un bâtiment ou d'un ouvrage peut présenter un danger pour les travailleurs ou le public :

- a) des précautions, méthodes et procédures appropriées, y compris pour l'évacuation des déchets ou résidus, doivent être adoptées conformément à la législation nationale ;
- b) les travaux ne doivent être planifiés et entrepris que sous la surveillance d'une personne compétente.

Article 25

ÉCLAIRAGE

Un éclairage suffisant et approprié, comportant, le cas échéant, des sources de lumières portatives, doit être assuré à chaque poste de travail ainsi qu'en tout autre lieu du chantier de construction où un travailleur peut avoir à passer.

Article 26

ÉLECTRICITÉ

1. Tous les matériels et installations électriques doivent être construits, montés et entretenus par une personne compétente, et utilisés de manière à prévenir tout danger.

2. Avant d'entreprendre des travaux de construction et pendant la durée de ceux-ci, des mesures appropriées doivent être prises pour vérifier si un câble ou un appareil électrique sous tension se trouve au-dessous ou au-dessus du chantier, ou sur celui-ci, et pour prévenir tout danger que sa présence peut faire courir aux travailleurs.

3. La pose et l'entretien des câbles et appareils électriques sur les chantiers doivent répondre aux normes et règles techniques appliquées au niveau national.

Article 27

EXPLOSIVES

Explosives shall not be stored, transported, handled or used except—

- (a) under conditions prescribed by national laws or regulations; and
- (b) by a competent person, who shall take such steps as are necessary to ensure that workers and other persons are not exposed to risk of injury.

Article 28

HEALTH HAZARDS

1. Where a worker is liable to be exposed to any chemical, physical or biological hazard to such an extent as is liable to be dangerous to health, appropriate preventive measures shall be taken against such exposure.

2. The preventive measures referred to in paragraph 1 above shall comprise—

- (a) the replacement of hazardous substances by harmless or less hazardous substances wherever possible; or
- (b) technical measures applied to the plant, machinery, equipment or process; or
- (c) where it is not possible to comply with subparagraphs (a) or (b) above, other effective measures, including the use of personal protective equipment and protective clothing.

3. Where workers are required to enter any area in which a toxic or harmful substance may be present, or in which there may be an oxygen deficiency, or a flammable atmosphere, adequate measures shall be taken to guard against danger.

4. Waste shall not be destroyed or otherwise disposed of on a construction site in a manner which is liable to be injurious to health.

Article 29

FIRE PRECAUTIONS

1. The employer shall take all appropriate measures to—

- (a) avoid the risk of fire;
- (b) combat quickly and efficiently any outbreak of fire;
- (c) bring about a quick and safe evacuation of persons.

2. Sufficient and suitable storage shall be provided for flammable liquids, solids and gases.

Article 30

PERSONAL PROTECTIVE EQUIPMENT AND PROTECTIVE CLOTHING

1. Where adequate protection against risk of accident or injury to health, including exposure to adverse conditions, cannot be ensured by other means, suitable personal protective equipment and protective clothing, having regard to the type of work and risks, shall be provided and maintained by the employer, without cost to the workers, as may be prescribed by national laws or regulations.

Article 27

EXPLOSIFS

Les explosifs ne doivent être entreposés, transportés, manipulés ou utilisés que :

- a) dans les conditions prescrites par la législation nationale ;
- b) par une personne compétente, qui doit prendre les mesures nécessaires pour empêcher que des travailleurs ou d'autres personnes ne soient exposés à un risque de lésion.

Article 28

RISQUES POUR LA SANTÉ

1. Lorsqu'un travailleur peut être exposé à un risque chimique, physique ou biologique au point que sa santé puisse être mise en danger, des mesures préventives appropriées doivent être prises pour éviter une telle exposition.

2. Afin de prévenir l'exposition visée au paragraphe 1 ci-dessus :

- a) les substances dangereuses doivent être remplacées par des substances sans danger ou moins dangereuses chaque fois que cela est possible ; ou
- b) des mesures techniques doivent être appliquées à la machine, à l'installation, à l'équipement ou au procédé ; ou
- c) s'il n'est pas possible de se conformer aux dispositions des alinéas a) ou b) ci-dessus, d'autres mesures efficaces, telles que l'utilisation d'un équipement de protection individuelle et de vêtements protecteurs, doivent être prises.

3. Si des travailleurs doivent pénétrer dans une zone dont l'atmosphère est susceptible de contenir une substance toxique ou nocive, ou d'être d'une teneur insuffisante en oxygène ou, encore, d'être inflammable, des mesures appropriées doivent être prises pour prévenir tout danger.

4. Les déchets ne doivent pas être détruits sur le chantier de construction ou y être éliminés d'une autre manière si cela risque d'être nuisible pour la santé.

Article 29

PRÉCAUTIONS CONTRE L'INCENDIE

1. L'employeur doit prendre toutes les mesures appropriées pour :

- a) éviter le risque d'incendie ;
- b) combattre rapidement et efficacement tout début d'incendie ;
- c) assurer l'évacuation rapide et sûre des personnes.

2. Des moyens suffisants et appropriés doivent être aménagés pour le stockage des liquides, des solides et des gaz inflammables.

Article 30

ÉQUIPEMENT DE PROTECTION INDIVIDUELLE ET VÊTEMENTS PROTECTEURS

1. Là où il n'est pas possible de protéger de manière suffisante, par d'autres moyens, les travailleurs contre les risques d'accidents ou les atteintes à la santé, y compris l'exposition à des conditions défavorables, un équipement de protection individuelle et des vêtements protecteurs appropriés tenant compte de la nature du travail et des risques, doivent être fournis et entretenus par les employeurs sans frais pour les travailleurs, selon ce qui peut être prescrit par la législation nationale.

2. The employer shall provide the workers with the appropriate means to enable them to use the individual protective equipment, and shall ensure its proper use.

3. Protective equipment and protective clothing shall comply with standards set by the competent authority taking into account as far as possible ergonomic principles.

4. Workers shall be required to make proper use of and to take good care of the personal protective equipment and protective clothing provided for their use.

Article 31

FIRST AID

The employer shall be responsible for ensuring that first aid, including trained personnel, is available at all times. Arrangements shall be made for ensuring the removal for medical attention of workers who have suffered an accident or sudden illness.

Article 32

WELFARE

1. At or within reasonable access of every construction site an adequate supply of wholesome drinking water shall be provided.

2. At or within reasonable access of every construction site, the following facilities shall, depending on the number of workers and the duration of the work, be provided and maintained—

- (a) sanitary and washing facilities;
- (b) facilities for changing and for the storage and drying of clothing;
- (c) accommodation for taking meals and for taking shelter during interruption of work due to adverse weather conditions.

3. Men and women workers should be provided with separate sanitary and washing facilities.

Article 33

INFORMATION AND TRAINING

Workers shall be adequately and suitably—

- (a) informed of potential safety and health hazards to which they may be exposed at their workplace;
- (b) instructed and trained in the measures available for the prevention and control of, and protection against, those hazards.

Article 34

REPORTING OF ACCIDENTS AND DISEASES

National laws or regulations shall provide for the reporting to the competent authority within a prescribed time of occupational accidents and diseases.

2. L'employeur doit fournir aux travailleurs les moyens appropriés leur permettant de faire usage de l'équipement de protection individuelle, et s'assurer qu'ils en fassent un usage correct.

3. L'équipement de protection et les vêtements protecteurs doivent être conformes aux normes établies par l'autorité compétente en tenant compte, autant que possible, des principes de l'ergonomie.

4. Les travailleurs doivent être tenus d'utiliser convenablement l'équipement de protection individuelle et les vêtements protecteurs mis à leur disposition, et d'en prendre soin.

Article 31

PREMIERS SECOURS

Il doit incomber à l'employeur de s'assurer que les premiers secours, y compris le personnel formé à cette fin, puissent être fournis à tout moment. Des mesures doivent être prises pour assurer l'évacuation, pour soins médicaux, des travailleurs accidentés ou victimes d'une maladie soudaine.

Article 32

BIEN-ÊTRE

1. L'eau potable doit être fournie en quantité suffisante sur les lieux mêmes ou à proximité de tout chantier de construction.

2. Selon le nombre de travailleurs et la durée des travaux, les installations suivantes doivent être fournies et entretenues sur les lieux mêmes ou à proximité de tout chantier de construction :

- a) des cabinets d'aisances et des installations permettant aux travailleurs de se laver ;
- b) des installations pour permettre aux travailleurs de se changer, de faire sécher leurs vêtements et de les ranger ;
- c) des locaux pour permettre aux travailleurs de prendre leurs repas et de se mettre à l'abri en cas d'interruption du travail pour cause d'intempéries.

3. Des installations sanitaires et des salles d'eau séparées devraient être prévues pour les travailleurs et les travailleuses.

Article 33

INFORMATION ET FORMATION

Les travailleurs doivent être, de manière suffisante et appropriée :

- a) informés des risques possibles d'accident ou d'atteinte à la santé auxquels ils peuvent être exposés sur leur lieu de travail ;
- b) instruits sur les moyens mis à leur disposition pour prévenir et maîtriser ces risques et pour s'en protéger, et être formés à cet effet.

Article 34

DÉCLARATION DES ACCIDENTS ET DES MALADIES

La législation nationale doit prévoir que seront déclarés à l'autorité compétente dans un délai prescrit les cas d'accidents du travail et de maladies professionnelles.

IV. IMPLEMENTATION

Article 35

Each Member shall—

- (a) take all necessary measures, including the provision of appropriate penalties and corrective measures, to ensure the effective enforcement of the provisions of the Convention;
- (b) provide appropriate inspection services to supervise the application of the measures to be taken in pursuance of the Convention and provide these services with the resources necessary for the accomplishment of their task, or satisfy itself that appropriate inspection is carried out.

V. FINAL PROVISIONS

Article 36

This Convention revises the Safety Provisions (Building) Convention, 1937.

Article 37

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

Article 38

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

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

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

Article 39

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 40

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

IV. APPLICATION

Article 35

Tout Membre doit :

- a) prendre toutes les mesures nécessaires, notamment les sanctions et les mesures correctives appropriées, en vue d'assurer l'application effective des dispositions de la convention :
- b) mettre en place des services d'inspection appropriés pour le contrôle de l'application des mesures à prendre conformément aux dispositions de la convention et doter ces services des moyens nécessaires à l'accomplissement de leur tâche ou s'assurer qu'une inspection appropriée est effectuée.

V. DISPOSITIONS FINALES

Article 36

La présente convention révisé la convention concernant les prescriptions de sécurité (bâtiment), 1937.

Article 37

Les ratifications formelles de la présente convention seront communiquées au Directeur général du Bureau international du Travail et par lui enregistrées.

Article 38

1. La présente convention ne liera que les Membres de l'Organisation internationale du Travail dont la ratification aura été enregistrée par le Directeur général.

2. Elle entrera en vigueur douze mois après que les ratifications de deux Membres auront été enregistrées par le Directeur général.

3. Par la suite, cette convention entrera en vigueur pour chaque Membre douze mois après la date où sa ratification aura été enregistrée.

Article 39

1. Tout Membre ayant ratifié la présente convention peut la dénoncer à l'expiration d'une période de dix années après la date de la mise en vigueur initiale de la convention, par un acte communiqué au Directeur général du Bureau international du Travail et par lui enregistré. La dénonciation ne prendra effet qu'une année après avoir été enregistrée.

2. Tout Membre ayant ratifié la présente convention qui, dans le délai d'une année après l'expiration de la période de dix années mentionnée au paragraphe précédent, ne fera pas usage de la faculté de dénonciation prévue par le présent article sera lié pour une nouvelle période de dix années et, par la suite, pourra dénoncer la présente convention à l'expiration de chaque période de dix années dans les conditions prévues au présent article.

Article 40

1. Le Directeur général du Bureau international du Travail notifiera à tous les Membres de l'Organisation internationale du Travail l'enregistrement de toutes les ratifications et dénonciations qui lui seront communiquées par les Membres de l'Organisation.

2. En notifiant aux Membres de l'Organisation l'enregistrement de la deuxième ratification qui lui aura été communiquée, le Directeur général appellera l'attention des Membres de l'Organisation sur la date à laquelle la présente convention entrera en vigueur.

Article 41

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 42

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

Article 43

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 39 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

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

Article 44

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

Article 41

Le Directeur général du Bureau international du Travail communiquera au Secrétaire général des Nations Unies, aux fins d'enregistrement, conformément à l'article 102 de la Charte des Nations Unies, des renseignements complets au sujet de toutes ratifications et de tous actes de dénonciation qu'il aura enregistrés conformément aux articles précédents.

Article 42

Chaque fois qu'il le jugera nécessaire, le Conseil d'administration du Bureau international du Travail présentera à la Conférence générale un rapport sur l'application de la présente convention et examinera s'il y a lieu d'inscrire à l'ordre du jour de la Conférence la question de sa revision totale ou partielle.

Article 43

1. Au cas où la Conférence adopterait une nouvelle convention portant revision totale ou partielle de la présente convention, et à moins que la nouvelle convention ne dispose autrement :

- a) la ratification par un Membre de la nouvelle convention portant revision entraînerait de plein droit, nonobstant l'article 39 ci-dessus, dénonciation immédiate de la présente convention, sous réserve que la nouvelle convention portant revision soit entrée en vigueur ;
- b) à partir de la date de l'entrée en vigueur de la nouvelle convention portant revision, la présente convention cesserait d'être ouverte à la ratification des Membres.

2. La présente convention demeurerait en tout cas en vigueur dans sa forme et teneur pour les Membres qui l'auraient ratifiée et qui ne ratifieraient pas la convention portant revision.

Article 44

Les versions française et anglaise du texte de la présente convention font également foi.

Convention 168

**CONVENTION CONCERNING EMPLOYMENT PROMOTION AND
PROTECTION AGAINST UNEMPLOYMENT**

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International
Labour Office, and having met in its Seventy-fifth Session on 1 June 1988,
and

Emphasising the importance of work and productive employment in any
society not only because of the resources which they create for the commu-
nity, but also because of the income which they bring to workers, the social
role which they confer and the feeling of self-esteem which workers derive
from them, and

Recalling the existing international standards in the field of employment and
unemployment protection (the Unemployment Provision Convention and
Recommendation, 1934, the Unemployment (Young Persons) Recommen-
dation, 1935, the Income Security Recommendation, 1944, the Social Secu-
rity (Minimum Standards) Convention, 1952, the Employment Policy Con-
vention and Recommendation, 1964, the Human Resources Development
Convention and Recommendation, 1975, the Labour Administration Con-
vention and Recommendation, 1978, and the Employment Policy (Supple-
mentary Provisions) Recommendation, 1984), and

Considering the widespread unemployment and underemployment affecting
various countries throughout the world at all stages of development and in
particular the problems of young people, many of whom are seeking their
first employment, and

Considering that, since the adoption of the international instruments concern-
ing protection against unemployment referred to above, there have been
important new developments in the law and practice of many Members
necessitating the revision of existing standards, in particular the Unemploy-
ment Provision Convention, 1934, and the adoption of new international
standards concerning the promotion of full, productive and freely chosen
employment by all appropriate means, including social security, and

Noting that the provisions concerning unemployment benefit in the Social
Security (Minimum Standards) Convention, 1952, lay down a level of
protection that has now been surpassed by most of the existing compensa-
tion schemes in the industrialised countries and, unlike standards concern-
ing other benefits, have not been followed by higher standards, but that the
standards in question can still constitute a target for developing countries
that are in a position to set up an unemployment compensation scheme, and

Recognising that policies leading to stable, sustained, non-inflationary econ-
omic growth and a flexible response to change, as well as to creation and
promotion of all forms of productive and freely chosen employment includ-
ing small undertakings, co-operatives, self-employment and local initiatives
for employment, even through the re-distribution of resources currently
devoted to the financing of purely assistance-oriented activities towards
activities which promote employment especially vocational guidance, train-
ing and rehabilitation, offer the best protection against the adverse effects
of involuntary unemployment, but that involuntary unemployment never-
theless exists and that it is therefore important to ensure that social security
systems should provide employment assistance and economic support to
those who are involuntarily unemployed, and

Having decided upon the adoption of certain proposals with regard to employ-
ment promotion and social security which is the fifth item on the agenda of
the session with a view, in particular, to revising the Unemployment
Provision Convention, 1934, and

**CONVENTION CONCERNANT LA PROMOTION DE L'EMPLOI
ET LA PROTECTION CONTRE LE CHÔMAGE**

La Conférence générale de l'Organisation internationale du Travail, convoquée à Genève par le Conseil d'administration du Bureau international du Travail, et s'y étant réunie le 1^{er} juin 1988, en sa soixante-quinzième session;

Soulignant l'importance du travail et de l'emploi productif dans toute société, en raison non seulement des ressources qu'ils créent pour la communauté mais des revenus qu'ils apportent aux travailleurs, du rôle social qu'ils leur confèrent et du sentiment de satisfaction personnelle qu'ils leur procurent;

Rappelant les normes internationales existantes dans le domaine de l'emploi et de la protection contre le chômage (convention et recommandation du chômage, 1934; recommandation sur le chômage (jeunes gens), 1935; recommandation sur la garantie des moyens d'existence, 1944; convention concernant la sécurité sociale (norme minimum), 1952; convention et recommandation sur la politique de l'emploi, 1964; convention et recommandation sur la mise en valeur des ressources humaines, 1975; convention et recommandation sur l'administration du travail, 1978; et recommandation concernant la politique de l'emploi (dispositions complémentaires), 1984;)

Considérant l'étendue du chômage et du sous-emploi qui affectent divers pays du monde à tous les stades de développement, et notamment les problèmes des jeunes gens, dont un grand nombre est à la recherche d'un premier emploi;

Considérant que, depuis l'adoption des instruments internationaux concernant la protection contre le chômage mentionnés ci-dessus, il s'est produit dans la législation et la pratique de nombreux Membres d'importants développements qui rendent nécessaires la révision des normes existantes, notamment la convention du chômage, 1934, et l'adoption de nouvelles normes internationales relatives à la promotion du plein emploi, productif et librement choisi, par tous moyens appropriés, y compris la sécurité sociale;

Notant que les dispositions relatives aux prestations de chômage de la convention concernant la sécurité sociale (norme minimum), 1952, fixent un niveau de protection dépassé aujourd'hui par la plupart des régimes d'indemnisation existant dans les pays industrialisés et n'ont pas encore été complétées par des normes plus élevées, à la différence de celles relatives à d'autres prestations, mais que les principes sur lesquels repose cette convention demeurent valables et que ses normes peuvent encore constituer un objectif à atteindre par certains pays en développement en mesure d'instituer un régime d'indemnisation du chômage;

Reconnaissant que les politiques suscitant une croissance économique soutenue et non inflationniste, une réaction souple aux changements ainsi que la création et la promotion de toutes formes d'emploi productif et librement choisi, y compris les petites entreprises, les coopératives, le travail indépendant et les initiatives locales en faveur de l'emploi, même par la redistribution des ressources actuellement consacrées au financement d'activités d'assistance pure, au profit d'activités aptes à promouvoir l'emploi, notamment l'orientation, la formation et la rééducation professionnelles, offrent la meilleure protection contre les effets néfastes du chômage involontaire, que néanmoins le chômage involontaire existe et qu'il importe en conséquence de faire en sorte que les systèmes de sécurité sociale apportent une aide à l'emploi et un soutien économique aux personnes qui sont au chômage pour des raisons involontaires;

Après avoir décidé d'adopter diverses propositions relatives à la promotion de l'emploi et à la sécurité sociale, question qui constitue le cinquième point à l'ordre du jour de la session, en vue notamment de la révision de la convention du chômage, 1934;

Having determined that these proposals shall take the form of an international Convention,
adopts this twenty-first day of June of the year one thousand nine hundred and eighty-eight the following Convention, which may be cited as the Employment Promotion and Protection against Unemployment Convention, 1988:

I. GENERAL PROVISIONS

Article 1

In this Convention:

- (a) the term "legislation" includes any social security rules as well as laws and regulations;
- (b) the term "prescribed" means determined by or in virtue of national legislation.

Article 2

Each Member shall take appropriate steps to co-ordinate its system of protection against unemployment and its employment policy. To this end, it shall seek to ensure that its system of protection against unemployment, and in particular the methods of providing unemployment benefit, contribute to the promotion of full, productive and freely chosen employment, and are not such as to discourage employers from offering and workers from seeking productive employment.

Article 3

The provisions of this Convention shall be implemented in consultation and co-operation with the organisations of employers and workers, in accordance with national practice.

Article 4

- 1. Each Member which ratifies this Convention may, by a declaration accompanying its ratification, exclude the provisions of Part VII from the obligations accepted by ratification.
- 2. Each Member which has made a declaration under paragraph 1 above may withdraw it at any time by a subsequent declaration.

Article 5

- 1. Each Member may avail itself, by a declaration accompanying its ratification, of at most two of the temporary exceptions provided for in Article 10, paragraph 4, Article 11, paragraph 3, Article 15, paragraph 2, Article 18, paragraph 2, Article 19, paragraph 4, Article 23, paragraph 2, Article 24, paragraph 2, and Article 25, paragraph 2. Such a declaration shall state the reasons which justify these exceptions.
- 2. Notwithstanding the provisions of paragraph 1 above, a Member, where it is justified by the extent of protection of its social security system, may avail itself, by a declaration accompanying its ratification, of the temporary exceptions provided for in Article 10, paragraph 4, Article 11, paragraph 3, Article 15, paragraph 2, Article 18, paragraph 2, Article 19, paragraph 4, Article 23, paragraph 2, Article 24, paragraph 2 and Article 25, paragraph 2. Such a declaration shall state the reasons which justify these exceptions.
- 3. Each Member which has made a declaration under paragraph 1 or paragraph 2 shall include in its reports on the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation a statement in respect of each exception of which it avails itself—

Considérant que ces propositions devraient prendre la forme d'une convention internationale,
adopte, ce vingt et unième jour de juin mil neuf cent quatre-vingt-huit, la convention ci-après, qui sera dénommée Convention sur la promotion de l'emploi et la protection contre le chômage, 1988.

I. DISPOSITIONS GÉNÉRALES

Article 1

Aux fins de la présente convention :

- a) le terme « législation » comprend les lois et règlements, aussi bien que les dispositions statutaires en matière de sécurité sociale ;
- b) le terme « prescrit » signifie déterminé par ou en vertu de la législation nationale.

Article 2

Tout Membre doit prendre des mesures appropriées pour coordonner son régime de protection contre le chômage et sa politique de l'emploi. A cette fin, il doit veiller à ce que son régime de protection contre le chômage et en particulier les modalités de l'indemnisation du chômage contribuent à la promotion du plein emploi, productif et librement choisi, et n'aient pas pour effet de décourager les employeurs d'offrir, et les travailleurs de rechercher, un emploi productif.

Article 3

Les dispositions de la présente convention doivent être mises en application en consultation et en collaboration avec les organisations d'employeurs et de travailleurs, conformément à la pratique nationale.

Article 4

1. Tout Membre qui ratifie la présente convention peut, par une déclaration accompagnant sa ratification, exclure de l'engagement résultant de cette ratification les dispositions de la partie VII.

2. Tout Membre ayant fait une telle déclaration peut l'annuler en tout temps par une déclaration ultérieure.

Article 5

1. Tout Membre peut, par une déclaration accompagnant sa ratification, se réserver le bénéfice de deux au plus des dérogations temporaires prévues au paragraphe 4 de l'article 10, au paragraphe 3 de l'article 11, au paragraphe 2 de l'article 15, au paragraphe 2 de l'article 18, au paragraphe 4 de l'article 19, au paragraphe 2 de l'article 23, au paragraphe 2 de l'article 24 et au paragraphe 2 de l'article 25. Cette déclaration doit énoncer les raisons qui justifient ces dérogations.

2. Nonobstant les dispositions du paragraphe 1, un Membre dont la portée limitée du système de sécurité sociale le justifie peut, par une déclaration accompagnant sa ratification, se réserver le bénéfice des dérogations temporaires prévues au paragraphe 4 de l'article 10, au paragraphe 3 de l'article 11, au paragraphe 2 de l'article 15, au paragraphe 2 de l'article 18, au paragraphe 4 de l'article 19, au paragraphe 2 de l'article 23, au paragraphe 2 de l'article 24 et au paragraphe 2 de l'article 25. Cette déclaration doit énoncer les raisons qui justifient ces dérogations.

3. Tout Membre qui a fait une déclaration en application du paragraphe 1 ou du paragraphe 2 doit, dans les rapports sur l'application de la présente convention qu'il est tenu de présenter en vertu de l'article 22 de la Constitution de l'Organisation internationale du Travail, faire connaître, à propos de chacune des dérogations dont il s'est réservé le bénéfice :

- (a) that its reason for doing so subsists; or
- (b) that it renounces its right to avail itself of the exception in question as from a stated date.

4. Each Member which has made a declaration under paragraph 1 or paragraph 2 shall, as appropriate to the terms of such declaration and as circumstances permit –

- (a) cover the contingency of partial unemployment;
- (b) increase the number of persons protected;
- (c) increase the amount of the benefits;
- (d) reduce the length of the waiting period;
- (e) extend the duration of payment of benefits;
- (f) adapt statutory social security schemes to the occupational circumstances of part-time workers;
- (g) endeavour to ensure the provision of medical care to persons in receipt of unemployment benefit and their dependants;
- (h) endeavour to guarantee that the periods during which such benefit is paid will be taken into account for the acquisition of the right to social security benefits and, where appropriate, the calculation of disability, old-age and survivors' benefit.

Article 6

1. Each Member shall ensure equality of treatment for all persons protected, without discrimination on the basis of race, colour, sex, religion, political opinion, national extraction, nationality, ethnic or social origin, disability or age.

2. The provisions of paragraph 1 shall not prevent the adoption of special measures which are justified by the circumstances of identified groups under the schemes referred to in Article 12, paragraph 2, or are designed to meet the specific needs of categories of persons who have particular problems in the labour market, in particular disadvantaged groups, or the conclusion between States of bilateral or multilateral agreements relating to unemployment benefits on the basis of reciprocity.

II. PROMOTION OF PRODUCTIVE EMPLOYMENT

Article 7

Each Member shall declare as a priority objective a policy designed to promote full, productive and freely chosen employment by all appropriate means, including social security. Such means should include, inter alia, employment services, vocational training and vocational guidance.

Article 8

1. Each Member shall endeavour to establish, subject to national law and practice, special programmes to promote additional job opportunities and employment assistance and to encourage freely chosen and productive employment for identified categories of disadvantaged persons having or liable to have difficulties in finding lasting employment such as women, young workers, disabled persons, older workers, the long-term unemployed, migrant workers lawfully resident in the country and workers affected by structural change.

2. Each Member shall specify, in its reports under article 22 of the Constitution of the International Labour Organisation, the categories of persons for whom it undertakes to promote employment programmes.

- a) soit que les raisons qu'il a eues pour ce faire existent toujours ;
- b) soit qu'il renonce, à partir d'une date déterminée, à se prévaloir de la dérogation en question.

4. Tout Membre qui a fait une déclaration en application du paragraphe 1 ou du paragraphe 2 devra, selon l'objet de sa déclaration et lorsque les circonstances le permettront :

- a) couvrir l'éventualité de chômage partiel ;
- b) augmenter le nombre des personnes protégées ;
- c) majorer le montant des indemnités ;
- d) réduire la durée du délai d'attente ;
- e) étendre la durée de versement des indemnités ;
- f) adapter les régimes légaux de sécurité sociale aux conditions de l'activité professionnelle des travailleurs à temps partiel ;
- g) s'efforcer de garantir les soins médicaux aux bénéficiaires des indemnités de chômage et aux personnes à leur charge ;
- h) s'efforcer de garantir la prise en considération des périodes au cours desquelles ces indemnités sont versées pour l'acquisition du droit aux prestations de sécurité sociale et, le cas échéant, pour le calcul des prestations d'invalidité, de vieillesse et de survivants.

Article 6

1. Tout Membre doit garantir l'égalité de traitement à toutes les personnes protégées, sans discrimination fondée sur la race, la couleur, le sexe, la religion, l'opinion politique, l'ascendance nationale, la nationalité, l'origine ethnique ou sociale, l'invalidité ou l'âge.

2. Les dispositions du paragraphe 1 ne s'opposent pas à l'adoption de mesures spéciales qui sont justifiées par la situation de groupes déterminés, dans le cadre des régimes visés au paragraphe 2 de l'article 12, ou destinées à répondre aux besoins spécifiques de catégories de personnes qui rencontrent des problèmes particuliers sur le marché du travail, notamment des groupes désavantagés, ni à la conclusion d'accords bilatéraux ou multilatéraux entre États relatifs aux prestations de chômage sur une base de réciprocité.

II. PROMOTION DE L'EMPLOI PRODUCTIF

Article 7

Tout Membre doit formuler, comme objectif prioritaire, une politique visant à promouvoir le plein emploi, productif et librement choisi, par tous moyens appropriés, y compris la sécurité sociale. Ces moyens devraient comprendre notamment les services de l'emploi, la formation et l'orientation professionnelles.

Article 8

1. Tout Membre doit s'efforcer d'établir, sous réserve de la législation et de la pratique nationales, des mesures spéciales pour promouvoir des possibilités additionnelles d'emploi et l'aide à l'emploi et faciliter l'emploi productif et librement choisi de catégories déterminées de personnes désavantagées qui ont ou qui sont susceptibles d'avoir des difficultés à trouver un emploi durable, telles que les femmes, les jeunes travailleurs, les personnes handicapées, les travailleurs âgés, les chômeurs de longue durée, les travailleurs migrants en situation régulière et les travailleurs affectés par des changements structureaux.

2. Tout Membre doit spécifier, dans ses rapports au titre de l'article 22 de la Constitution de l'Organisation internationale du Travail, les catégories de personnes en faveur desquelles il s'engage à promouvoir des mesures d'emploi.

3. Each Member shall endeavour to extend the promotion of productive employment progressively to a greater number of categories than the number initially covered.

Article 9

The measures envisaged in this Part shall be taken in the light of the Human Resources Development Convention and Recommendation, 1975, and the Employment Policy (Supplementary Provisions) Recommendation, 1984.

III. CONTINGENCIES COVERED

Article 10

1. The contingencies covered shall include, under prescribed conditions, full unemployment defined as the loss of earnings due to inability to obtain suitable employment with due regard to the provisions of Article 21, paragraph 2, in the case of a person capable of working, available for work and actually seeking work.

2. Each Member shall endeavour to extend the protection of the Convention, under prescribed conditions, to the following contingencies –

- (a) loss of earnings due to partial unemployment, defined as a temporary reduction in the normal or statutory hours of work; and
- (b) suspension or reduction of earnings due to a temporary suspension of work,

without any break in the employment relationship for reasons of, in particular, an economic, technological, structural or similar nature.

3. Each Member shall in addition endeavour to provide the payment of benefits to part-time workers who are actually seeking full-time work. The total of benefits and earnings from their part-time work may be such as to maintain incentives to take up full-time work.

4. Where a declaration made in virtue of Article 5 is in force, the implementation of paragraphs 2 and 3 above may be deferred.

IV. PERSONS PROTECTED

Article 11

1. The persons protected shall comprise prescribed classes of employees, constituting not less than 85 per cent of all employees, including public employees and apprentices.

2. Notwithstanding the provisions of paragraph 1 above, public employees whose employment up to normal retiring age is guaranteed by national laws or regulations may be excluded from protection.

3. Where a declaration made in virtue of Article 5 is in force, the persons protected shall comprise –

- (a) prescribed classes of employees constituting not less than 50 per cent of all employees; or
- (b) where specifically justified by the level of development, prescribed classes of employees constituting not less than 50 per cent of all employees in industrial workplaces employing 20 persons or more.

3. Tout Membre doit s'efforcer d'étendre progressivement la promotion de l'emploi productif à un nombre de catégories plus élevé que celui qui est couvert à l'origine.

Article 9

Les mesures visées par la présente partie doivent s'inspirer de la convention et de la recommandation sur la mise en valeur des ressources humaines, 1975, et de la recommandation sur la politique de l'emploi (dispositions complémentaires), 1984.

III. EVENTUALITÉS COUVERTES

Article 10

1. Les éventualités couvertes doivent comprendre, dans des conditions prescrites, le chômage complet défini comme la perte de gain due à l'impossibilité d'obtenir un emploi convenable, compte dûment tenu des dispositions du paragraphe 2 de l'article 21, pour une personne capable de travailler, disponible pour le travail et effectivement en quête d'emploi.

2. Tout Membre doit s'efforcer d'étendre la protection de la convention, dans des conditions prescrites, aux éventualités suivantes :

- a) la perte de gain due au chômage partiel défini comme une réduction temporaire de la durée normale ou légale du travail ;
- b) la suspension ou la réduction du gain due à une suspension temporaire de travail,

sans cessation de la relation de travail, notamment pour des motifs économiques, technologiques, structurels ou similaires.

3. Tout Membre doit en outre s'efforcer de prévoir le versement d'indemnités aux travailleurs à temps partiel qui sont effectivement en quête d'un emploi à plein temps. Le total des indemnités et des gains provenant de leur emploi à temps partiel peut être tel qu'il les incite à prendre un emploi à plein temps.

4. Lorsqu'une déclaration faite en vertu de l'article 5 est en vigueur, la mise en œuvre des paragraphes 2 et 3 peut être différée.

IV. PERSONNES PROTÉGÉES

Article 11

1. Les personnes protégées doivent comprendre des catégories prescrites de salariés formant au total 85 pour cent au moins de l'ensemble des salariés, y compris les agents de la fonction publique et les apprentis.

2. Nonobstant les dispositions du paragraphe 1, les agents de la fonction publique dont l'emploi est garanti par la législation nationale jusqu'à l'âge normal de la retraite peuvent être exclus de la protection.

3. Lorsqu'une déclaration faite en vertu de l'article 5 est en vigueur, les personnes protégées doivent comprendre :

- a) soit des catégories prescrites de salariés formant au total 50 pour cent au moins de l'ensemble des salariés ;
- b) soit, si le niveau de développement le justifie spécialement, des catégories prescrites de salariés formant au total 50 pour cent au moins de l'ensemble des salariés travaillant dans des entreprises industrielles qui emploient vingt personnes au moins.

V. METHODS OF PROTECTION

Article 12

1. Unless it is otherwise provided in this Convention, each Member may determine the method or methods of protection by which it chooses to put into effect the provisions of the Convention, whether by a contributory or non-contributory system, or by a combination of such systems.

2. Nevertheless, if the legislation of a Member protects all residents whose resources, during the contingency, do not exceed prescribed limits, the protection afforded may be limited, in the light of the resources of the beneficiary and his or her family, in accordance with the provisions of Article 16.

VI. BENEFIT TO BE PROVIDED

Article 13

Benefits provided in the form of periodical payments to the unemployed may be related to the methods of protection.

Article 14

In cases of full unemployment, benefits shall be provided in the form of periodical payments calculated in such a way as to provide the beneficiary with partial and transitional wage replacement and, at the same time, to avoid creating disincentives either to work or to employment creation.

Article 15

1. In cases of full unemployment and suspension of earnings due to a temporary suspension of work without any break in the employment relationship, when this contingency is covered, benefits shall be provided in the form of periodical payments, calculated as follows:

- (a) where these benefits are based on the contributions of or on behalf of the person protected or on previous earnings, they shall be fixed at not less than 50 per cent of previous earnings, it being permitted to fix a maximum for the amount of the benefit or for the earnings to be taken into account, which may be related, for example, to the wage of a skilled manual employee or to the average wage of workers in the region concerned;
- (b) where such benefits are not based on contributions or previous earnings, they shall be fixed at not less than 50 per cent of the statutory minimum wage or of the wage of an ordinary labourer, or at a level which provides the minimum essential for basic living expenses, whichever is the highest;

2. Where a declaration made in virtue of Article 5 is in force, the amount of the benefits shall be equal—

- (a) to not less than 45 per cent of the previous earnings; or
- (b) to not less than 45 per cent of the statutory minimum wage or of the wage of an ordinary labourer but no less than a level which provides the minimum essential for basic living expenses.

3. If appropriate, the percentages specified in paragraphs 1 and 2 may be reached by comparing net periodical payments after tax and contributions with net earnings after tax and contributions.

Article 16

Notwithstanding the provisions of Article 15, the benefit provided beyond the initial period specified in Article 19, paragraph 2(a), as well as benefits paid by a

V. MÉTHODES DE PROTECTION

Article 12

1. Tout Membre peut déterminer la méthode ou les méthodes de protection par lesquelles il choisit de donner effet aux dispositions de la convention, qu'il s'agisse de régimes contributifs ou non contributifs, ou encore de la combinaison de tels régimes, à moins qu'il n'en soit disposé autrement par la présente convention.

2. Toutefois, si la législation d'un Membre protège tous les résidents dont les ressources pendant l'éventualité n'excèdent pas des limites prescrites, la protection accordée peut être limitée en fonction des ressources du bénéficiaire et de sa famille conformément aux dispositions de l'article 16.

VI. INDEMNITÉS À ATTRIBUER

Article 13

Les prestations versées aux chômeurs sous forme de paiements périodiques peuvent être liées aux méthodes de protection.

Article 14

Dans le cas de chômage complet, des indemnités doivent être versées sous forme de paiements périodiques calculés de manière à fournir au bénéficiaire une indemnisation partielle et transitoire de la perte de gain et à éviter en même temps des effets dissuasifs pour le travail et la création d'emplois.

Article 15

1. Dans les cas de chômage complet et de suspension du gain due à une suspension temporaire de travail sans cessation de la relation de travail, si cette dernière éventualité est couverte, des indemnités doivent être versées sous forme de paiements périodiques calculés de la manière suivante :

- a) lorsque ces indemnités sont déterminées en rapport avec les cotisations versées par la personne protégée ou en son nom ou avec son gain antérieur, elles doivent être fixées à 50 pour cent au moins du gain antérieur dans la limite éventuelle de maximums d'indemnité ou de gain liés par exemple au salaire d'un ouvrier qualifié ou au salaire moyen des travailleurs dans la région considérée;
- b) lorsque ces indemnités sont déterminées sans rapport avec les cotisations ni avec le gain antérieur, elles doivent être fixées à 50 pour cent au moins du salaire minimal légal ou du salaire du manœuvre ordinaire, ou au montant minimal indispensable pour les dépenses essentielles, le montant le plus élevé devant être retenu.

2. Lorsqu'une déclaration faite en vertu de l'article 5 est en vigueur, le montant des indemnités doit être au moins égal :

- a) soit à 45 pour cent du gain antérieur;
- b) soit à 45 pour cent du salaire minimal légal ou du salaire du manœuvre ordinaire, sans que ce pourcentage puisse être inférieur au montant minimal indispensable pour les dépenses essentielles.

3. Si cela est approprié, les pourcentages spécifiés aux paragraphes 1 et 2 peuvent être atteints en comparant les paiements périodiques nets d'impôt et de cotisation avec le gain net d'impôt et de cotisation.

Article 16

Nonobstant les dispositions de l'article 15, les indemnités versées après la durée initiale spécifiée à l'alinéa a) du paragraphe 2 de l'article 19, ainsi que les

Member in accordance with Article 12, paragraph 2, may be fixed after taking account of other resources, beyond a prescribed limit, available to the beneficiary and his or her family, in accordance with a prescribed scale. In any case, these benefits, in combination with any other benefits to which they may be entitled, shall guarantee them healthy and reasonable living conditions in accordance with national standards.

Article 17

1. Where the legislation of a Member makes the right to unemployment benefit conditional upon the completion of a qualifying period, this period shall not exceed the length deemed necessary to prevent abuse.

2. Each Member shall endeavour to adapt the qualifying period to the occupational circumstances of seasonal workers.

Article 18

1. If the legislation of a Member provides that the payment of benefit in cases of full employment should begin only after the expiry of a waiting period, such period shall not exceed seven days.

2. Where a declaration made in virtue of Article 5 is in force, the length of the waiting period shall not exceed ten days.

3. In the case of seasonal workers the waiting period specified in paragraph 1 above may be adapted to their occupational circumstances.

Article 19

1. The benefits provided in cases of full unemployment and suspension of earnings due to a temporary suspension of work without any break in the employment relationship shall be paid throughout these contingencies.

2. Nevertheless, in the case of full unemployment—

(a) the initial duration of payment of the benefit provided for in Article 15 may be limited to 26 weeks in each spell of unemployment, or to 39 weeks over any period of 24 months;

(b) in the event of unemployment continuing beyond this initial period of benefit, the duration of payment of benefit, which may be calculated in the light of the resources of the beneficiary and his or her family in accordance with the provisions of Article 16, may be limited to a prescribed period.

3. If the legislation of a Member provides that the initial duration of payment of the benefit provided for in Article 15 shall vary with the length of the qualifying period, the average duration fixed for the payment of benefits shall be at least 26 weeks.

4. Where a declaration made in virtue of Article 5 is in force, the duration of payment of benefit may be limited to 13 weeks over any periods of 12 months or to an average of 13 weeks if the legislation provides that the initial duration of payment shall vary with the length of the qualifying period.

5. In the cases envisaged in paragraph 2(b) above each Member shall endeavour to grant appropriate additional assistance to the persons concerned with a view to permitting them to find productive and freely chosen employment, having recourse in particular to the measures specified in Part II.

6. The duration of payment of benefit to seasonal workers may be adapted to their occupational circumstances, without prejudice to the provisions of paragraph 2(b) above.

Article 20

The benefit to which a protected person would have been entitled in the cases of full or partial unemployment or suspension of earnings due to a temporary

indemnités versées par un Membre visé au paragraphe 2 de l'article 12, peuvent être fixées, compte tenu d'autres ressources dont disposent le bénéficiaire et sa famille au-delà d'une limite prescrite, selon un barème prescrit. En tout cas, ces indemnités, combinées avec toutes autres prestations auxquelles ils peuvent avoir droit, doivent leur garantir des conditions d'existence saines et convenables, selon les normes nationales.

Article 17

1. Si la législation d'un Membre subordonne le droit aux indemnités de chômage à l'accomplissement d'un stage, ce stage ne doit pas excéder la durée considérée comme nécessaire pour éviter les abus.

2. Tout Membre doit s'efforcer d'adapter le stage aux conditions de l'activité professionnelle des travailleurs saisonniers.

Article 18

1. Si la législation d'un Membre prévoit que les indemnités ne commencent à être versées en cas de chômage complet qu'à l'expiration d'un délai d'attente, la durée de ce délai ne doit pas dépasser sept jours.

2. Lorsqu'une déclaration faite en vertu de l'article 5 est en vigueur, la durée du délai d'attente ne doit pas dépasser dix jours.

3. Lorsqu'il s'agit de travailleurs saisonniers, le délai d'attente prévu au paragraphe 1 peut être adapté aux conditions de leur activité professionnelle.

Article 19

1. Les indemnités attribuées en cas de chômage complet et de suspension du gain due à une suspension temporaire du travail sans cessation de la relation de travail doivent être versées pendant toute la durée de ces éventualités.

2. Toutefois, en cas de chômage complet :

- a) la durée initiale de versement des indemnités visées à l'article 15 peut être limitée à vingt-six semaines par cas de chômage, ou à trente-neuf semaines au cours de toute période de vingt-quatre mois ;
- b) en cas de prolongation du chômage à l'expiration de cette période initiale d'indemnisation, la durée de versement des indemnités calculées éventuellement en fonction des ressources du bénéficiaire et de sa famille, conformément aux dispositions de l'article 16, peut être limitée à une période prescrite.

3. Si la législation d'un Membre prévoit que la durée initiale de versement des indemnités visées à l'article 15 est échelonnée selon la durée du stage, la moyenne des durées prévues pour le versement des indemnités doit atteindre au moins vingt-six semaines.

4. Lorsqu'une déclaration faite en vertu de l'article 5 est en vigueur, la durée de versement des indemnités peut être limitée à treize semaines au cours d'une période de douze mois ou à une moyenne de treize semaines si la législation prévoit que la durée initiale du versement est échelonnée selon la durée du stage.

5. Dans le cas visé à l'alinéa b) du paragraphe 2, tout Membre doit s'efforcer d'accorder aux intéressés une aide complémentaire appropriée en vue de leur permettre de retrouver un emploi productif et librement choisi, notamment en recourant aux mesures spécifiées à la partie II.

6. La durée de versement des indemnités versées aux travailleurs saisonniers peut être adaptée aux conditions de leur activité professionnelle, sans préjudice des dispositions de l'alinéa b) du paragraphe 2.

Article 20

Les indemnités auxquelles une personne protégée aurait eu droit dans les éventualités de chômage complet ou partiel, ou de suspension du gain due à une

suspension of work without any break in the employment relationship may be refused, withdrawn, suspended or reduced to the extent prescribed—

- (a) for as long as the person concerned is absent from the territory of the Member;
- (b) when it has been determined by the competent authority that the person concerned had deliberately contributed to his or her own dismissal;
- (c) when it has been determined by the competent authority that the person concerned has left employment voluntarily without just cause;
- (d) during the period of a labour dispute, when the person concerned has stopped work to take part in a labour dispute or when he or she is prevented from working as a direct result of a stoppage of work due to this labour dispute;
- (e) when the person concerned has attempted to obtain or has obtained benefits fraudulently;
- (f) when the person concerned has failed without just cause to use the facilities available for placement, vocational guidance, training, retraining or redeployment in suitable work;
- (g) as long as the person concerned is in receipt of another income maintenance benefit provided for in the legislation of the Member concerned, except a family benefit, provided that the part of the benefit which is suspended does not exceed that other benefit.

Article 21

1. The benefit to which a protected person would have been entitled in the case of full unemployment may be refused, withdrawn, suspended or reduced, to the extent prescribed, when the person concerned refuses to accept suitable employment.

2. In assessing the suitability of employment, account shall be taken, in particular, under prescribed conditions and to an appropriate extent, of the age of unemployed persons, their length of service in their former occupation, their acquired experience, the length of their period of unemployment, the labour market situation, the impact of the employment in question on their personal and family situation and whether the employment is vacant as a direct result of a stoppage of work due to an on-going labour dispute.

Article 22

When protected persons have received directly from their employer or from any other source under national laws or regulations or collective agreements, severance pay, the principal purpose of which is to contribute towards compensating them for the loss of earnings suffered in the event of full unemployment—

- (a) the unemployment benefit to which the persons concerned would be entitled may be suspended for a period corresponding to that during which the severance pay compensates for the loss of earnings suffered; or
- (b) the severance pay may be reduced by an amount corresponding to the value converted into a lump sum of the unemployment benefit to which the persons concerned are entitled for a period corresponding to that during which the severance pay compensates for the loss of earnings suffered,

as each Member may decide.

Article 23

1. Each Member whose legislation provides for the right to medical care and makes it directly or indirectly conditional upon occupational activity shall endeavour to ensure, under prescribed conditions, the provision of medical care to persons in receipt of unemployment benefit and to their dependants.

2. Where a declaration made in virtue of Article 5 is in force, the implementation of paragraph 1 above may be deferred.

suspension temporaire de travail sans cessation de la relation de travail, peuvent être refusées, supprimées, suspendues ou réduites dans une mesure prescrite :

- a) aussi longtemps que l'intéressé ne se trouve pas sur le territoire du Membre ;
- b) lorsque, selon l'appréciation de l'autorité compétente, l'intéressé a délibérément contribué à son renvoi ;
- c) lorsque, selon l'appréciation de l'autorité compétente, l'intéressé a quitté volontairement son emploi sans motif légitime ;
- d) pendant la durée d'un conflit professionnel, lorsque l'intéressé a cessé le travail pour prendre part à ce conflit ou lorsqu'il est empêché de travailler en raison directe d'un arrêt du travail dû audit conflit ;
- e) lorsque l'intéressé a essayé d'obtenir ou a obtenu frauduleusement les indemnités ;
- f) lorsque l'intéressé a négligé, sans motif légitime, d'utiliser les services mis à sa disposition en matière de placement, d'orientation, de formation, de conversion professionnelles ou de réinsertion dans un emploi convenable.
- g) aussi longtemps que l'intéressé reçoit une autre prestation de maintien du revenu prévue par la législation du Membre concerné, à l'exception d'une prestation familiale, sous réserve que la partie des indemnités qui est suspendue ne dépasse pas l'autre prestation.

Article 21

1. Les indemnités auxquelles une personne protégée aurait eu droit en cas de chômage complet peuvent être refusées, supprimées, suspendues ou réduites, dans une mesure prescrite, lorsque l'intéressé refuse d'accepter un emploi convenable.

2. Dans l'appréciation du caractère convenable ou non d'un emploi, il doit être tenu compte notamment, dans des conditions prescrites et dans la mesure appropriée, de l'âge du chômeur, de son ancienneté dans sa profession antérieure, de l'expérience acquise, de la durée du chômage, de l'état du marché du travail, des répercussions de cet emploi sur la situation personnelle et familiale de l'intéressé et du fait que l'emploi est disponible en raison directe d'un arrêt du travail dû à un conflit professionnel en cours.

Article 22

Lorsqu'une personne protégée a reçu directement de son employeur ou de toute autre source, en vertu de la législation nationale ou d'une convention collective, une indemnité de départ ayant pour principale fonction de contribuer à compenser la perte de gain subie en cas de chômage complet :

- a) les indemnités de chômage auxquelles l'intéressé aurait droit peuvent être suspendues pendant une période correspondant à celle durant laquelle l'indemnité de départ permet de compenser la perte de gain subie ; ou
- b) l'indemnité de départ peut être réduite d'un montant correspondant à la valeur convertie en un versement unique des indemnités de chômage auxquelles l'intéressé aurait droit pendant une période correspondant à celle durant laquelle l'indemnité de départ permet de compenser la perte de gain subie, au choix de chaque Membre.

Article 23

1. Tout Membre dont la législation couvre les soins médicaux et en subordonne directement ou indirectement le droit à une condition d'activité professionnelle doit s'efforcer de garantir, dans des conditions prescrites, les soins médicaux aux bénéficiaires des indemnités de chômage, ainsi qu'aux personnes à leur charge.

2. Lorsqu'une déclaration faite en vertu de l'article 5 est en vigueur, la mise en œuvre du paragraphe 1 peut être différée.

Article 24

1. Each Member shall endeavour to guarantee to persons in receipt of unemployment benefit, under prescribed conditions, that the periods during which benefits are paid will be taken into consideration—

- (a) for acquisition of the right to and, where appropriate, calculation of disability, old-age and survivors' benefit, and
- (b) for acquisition of the right to medical care and sickness, maternity and family benefit after the end of unemployment,

when the legislation of the Member concerned provides for such benefits and makes them directly or indirectly conditional upon occupational activity.

2. Where a declaration made in virtue of Article 5 is in force, the implementation of paragraph 1 above may be deferred.

Article 25

1. Each Member shall ensure that statutory social security schemes which are based on occupational activity are adjusted to the occupational circumstances of part-time workers, unless their hours of work or earnings can be considered, under prescribed conditions, as negligible.

2. Where a declaration made in virtue of Article 5 is in force, the implementation of paragraph 1 above may be deferred.

VII. SPECIAL PROVISIONS FOR NEW APPLICANTS FOR EMPLOYMENT

Article 26

1. Members shall take account of the fact that there are many categories of persons seeking work who have never been, or have ceased to be, recognised as unemployed or have never been, or have ceased to be, covered by schemes for the protection of the unemployed. Consequently, at least three of the following ten categories of persons seeking work shall receive social benefits, in accordance with prescribed terms and conditions:

- (a) young persons who have completed their vocational training;
- (b) young persons who have completed their studies;
- (c) young persons who have completed their compulsory military service;
- (d) persons after a period devoted to bringing up a child or caring for someone who is sick, disabled or elderly;
- (e) persons whose spouse had died, when they are not entitled to a survivor's benefit;
- (f) divorced or separated persons;
- (g) released prisoners;
- (h) adults, including disabled persons, who have completed a period of training;
- (i) migrant workers on return to their home country, except in so far as they have acquired rights under the legislation of the country where they last worked;
- (j) previously self-employed persons.

2. Each Member shall specify, in its reports under article 22 of the Constitution of the International Labour Organisation, the categories of persons listed in paragraph 1 above which it undertakes to protect.

3. Each Member shall endeavour to extend protection progressively to a greater number of categories than the number initially protected.

Article 24

1. Tout Membre doit, dans des conditions prescrites, s'efforcer de garantir aux bénéficiaires des indemnités de chômage la prise en considération des périodes au cours desquelles ces indemnités sont versées:

- a) pour l'acquisition du droit et, le cas échéant, le calcul des prestations d'invalidité, de vieillesse et de survivants;
 - b) pour l'acquisition du droit aux soins médicaux, aux indemnités de maladie et de maternité et aux prestations familiales, après la fin du chômage,
- lorsque la législation du Membre considéré prévoit de telles prestations et en subordonne directement ou indirectement le droit à une condition d'activité professionnelle.

2. Lorsqu'une déclaration faite en vertu de l'article 5 est en vigueur, la mise en œuvre du paragraphe 1 peut être différée.

Article 25

1. Tout Membre doit assurer l'adaptation des régimes légaux de sécurité sociale qui sont liés à l'exercice d'une activité professionnelle aux conditions de l'activité professionnelle des travailleurs à temps partiel dont la durée de travail ou les gains ne peuvent, dans des conditions prescrites, être considérés comme négligeables.

2. Lorsqu'une déclaration faite en vertu de l'article 5 est en vigueur, la mise en œuvre du paragraphe 1 peut être différée.

VII. DISPOSITIONS PARTICULIÈRES AUX NOUVEAUX DEMANDEURS D'EMPLOI

Article 26

1. Les Membres doivent prendre en considération le fait qu'il existe de nombreuses catégories de personnes en quête d'emploi qui n'ont jamais été reconnues comme chômeurs ou ont cessé de l'être, ou qui n'ont jamais appartenu à des régimes d'indemnisation du chômage ou ont cessé d'y appartenir. En conséquence, trois au moins des dix catégories de personnes suivantes, en quête d'emploi, doivent bénéficier de prestations sociales, dans des conditions et selon des modalités prescrites:

- a) les jeunes gens ayant terminé leur formation professionnelle;
- b) les jeunes gens ayant terminé leurs études;
- c) les jeunes gens libérés du service militaire obligatoire;
- d) toute personne à l'issue d'une période qu'elle a consacrée à l'éducation d'un enfant ou aux soins d'une personne malade, handicapée ou âgée;
- e) les personnes dont le conjoint est décédé, lorsqu'elles n'ont pas droit à une prestation de survivant;
- f) les personnes divorcées ou séparées;
- g) les détenus libérés;
- h) les adultes, y compris les invalides, ayant terminé une période de formation;
- i) les travailleurs migrants à leur retour dans leur pays d'origine, sous réserve de leurs droits acquis au titre de la législation de leur dernier pays de travail;
- j) les personnes ayant auparavant travaillé à leur compte.

2. Tout Membre doit spécifier, dans ses rapports au titre de l'article 22 de la Constitution de l'Organisation internationale du Travail, les catégories de personnes visées au paragraphe 1 qu'il s'engage à protéger.

3. Tout Membre doit s'efforcer d'étendre progressivement la protection à un nombre de catégories de personnes plus élevé que celui qu'il a accepté à l'origine.

VIII. LEGAL, ADMINISTRATIVE AND FINANCIAL GUARANTEES

Article 27

1. In the event of refusal, withdrawal, suspension or reduction of benefit or dispute as to its amount, claimants shall have the right to present a complaint to the body administering the benefit scheme and to appeal thereafter to an independent body. They shall be informed in writing of the procedures available, which shall be simple and rapid.

2. The appeal procedure shall enable the claimant, in accordance with national law and practice, to be represented or assisted by a qualified person of the claimant's choice or by a delegate of a representative workers' organisation or by a delegate of an organisation representative of protected persons.

Article 28

Each Member shall assume general responsibility for the sound administration of the institutions and services entrusted with the application of the Convention.

Article 29

1. When the administration is directly entrusted to a government department responsible to Parliament, representatives of the protected persons and of the employers shall be associated in the administration in an advisory capacity, under prescribed conditions.

2. When the administration is not entrusted to a government department responsible to Parliament—

- (a) representatives of the protected persons shall participate in the administration or be associated therewith in an advisory capacity under prescribed conditions;
- (b) national laws or regulations may also provide for the participation of employers' representatives;
- (c) the laws or regulations may further provide for the participation of representatives of the public authorities.

Article 30

In cases where subsidies are granted by the State or the social security system in order to safeguard employment, Members shall take the necessary steps to ensure that the payments are expended only for the intended purpose and to prevent fraud or abuse by those who receive such payments.

Article 31

This Convention revises the Unemployment Provision Convention, 1934.

Article 32

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

Article 33

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

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

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

VIII. GARANTIES JURIDIQUES, ADMINISTRATIVES ET FINANCIÈRES

Article 27

1. En cas de refus, de suppression, de suspension, de réduction des indemnités ou de contestation sur leur montant, tout requérant doit avoir le droit de présenter une réclamation devant l'organisme qui administre le régime des prestations et d'exercer ultérieurement un recours devant un organe indépendant. Le requérant doit être informé par écrit des procédures applicables, lesquelles doivent être simples et rapides.

2. La procédure de recours doit permettre au requérant, conformément à la législation et à la pratique nationales, de se faire représenter ou assister par une personne qualifiée de son choix, par un délégué d'une organisation représentative de travailleurs ou par un délégué d'une organisation représentative des personnes protégées.

Article 28

Tout Membre doit assumer une responsabilité générale pour la bonne administration des institutions et services qui concourent à l'application de la convention.

Article 29

1. Lorsque l'administration est directement assurée par un département gouvernemental responsable devant un parlement, les représentants des personnes protégées et des employeurs doivent, dans des conditions prescrites, être associés à celle-ci à titre consultatif.

2. Lorsque l'administration n'est pas assurée par un département gouvernemental responsable devant un parlement :

- a) des représentants des personnes protégées doivent participer à l'administration ou y être associés avec pouvoir consultatif dans des conditions prescrites ;
- b) la législation nationale peut aussi prévoir la participation de représentants des employeurs ;
- c) la législation peut aussi prévoir la participation de représentants des autorités publiques.

Article 30

Lorsque des subventions sont accordées par l'Etat ou le système de sécurité sociale en vue de sauvegarder des emplois, les Membres doivent prendre les mesures nécessaires pour garantir l'affectation exclusive de ces subventions au but prévu et empêcher toute fraude ou tout abus de la part des bénéficiaires.

Article 31

La présente convention révisé la convention du chômage, 1934.

Article 32

Les ratifications formelles de la présente convention seront communiquées au Directeur général du Bureau international du Travail et par lui enregistrées.

Article 33

1. La présente convention ne liera que les Membres de l'Organisation internationale du Travail dont la ratification aura été enregistrée par le Directeur général.

2. Elle entrera en vigueur douze mois après que les ratifications de deux Membres auront été enregistrées par le Directeur général.

3. Par la suite, cette convention entrera en vigueur pour chaque Membre douze mois après la date où sa ratification aura été enregistrée.

Article 34

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 35

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 36

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 37

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

Article 38

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 34 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

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

Article 39

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

Article 34

1. Tout Membre ayant ratifié la présente convention peut la dénoncer à l'expiration d'une période de dix années après la date de la mise en vigueur initiale de la convention, par un acte communiqué au Directeur général du Bureau international du Travail et par lui enregistré. La dénonciation ne prendra effet qu'une année après avoir été enregistrée.

2. Tout Membre ayant ratifié la présente convention qui, dans le délai d'une année après l'expiration de la période de dix années mentionnée au paragraphe précédent, ne fera pas usage de la faculté de dénonciation prévue par le présent article sera lié pour une nouvelle période de dix années et, par la suite, pourra dénoncer la présente convention à l'expiration de chaque période de dix années dans les conditions prévues au présent article.

Article 35

1. Le Directeur général du Bureau international du Travail notifiera à tous les Membres de l'Organisation internationale du Travail l'enregistrement de toutes les ratifications et dénonciations qui lui seront communiquées par les Membres de l'Organisation.

2. En notifiant aux Membres de l'Organisation l'enregistrement de la deuxième ratification qui lui aura été communiquée, le Directeur général appellera l'attention des Membres de l'Organisation sur la date à laquelle la présente convention entrera en vigueur.

Article 36

Le Directeur général du Bureau international du Travail communiquera au Secrétaire général des Nations Unies, aux fins d'enregistrement, conformément à l'article 102 de la Charte des Nations Unies, des renseignements complets au sujet de toutes ratifications et de tous actes de dénonciation qu'il aura enregistrés conformément aux articles précédents.

Article 37

Chaque fois qu'il le jugera nécessaire, le Conseil d'administration du Bureau international du Travail présentera à la Conférence générale un rapport sur l'application de la présente convention et examinera s'il y a lieu d'inscrire à l'ordre du jour de la Conférence la question de sa revision totale ou partielle.

Article 38

1. Au cas où la Conférence adopterait une nouvelle convention portant revision totale ou partielle de la présente convention, et à moins que la nouvelle convention ne dispose autrement :

- a) la ratification par un Membre de la nouvelle convention portant revision entraînerait de plein droit, nonobstant l'article 34 ci-dessus, dénonciation immédiate de la présente convention, sous réserve que la nouvelle convention portant revision soit entrée en vigueur ;
- b) à partir de la date de l'entrée en vigueur de la nouvelle convention portant revision, la présente convention cesserait d'être ouverte à la ratification des Membres.

2. La présente convention demeurerait en tout cas en vigueur dans sa forme et teneur pour les Membres qui l'auraient ratifiée et qui ne ratifieraient pas la convention portant revision.

Article 39

Les versions française et anglaise du texte de la présente convention font également foi.

Recommendation 175

RECOMMENDATION CONCERNING SAFETY AND HEALTH IN CONSTRUCTION

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International
Labour Office, and having met in its Seventy-fifth Session on 1 June 1988,
and

Noting the relevant international labour Conventions and Recommendations
and, in particular, the Safety Provisions (Building) Convention and Recommendation, 1937, the Co-operation in Accident Prevention (Building) Recommendation, 1937, the Radiation Protection Convention and Recommendation, 1960, the Guarding of Machinery Convention and Recommendation, 1963, the Maximum Weight Convention and Recommendation, 1967, the Occupational Cancer Convention and Recommendation, 1974, the Working Environment (Air Pollution, Noise and Vibration) Convention and Recommendation, 1977, the Occupational Safety and Health Convention and Recommendation, 1985, the Asbestos Convention and Recommendation, 1986, and the list of occupational diseases as revised in 1980 appended to the Employment Injuries Benefits Convention, 1964,
and

Having decided upon the adoption of certain proposals with regard to safety
and health in construction, which is the fourth item on the agenda of the
session, and

Having determined that these proposals shall take the form of a Recommendation
supplementing the Safety and Health in Construction Convention,

adopts this twentieth day of June of the year one thousand nine hundred and
eighty-eight the following Recommendation, which may be cited as the Safety and
Health in Construction Recommendation, 1988:

I. SCOPE AND DEFINITIONS

1. The provisions of the Safety and Health in Construction Convention, 1988
(hereinafter referred to as "the Convention") and of this Recommendation should
be applied in particular to:

- (a) building, civil engineering and the erection and dismantling of prefabricated
buildings and structures, as defined in Article 2(a) of the Convention;
- (b) the fabrication and erection of oil rigs, and of offshore installations while
under construction on shore.

2. For the purposes of this Recommendation—

- (a) the term "construction" covers:
 - (i) building, including excavation and the construction, structural alteration,
renovation, repair, maintenance (including cleaning and painting) and
demolition of all types of buildings or structures;
 - (ii) civil engineering, including excavation and the construction, structural
alteration, repair, maintenance and demolition of, for example, airports,
docks, harbours, inland waterways, dams, river and avalanche and sea
defence works, roads and highways, railways, bridges, tunnels, viaducts
and works related to the provision of services such as communications,
drainage, sewerage, water and energy supplies;

**RECOMMANDATION CONCERNANT LA SÉCURITÉ ET LA SANTÉ
DANS LA CONSTRUCTION**

La Conférence générale de l'Organisation internationale du Travail,
Convoquée à Genève par le Conseil d'administration du Bureau international
du Travail, et s'y étant réunie le 1^{er} juin 1988, en sa soixante-quinzième
session;

Notant les conventions et recommandations internationales pertinentes, en
particulier la convention et la recommandation concernant les prescriptions
de sécurité (bâtiment), 1937; la recommandation sur la collaboration pour
la prévention des accidents (bâtiment), 1937; la convention et la recomman-
dation sur la protection contre les radiations, 1960; la convention et la
recommandation sur la protection des machines, 1963; la convention et la recom-
mandation sur le poids maximum, 1967; la convention et la recomman-
dation sur le cancer professionnel, 1974; la convention et la recomman-
dation sur le milieu de travail (pollution de l'air, bruit et vibrations), 1977;
la convention et la recommandation sur la sécurité et la santé des travail-
leurs, 1981; la convention et la recommandation sur les services de santé au
travail, 1985; la convention et la recommandation sur l'amiante, 1986, et la
liste des maladies professionnelles telle que révisée en 1980, annexée à la
convention sur les prestations en cas d'accidents du travail et de maladies
professionnelles, 1964;

Après avoir décidé d'adopter diverses propositions relatives à la sécurité et à la
santé dans la construction, question qui constitue le quatrième point à
l'ordre du jour de la session;

Après avoir décidé que ces propositions prendraient la forme d'une recom-
mandation destinée à compléter la convention concernant la sécurité et la
santé dans la construction,

adopte, ce vingtième jour de juin mil neuf cent quatre-vingt-huit, la recommanda-
tion ci-après qui sera dénommée Recommandation sur la sécurité et la santé dans
la construction, 1988.

I. CHAMP D'APPLICATION ET DÉFINITIONS

1. Les dispositions de la convention sur la sécurité et la santé dans la construc-
tion, 1988 (ci-après désignée comme «la convention»), et de la présente recom-
mandation devraient s'appliquer, en particulier:

- a) au bâtiment, au génie civil ainsi qu'au montage et au démontage de bâtiments
et de constructions en éléments préfabriqués tels qu'ils sont définis à l'article
2a) de la convention;
- b) à la fabrication et au montage des derricks et installations d'extraction pétro-
lière en mer pendant qu'ils sont en cours de construction à terre.

2. Aux fins de la présente recommandation:

- a) le terme «construction» couvre:
 - i) le travail du bâtiment, y compris les excavations et la construction, la
transformation des structures, la rénovation, la réparation et l'entretien (y
compris les travaux de nettoyage et de peinture) de même que la démolition
de tous types de bâtiments ou d'ouvrages;
 - ii) le génie civil, y compris les excavations et la construction, la transforma-
tion des structures, la réparation, l'entretien et la démolition d'ouvrages
tels qu'aéroports, quais, installations portuaires, voies d'eau intérieures,
barrages, ouvrages d'endiguement des cours d'eau et du littoral ou de
protection contre les avalanches, routes et autoroutes, chemins de fer,
ponts, tunnels, viaducs et les ouvrages d'utilité publique servant aux
communications, au drainage, à la collecte des eaux usées et à la distribu-
tion d'eau et d'énergie;

- (iii) the erection and dismantling of prefabricated buildings and structures, as well as the manufacturing of prefabricated elements on the construction site;
- (b) the term "construction site" means any site at which any of the processes or operations described in clause (a) above are carried on;
- (c) the term "workplace" means all places where workers need to be or to go by reason of their work and which are under the control of an employer as defined in clause (f) below;
- (d) the term "worker" means any person engaged in construction;
- (e) the term "workers' representatives" means persons who are recognised as such under national law or practice;
- (f) the term "employer" means:
 - (i) any physical or legal person who employs one or more workers on a construction site; and
 - (ii) as the context requires, the principal contractor, the contractor or the subcontractor;
- (g) the term "competent person" means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill for the safe performance of the specific work. The competent authorities may define appropriate criteria for the designation of such persons and may determine the duties to be assigned to them;
- (h) the term "scaffold" means any temporary structure, fixed, suspended or mobile, and its supporting components which is used for supporting workers and materials or to gain access to any such structure, and which is not a "lifting appliance" as defined in clause (i) below;
- (i) the term "lifting appliance" means any stationary or mobile appliance used for raising or lowering persons or loads;
- (j) the term "lifting gear" means any gear or tackle by means of which a load can be attached to a lifting appliance but which does not form an integral part of the appliance or load.

3. The provisions of this Recommendation should also apply to such self-employed persons as may be specified by national laws or regulations.

II. GENERAL PROVISIONS

4. National laws or regulations should require that employers and self-employed persons have a general duty to provide a safe and healthy workplace and to comply with the prescribed safety and health measures.

5. (1) Whenever two or more employers undertake activities at one construction site, they should have the duty to co-operate with one another as well as with any other persons participating in the construction work being undertaken, including the owner or his representative, in order to comply with the prescribed safety and health measures.

(2) Ultimate responsibility for the co-ordination of safety and health measures on the construction site should rest with the principal contractor or such other person as is primarily responsible for the execution of the work.

6. The measures to be taken to ensure that there is organised co-operation between employers and workers to promote safety and health at construction sites should be prescribed by national laws or regulations or by the competent authority. Such measures should include—

- (a) the establishment of safety and health committees representative of employers and workers with such powers and duties as may be prescribed;

- iii) le montage et le démontage de bâtiments et d'ouvrages préfabriqués de même que la fabrication des éléments préfabriqués sur le chantier de construction ;
- b) l'expression « chantier de construction » désigne tout chantier où l'un quelconque des travaux ou des opérations décrits à l'alinéa a) ci-dessus est effectué ;
- c) l'expression « lieu de travail » désigne tous les lieux où les travailleurs doivent se trouver ou se rendre du fait de leur travail et qui sont placés sous le contrôle d'un employeur au sens de l'alinéa f) ci-dessous ;
- d) le terme « travailleur » désigne toute personne occupée dans la construction ;
- e) le terme « représentants des travailleurs » désigne les personnes reconnues comme telles par la législation ou la pratique nationales ;
- f) le terme « employeur » désigne :
 - i) toute personne physique ou morale qui emploie un ou plusieurs travailleurs sur un chantier de construction ; et
 - ii) selon le cas, soit l'entrepreneur principal, l'entrepreneur ou le sous-traitant ;
- g) l'expression « personne compétente » désigne une personne possédant des qualifications suffisantes telles qu'une formation adéquate et des connaissances, une expérience et les aptitudes suffisantes pour exécuter d'une façon sûre les tâches spécifiées. Les autorités compétentes pourraient fixer les critères appropriés pour la désignation de ces personnes et définir les devoirs qui leur incombent ;
- h) le terme « échafaudage » désigne toute structure temporaire, fixe, suspendue ou mobile, ainsi que la charpente qui la soutient, servant de support à des travailleurs et à des matériaux, ou permettant d'accéder à une telle structure, à l'exclusion des appareils de levage, au sens de l'alinéa i) ci-dessous ;
- i) l'expression « appareil de levage » désigne tout appareil fixe ou mobile qui sert à monter ou descendre des personnes ou des charges ;
- j) l'expression « accessoire de levage » désigne tout dispositif au moyen duquel on peut fixer une charge à un appareil de levage, mais qui ne constitue pas une partie intégrante de l'appareil ou de la charge.

3. Les dispositions de la recommandation devraient s'appliquer également à tels travailleurs indépendants que la législation nationale pourrait désigner.

II. DISPOSITIONS GÉNÉRALES

4. La législation nationale devrait exiger que les employeurs et les travailleurs indépendants ont l'obligation générale de faire en sorte que les lieux de travail soient sûrs et salubres et de se conformer aux mesures prescrites en matière de sécurité et de santé.

5. (1) Chaque fois que deux ou plusieurs employeurs entreprennent des travaux sur un chantier, ils devraient être tenus de coopérer entre eux ainsi qu'avec toute autre personne participant à la construction, y compris le propriétaire ou son représentant, en vue de satisfaire aux mesures prescrites en matière de sécurité et de santé.

(2) En dernier ressort, la responsabilité de la coordination des mesures à prendre dans le domaine de la sécurité et de la santé sur les chantiers de construction devrait incomber à l'entrepreneur principal ou à toute autre personne qui a la responsabilité principale de l'exécution des travaux.

6. Les mesures à prendre pour assurer une coopération organisée entre les employeurs et les travailleurs, en vue de promouvoir la sécurité et la santé sur les chantiers de construction, devraient être prévues par la législation nationale ou par l'autorité compétente. Ces mesures devraient comprendre :

- a) la constitution de comités de sécurité et de santé représentatifs des employeurs et des travailleurs, investis des tâches et des pouvoirs qui pourraient leur être assignés ;

- (b) the election or appointment of workers' safety delegates with such powers and duties as may be prescribed;
- (c) the appointment by the employer of suitably qualified and experienced persons to promote safety and health;
- (d) the training of safety delegates and safety committee members.

7. Those concerned with the design and planning of a construction project should take into account the safety and health of the construction workers in accordance with national laws, regulations and practice.

8. The design of construction equipment, tools, protective equipment and other similar equipment should take account of ergonomic principles.

III. PREVENTIVE AND PROTECTIVE MEASURES

9. Construction work should be planned, prepared and undertaken in such a way that—

- (a) risks liable to arise at the workplace are prevented as soon as possible;
- (b) excessively or unnecessarily strenuous work positions and movements are avoided;
- (c) organisation of work takes into account the safety and health of workers;
- (d) materials and products are used which are suitable from a safety and health point of view;
- (e) working methods are employed which protect workers against the harmful effects of chemical, physical and biological agents.

10. National laws or regulations should provide for the notification to the competent authority of construction sites of such size, duration or characteristics as may be prescribed.

11. Workers should have the right and the duty at any workplace to participate in ensuring safe working conditions to the extent of their control over the equipment and methods of work and to express views on the working procedures adopted as they may affect safety and health.

SAFETY OF WORKPLACES

12. Housekeeping programmes should be established and implemented on construction sites which should include provision for—

- (a) the proper storage of materials and equipment;
- (b) the removal of waste and debris at appropriate intervals.

13. Where workers cannot be protected against falls from heights by any other means—

- (a) adequate safety nets or safety sheets should be erected and maintained; or
- (b) adequate safety harnesses should be provided and used.

14. The employer should provide the workers with the appropriate means to enable them to use individual protective equipment and should ensure its proper use. Protective equipment and protective clothing should comply with standards set by the competent authority, taking into account as far as possible ergonomic principles.

- b) l'élection ou la désignation de délégués des travailleurs à la sécurité, investis des tâches et des pouvoirs qui pourraient leur être assignés ;
- c) la désignation par les employeurs de personnes suffisamment qualifiées et expérimentées pour promouvoir les conditions de sécurité et de santé ;
- d) la formation des délégués à la sécurité et des membres des comités de sécurité.

7. Les personnes responsables de la conception et de la planification d'un projet de construction devraient tenir compte de la sécurité et de la santé des travailleurs de la construction conformément à la législation et à la pratique nationales.

8. Les équipements de construction, outils, moyens de protection et autres matériels similaires devraient être conçus en tenant compte des principes de l'ergonomie.

III. MESURES DE PRÉVENTION ET DE PROTECTION

9. Les travaux de construction devraient être planifiés, préparés et conduits de façon à :

- a) prévenir, dès que possible, les risques susceptibles de se présenter sur le lieu de travail ;
- b) éviter, au cours du travail, les positions et mouvements qui entraînent une fatigue excessive ou inutile ;
- c) tenir compte de la sécurité et de la santé des travailleurs dans l'organisation du travail ;
- d) utiliser des matériaux et des produits appropriés du point de vue de la sécurité et de la santé ;
- e) employer des méthodes de travail qui protègent les travailleurs contre les effets nocifs des agents chimiques, physiques et biologiques.

10. La législation nationale devrait prévoir que les chantiers de construction ayant la dimension, la durée ou les caractéristiques qui peuvent être prescrites devraient être notifiés à l'autorité compétente.

11. Sur tous les lieux de travail, et dans la mesure où ils exercent un contrôle sur le matériel et les méthodes de travail, les travailleurs devraient avoir le droit et le devoir de contribuer à la sécurité du travail et d'exprimer des avis sur les procédés de travail adoptés pour autant qu'ils soient susceptibles d'affecter la sécurité et la santé.

SÉCURITÉ SUR LES LIEUX DE TRAVAIL

12. Des mesures d'entretien de l'ordre et de la propreté devraient être programmées et appliquées sur les chantiers de construction et devraient comprendre notamment :

- a) l'entreposage dans de bonnes conditions des matériaux et de l'équipement ;
- b) l'évacuation des déchets et des débris à intervalles appropriés.

13. Si les travailleurs ne peuvent pas être protégés par d'autres moyens contre le risque de faire une chute de hauteur :

- a) des filets ou bâches de sécurité adéquats devraient être installés et entretenus ;
ou
- b) des harnais de sécurité adéquats devraient être fournis et utilisés.

14. L'employeur devrait fournir aux travailleurs les moyens appropriés leur permettant de faire usage d'un équipement de protection individuelle, et s'assurer qu'ils en fassent usage correctement. L'équipement de protection et les vêtements protecteurs doivent être conformes aux normes établies par l'autorité compétente en tenant compte, autant que possible, des principes de l'ergonomie.

15. (1) The safety of construction machinery and equipment should be examined and tested by type or individually, as appropriate, by a competent person.

(2) National laws and regulations should take into consideration the fact that occupational diseases may be caused by machinery, apparatus and systems which do not take account of ergonomic principles in their design.

SCAFFOLDS

16. Every scaffold and part thereof should be of suitable and sound material and of adequate size and strength for the purpose for which it is used and be maintained in a proper condition.

17. Every scaffold should be properly designed, erected and maintained so as to prevent collapse or accidental displacement when properly used.

18. The working platforms, gangways and stairways of scaffolds should be of such dimensions and so constructed and guarded as to protect persons against falling or being endangered by falling objects.

19. No scaffold should be overloaded or otherwise misused.

20. A scaffold should not be erected, substantially altered or dismantled except by or under the supervision of a competent person.

21. Scaffolds as prescribed by national laws or regulations should be inspected, and the results recorded, by a competent person—

- (a) before being taken into use ;
- (b) at periodic intervals thereafter ;
- (c) after any alteration, interruption in use, exposure to weather or seismic conditions or any other occurrence likely to have affected their strength or stability.

LIFTING APPLIANCES AND LIFTING GEAR

22. National laws or regulations should prescribe the lifting appliances and items of lifting gear which should be examined and tested by a competent person—

- (a) before being taken into use for the first time ;
- (b) after erection on a site ;
- (c) subsequently at intervals prescribed by such national laws or regulations ;
- (d) after any substantial alteration or repair.

23. The results of the examinations and tests of lifting appliances and items of lifting gear carried out in pursuance of Paragraph 22 above should be recorded and, as required, made available to the competent authority and to employers and workers or their representatives.

24. Every lifting appliance having a single safe working load and every item of lifting gear should be clearly marked with its maximum safe working load.

25. Every lifting appliance having a variable safe working load should be fitted with effective means to indicate clearly to the driver each maximum safe working load and the conditions under which it is applicable.

15. (1) Les machines et les équipements de construction devraient être examinés et soumis à des essais de sécurité par une personne compétente, sur prototype, ou individuellement, selon le cas.

(2) La législation nationale devrait tenir compte du fait que des maladies professionnelles sont susceptibles d'être provoquées par des machines, des appareils et des systèmes dont la conception ne tient pas compte des principes de l'ergonomie.

ÉCHAFAUDAGES

16. Tout échafaudage ou tout élément d'échafaudage devrait être construit en matériaux appropriés et de bonne qualité, avoir des dimensions et une résistance suffisantes pour l'usage qui en est fait et être entretenu en bon état.

17. Tout échafaudage devrait être convenablement conçu, construit et entretenu de manière à éviter qu'il ne s'effondre ou ne se déplace accidentellement en utilisation normale.

18. Les plates-formes de travail, les passerelles et les escaliers d'échafaudage devraient être construits, dimensionnés et protégés de manière à éviter que les personnes ne tombent ou ne soient exposées aux chutes d'objets.

19. Un échafaudage ne devrait être ni surchargé ni utilisé de manière anormale.

20. Un échafaudage ne devrait être construit, modifié de manière importante ou démonté que par une personne compétente ou sous sa surveillance.

21. Les échafaudages devraient, selon les prescriptions de la législation nationale, être inspectés par une personne compétente, et les résultats en être consignés :

- a) avant leur mise en service ;
- b) par la suite, à des intervalles périodiques ;
- c) après toute modification, période d'inutilisation, exposition à des intempéries ou à des secousses sismiques, ou toute autre circonstance ayant pu affecter leur résistance ou leur stabilité.

APPAREILS ET ACCESSOIRES DE LEVAGE

22. La législation nationale devrait déterminer les appareils et accessoires de levage soumis à vérification et à essai par une personne compétente :

- a) avant leur première mise en service ;
- b) après avoir été montés sur un chantier ;
- c) par la suite, à des intervalles qu'elle prescrira ;
- d) après toute transformation ou réparation importante.

23. Les résultats de la vérification et des essais des appareils et accessoires de levage effectués conformément au paragraphe 22 ci-dessus devraient être consignés par écrit et, lorsque cela est nécessaire, mis à la disposition de l'autorité compétente, de l'employeur et des travailleurs ou de leurs représentants.

24. Tout appareil de levage dont la charge maximale d'utilisation est constante et tout accessoire de levage devraient porter, de façon visible, l'indication de la valeur de cette charge.

25. Tout appareil de levage dont la charge maximale d'utilisation est variable devrait être pourvu de moyens permettant de faire connaître, de manière efficace et claire, à son conducteur, chaque charge maximale d'utilisation et les conditions dans lesquelles elle s'applique.

26. A lifting appliance or item of lifting gear should not be loaded beyond its safe working load or loads, except for testing purposes as specified by and under the direction of a competent person.

27. Every lifting appliance and every item of lifting gear should be properly installed so as, inter alia, to provide safe clearance between any moving part and fixed objects, and to ensure the stability of the appliance.

28. Where necessary to guard against danger, no lifting appliance should be used without the provision of suitable signalling arrangements or devices.

29. The drivers and operators of such lifting appliances as are prescribed by national laws or regulations should be—

- (a) of a prescribed minimum age;
- (b) properly trained and qualified.

TRANSPORT, EARTH-MOVING AND MATERIALS-HANDLING EQUIPMENT

30. The drivers and operators of vehicles and of earth-moving or materials-handling equipment should be persons trained and tested as required by national laws or regulations.

31. Adequate signalling or other control arrangements or devices should be provided to guard against danger from the movement of vehicles and earth-moving or materials-handling equipment. Special safety precautions should be taken for vehicles and equipment when manoeuvring backwards.

32. Preventive measures should be taken to avoid the fall of vehicles and earth-moving and materials-handling equipment into excavations or into water.

33. Where appropriate, earth-moving and materials-handling equipment should be fitted with structures designed to protect the operator from being crushed should the machine overturn, and from falling material.

EXCAVATIONS, SHAFTS, EARTHWORKS, UNDERGROUND WORKS AND TUNNELS

34. Shoring or other support for any part of an excavation, shaft, earthworks, underground works or tunnel should not be erected, altered or dismantled except under the supervision of a competent person.

35. (1) Every part of an excavation, shaft, earthworks, underground works and tunnel where persons are employed should be inspected by a competent person at the times and in the cases prescribed by national laws or regulations, and the results recorded.

(2) Work should not be commenced therein until after such an inspection.

WORK IN COMPRESSED AIR

36. The measures regarding work in compressed air prescribed pursuant to Article 21 of the Convention should include provisions regulating the conditions in which the work is to be carried out, the plant and equipment to be used, the medical supervision and control of workers and the duration of work in compressed air.

26. Aucun appareil ou accessoire de levage ne devrait être chargé, au-delà de la charge maximale d'utilisation, sauf pour des essais effectués selon les directives et sous la surveillance d'une personne compétente.

27. Tout appareil de levage ou tout accessoire de levage devrait être convenablement installé de manière, notamment, à laisser suffisamment d'espace entre les éléments mobiles et des objets fixes, et à assurer la stabilité de l'appareil.

28. Là où cela est nécessaire pour prévenir un risque, il ne devrait pas être fait usage d'un appareil de levage sans que des moyens de signalisation appropriés aient été mis en place.

29. Les conducteurs et opérateurs des appareils de levage déterminés par la législation nationale devraient :

- a) avoir atteint l'âge minimum prescrit ;
- b) être convenablement formés et qualifiés.

MATÉRIEL DE TRANSPORT. ENGINS DE TERRASSEMENT ET DE MANUTENTION DES MATÉRIAUX

30. Les conducteurs et opérateurs de véhicules et d'engins de terrassement et de manutention des matériaux devraient être formés et avoir subi des épreuves selon les prescriptions de la législation nationale.

31. Une signalisation ou d'autres dispositifs de commande appropriés devraient être prévus afin de prévenir les risques liés au mouvement des véhicules et des engins de terrassement et de manutention des matériaux. Des mesures de précaution spéciales devraient être prises pour assurer la sécurité dans le cas des véhicules et engins qui effectuent des manœuvres en marche arrière.

32. Des mesures préventives devraient être prises pour éviter la chute de véhicules et d'engins de terrassement et de manutention des matériaux dans les excavations ou dans l'eau.

33. Lorsque cela est approprié, les engins de terrassement ainsi que les engins de manutention des matériaux devraient être équipés de structures conçues pour protéger le conducteur contre l'écrasement, en cas de renversement de la machine, et contre la chute d'objets.

EXCAVATIONS, PUITS, TERRASSEMENTS, TRAVAUX SOUTERRAINS ET TUNNELS

34. Tout étaieement ou autre ouvrage de soutènement en une partie quelconque d'une excavation, d'un puits, d'un terrassement, d'un travail souterrain ou d'un tunnel ne devrait être construit, modifié ou démonté que sous la surveillance d'une personne compétente.

35. (1) Toute partie d'une excavation, d'un puits, d'un terrassement, d'un travail souterrain ou d'un tunnel où des personnes sont occupées devrait être inspectée par une personne compétente au moment et dans les cas prévus par la législation nationale, et les résultats en être consignés.

(2) Le travail ne devrait y être entrepris qu'après une telle inspection.

TRAVAIL DANS L'AIR COMPRIMÉ

36. Les mesures relatives au travail dans l'air comprimé prescrites conformément à l'article 21 de la convention devraient inclure des dispositions réglementant les conditions dans lesquelles le travail doit être effectué, les installations et l'équipement à utiliser, la surveillance et le contrôle médicaux des travailleurs ainsi que la durée du travail effectué dans l'air comprimé.

37. A person should only be allowed to work in a caisson if it has been inspected by a competent person within such preceding period as is prescribed by national laws or regulations; the results of the inspection should be recorded.

PILE DRIVING

38. All pile-driving equipment should be of good design and construction taking into account as far as possible ergonomic principles, and properly maintained.

39. Pile driving should be carried out only under the supervision of a competent person.

WORK OVER WATER

40. The provisions regarding work over water prescribed in pursuance of Article 23 of the Convention should include, where appropriate, the provision and use of suitable and adequate—

- (a) fencing, safety nets and safety harnesses;
- (b) life vests, life preservers, manned boats (motor driven if necessary) and lifebuoys;
- (c) protection against such hazards as reptiles and other animals.

HEALTH HAZARDS

41. (1) An information system should be set up by the competent authority, using the results of international scientific research, to provide information for architects, contractors, employers and workers' representatives on the health risks associated with hazardous substances used in the construction industry.

(2) Manufacturers and dealers in products used in the construction industry should provide with the products information on any health risks associated with them and on the precautions to be taken.

(3) In the use of materials that contain hazardous substances and in the removal and disposal of waste, the health of workers and of the public and the preservation of the environment should be safeguarded as prescribed by national laws and regulations.

(4) Dangerous substances should be clearly marked and provided with a label giving their relevant characteristics and instructions on their use. They should be handled under conditions prescribed by national laws and regulations or by the competent authority.

(5) The competent authority should determine which hazardous substances should be prohibited from use in the construction industry.

42. The competent authority should keep records of monitoring of the working environment and assessment of workers' health for a period prescribed by national laws and regulations.

43. The manual lifting of excessive weights which presents a safety and health risk to workers should be avoided by reducing the weight, by the use of mechanical devices or by other means.

44. Whenever new products, equipment and working methods are introduced, special attention should be paid to informing and training workers with respect to their implications for safety and health.

37. Une personne ne devrait être admise à travailler dans un caisson que si celui-ci a été inspecté au préalable par une personne compétente; dans les limites d'une période fixée par la législation nationale, les résultats de l'inspection devant être consignés.

OPÉRATIONS DE BATTAGE

38. Tout le matériel de battage devrait être bien conçu et construit, en tenant compte, autant que possible, des principes de l'ergonomie, et convenablement entretenu.

39. Le battage ne devrait avoir lieu que sous la surveillance d'une personne compétente.

TRAVAIL AU-DESSUS D'UN PLAN D'EAU

40. Les dispositions relatives au travail au-dessus d'un plan d'eau prises conformément à l'article 23 de la convention devraient comprendre, s'il y a lieu, la fourniture, sous une forme appropriée et adéquate, et l'utilisation :

- a) de garde-corps, filets de sécurité et harnais de sécurité;
- b) de gilets et ceintures de sauvetage, d'embarcations (mues par moteur si nécessaire) avec un équipage et des bouées de sauvetage;
- c) de moyens de protection contre les risques tels que ceux que présentent les reptiles et autres animaux.

RISQUES POUR LA SANTÉ

41. (1) Un système d'information, utilisant les résultats de la recherche scientifique internationale, devrait être établi par l'autorité compétente pour fournir aux architectes, aux entrepreneurs, aux employeurs et aux représentants des travailleurs des informations sur les risques pour la santé que comportent les substances dangereuses utilisées dans l'industrie de la construction.

(2) Les fabricants et vendeurs de produits utilisés dans l'industrie de la construction devraient fournir, avec les produits, des informations sur les risques qu'ils comportent pour la santé ainsi que sur les précautions à prendre.

(3) Lorsque des matériaux contenant des substances dangereuses sont utilisés et lorsqu'ils sont évacués ou éliminés, la santé des travailleurs et celle du public devraient être sauvegardées et la protection de l'environnement devrait être assurée selon les prescriptions de la législation nationale.

(4) Les substances dangereuses devraient être clairement marquées et munies d'une étiquette donnant les caractéristiques pertinentes et les consignes d'utilisation. Elles devraient être manipulées conformément aux conditions prescrites par la législation nationale ou par l'autorité compétente.

(5) L'autorité compétente devrait déterminer les substances dangereuses dont l'utilisation devrait être interdite dans l'industrie du bâtiment.

42. L'autorité compétente devrait conserver des relevés de la surveillance du milieu de travail et de l'évaluation de la santé des travailleurs, pendant une période prescrite par la législation nationale.

43. Le soulèvement manuel de charges trop lourdes qui présente un risque pour la santé et la sécurité des travailleurs devrait être évité par la diminution du poids de la charge, par l'utilisation de dispositifs mécaniques ou par d'autres moyens.

44. Chaque fois que de nouveaux produits, équipements et méthodes de travail sont introduits, une attention particulière devrait être accordée à l'information et à la formation des travailleurs en ce qui concerne leurs implications pour la santé et la sécurité au travail.

DANGEROUS ATMOSPHERES

45. The measures regarding dangerous atmospheres prescribed pursuant to Article 28, paragraph 3, of the Convention should include prior written authority or permission from a competent person, or any other system by which entry into any area in which a dangerous atmosphere may be present can be effected only after completing specified procedures.

FIRE PRECAUTIONS

46. Where necessary to guard against danger, workers should be suitably trained in the action to be taken in the event of fire, including the use of means of escape.

47. Where appropriate suitable visual signs should be provided to indicate clearly the directions of escape in case of fire.

RADIATION HAZARDS

48. Stringent safety regulations should be drawn up and enforced by the competent authority with respect to construction workers engaged in the maintenance, renovation, demolition or dismantling of any buildings in which there is a risk of exposure to ionising radiations, in particular in the nuclear power industry.

FIRST AID

49. The manner in which first-aid facilities and personnel are to be provided in pursuance of Article 31 of the Convention should be prescribed by national laws or regulations drawn up after consulting the competent health authority and the most representative organisations of employers and workers concerned.

50. Where the work involves risk of drowning, asphyxiation or electric shock, first-aid personnel should be proficient in the use of resuscitation and other life-saving techniques and in rescue procedures.

WELFARE

51. In appropriate cases, depending on the number of workers, the duration of the work and its location, adequate facilities for obtaining or preparing food and drink at or near a construction site should be provided, if they are not otherwise available.

52. Suitable living accommodation should be made available for the workers at construction sites which are remote from their homes, where adequate transportation between the site and their homes or other suitable living accommodation is not available. Men and women workers should be provided with separate sanitary, washing and sleeping facilities.

IV. EFFECT ON EARLIER RECOMMENDATIONS

53. This Recommendation supersedes the Safety Provisions (Building) Recommendation, 1937, and the Co-operation in Accident Prevention (Building) Recommendation, 1937.

• ATMOSPHÈRES DANGEREUSES

45. Les mesures relatives aux atmosphères dangereuses prescrites conformément à l'article 28, paragraphe 3, de la convention devraient comprendre une autorisation ou un permis délivrés préalablement par écrit par une personne compétente, ou tout autre système par lequel l'accès à une zone renfermant une atmosphère dangereuse ne pourra se faire qu'une fois effectuées les opérations spécifiées.

PRÉCAUTIONS CONTRE L'INCENDIE

46. Lorsque cela est nécessaire pour prévenir un risque, les travailleurs devraient être formés, de manière appropriée, aux mesures à prendre en cas d'incendie, notamment à l'utilisation des moyens d'évacuation.

47. Si nécessaire, une signalisation visuelle devrait être prévue aux emplacements qu'il convient, pour indiquer clairement les voies d'évacuation en cas d'incendie.

RISQUES DUS AUX RADIATIONS

48. Une réglementation rigoureuse de sécurité devrait être établie et mise en application par l'autorité compétente pour les travailleurs de la construction occupés à des travaux d'entretien, de rénovation, de démolition et de démontage de tous bâtiments où peuvent exister des risques d'exposition à des radiations ionisantes, en particulier dans l'industrie nucléaire.

PREMIERS SECOURS

49. Les modalités selon lesquelles les moyens et le personnel de premiers secours devraient être fournis conformément à l'article 31 de la convention devraient être fixées par la législation nationale établie après consultation de l'autorité sanitaire compétente et des organisations les plus représentatives d'employeurs et de travailleurs intéressés.

50. Lorsque des travaux comportent des risques de noyade, d'asphyxie ou de commotion électrique, les secouristes devraient maîtriser les méthodes de réanimation et autres techniques de secourisme ainsi que des opérations de sauvetage.

BIEN-ÊTRE

51. Lorsque cela est approprié, eu égard au nombre des travailleurs, à la durée des travaux et à leur emplacement, des installations suffisantes devraient être aménagées, pour leur permettre de se procurer ou de préparer, sur les lieux mêmes ou à proximité du chantier, des repas et des boissons si ces derniers ne sont pas disponibles d'une autre manière.

52. Des logements convenables devraient être mis à la disposition des travailleurs sur les chantiers de construction qui sont éloignés de leur domicile et lorsqu'il n'existe pas de moyens de transports adéquats pour se rendre du chantier à leur domicile ou à d'autres logements convenables. Des installations sanitaires, des salles d'eau et des dortoirs séparés devraient être prévus pour les travailleurs et les travailleuses.

IV. EFFET SUR LES RECOMMANDATIONS ANTÉRIEURES

53. La présente recommandation remplace la recommandation concernant les prescriptions de sécurité (bâtiment), 1937, et la recommandation sur la collaboration pour la prévention des accidents (bâtiment), 1937.

Recommendation 176

RECOMMENDATION CONCERNING EMPLOYMENT PROMOTION AND PROTECTION AGAINST UNEMPLOYMENT

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International
Labour Office, and having met in its Seventy-fifth Session on 1 June 1988,
and

Having decided upon the adoption of certain proposals with regard to employ-
ment promotion and social security which is the fifth item on the agenda of
the session, and

Having determined that these proposals shall take the form of a Recommenda-
tion supplementing the Employment Promotion and Protection against
Unemployment Convention, 1988,

adopts this twenty-first day of June of the year one thousand nine hundred and
eighty-eight the following Recommendation, which may be cited as the Employ-
ment Promotion and Protection against Unemployment Recommendation, 1988.

I. GENERAL PROVISIONS

1. In this Recommendation—

- (a) the term “legislation” includes any social security rules as well as laws and regulations;
- (b) the term “prescribed” means determined by or in virtue of national legislation;
- (c) the term “the Convention” means the Employment Promotion and Protection against Unemployment Convention, 1988.

II. PROMOTION OF PRODUCTIVE EMPLOYMENT

2. The promotion of full, productive and freely chosen employment by all appropriate means, including through social security, should be a priority objective of national policy. Such means should include, inter alia, employment services, vocational training and vocational guidance.

3. In periods of economic crisis, adjustment policies should include, under prescribed conditions, measures to encourage initiatives which involve the maximum use of labour on a large scale.

4. Members should endeavour to grant in particular, under prescribed conditions and in the most appropriate manner, by way of occupational mobility incentives—

- (a) allowances towards the costs of travel and equipment necessary to take advantage of the services provided for in Paragraph 2 above;
- (b) allowances in the form of periodical payments calculated in accordance with the provisions of Article 15 of the Convention for a prescribed period of vocational training or retraining.

5. Members should in addition consider granting in particular, under prescribed conditions and in the most appropriate manner, by way of occupational or geographical mobility incentives—

- (a) temporary degressive allowances designed to offset, where appropriate, a reduction in pay as a result of redeployment;
- (b) allowances towards travel and removal costs;

**RECOMMANDATION CONCERNANT LA PROMOTION DE L'EMPLOI
ET LA PROTECTION CONTRE LE CHÔMAGE**

La Conférence générale de l'Organisation internationale du Travail,
Convoquée à Genève par le Conseil d'administration du Bureau international
du Travail, et s'y étant réunie le 1^{er} juin 1988, en sa soixante-quinzième
session;

Après avoir décidé d'adopter diverses dispositions relatives à la promotion de
l'emploi et à la sécurité sociale, question qui constitue le cinquième point à
l'ordre du jour de la session;

Après avoir décidé que ces propositions prendraient la forme d'une recomman-
dation complétant la convention sur la promotion de l'emploi et la protec-
tion contre le chômage, 1988,

adopte, ce vingt et unième jour de juin mil neuf cent quatre-vingt-huit, la recom-
mandation ci-après, qui sera dénommée Recommandation sur la promotion de
l'emploi et la protection contre le chômage, 1988.

I. DISPOSITIONS GÉNÉRALES

1. Aux fins de la présente recommandation:

- a) le terme « législation » comprend les lois et règlements, aussi bien que les dispositions statutaires en matière de sécurité sociale;
- b) le terme « prescrit » signifie déterminé par ou en vertu de la législation nationale;
- c) le terme « convention » signifie la convention sur la promotion de l'emploi et la protection contre le chômage, 1988.

II. PROMOTION DE L'EMPLOI PRODUCTIF

2. La promotion du plein emploi productif et librement choisi par tous moyens appropriés, y compris par la sécurité sociale, devrait constituer un objectif prioritaire de la politique nationale. Ces moyens devraient comprendre notamment les services de l'emploi, ainsi que la formation et l'orientation professionnelles.

3. En période de crise économique, les politiques d'ajustement devraient comprendre, dans des conditions prescrites, des mesures visant à favoriser les initiatives qui entraînent la plus large utilisation de la main-d'œuvre.

4. Les Membres devraient, au titre d'aides à la mobilité professionnelle, s'efforcer d'accorder, dans des conditions prescrites et de la manière la plus appropriée, notamment:

- a) des allocations contribuant à la couverture des frais de déplacement et d'équipement nécessaires pour bénéficier des services prévus au paragraphe 2 ci-dessus;
- b) des allocations servies sous forme de paiements périodiques calculés conformément aux dispositions de l'article 15 de la convention pendant une période de formation ou de conversation professionnelles prescrite.

5. Les Membres devraient en outre envisager, au titre d'aides à la mobilité géographique ou professionnelle, d'accorder, dans des conditions prescrites et de la manière la plus appropriée, notamment:

- a) des allocations temporaires dégressives destinées à compenser, le cas échéant, la réduction de rémunération résultant de leur réinsertion professionnelle;
- b) des allocations contribuant à la couverture des frais de voyage et de déménagement;

- (c) separation allowances;
- (d) resettlement grants.

6. Members should ensure co-ordination of statutory pension schemes and encourage co-ordination of private pension schemes in order to remove barriers to occupational mobility.

7. Members should offer to protected persons, under prescribed conditions, facilities to enable them to engage in remunerated temporary employment without endangering the employment of other workers and with the purpose of improving their own chances of obtaining productive and freely chosen employment.

8. Members should, as far as possible, offer to unemployed persons who wish to set up their own business or take up another economic activity, financial assistance and advisory services under prescribed conditions.

9. Members should give consideration to the conclusion of bilateral and multilateral agreements which provide for assistance to foreign workers protected by their legislation who freely wish to return to the territory of the State of which they are nationals or in which they formerly resided. Where such agreements do not exist, Members should provide, through national legislation, financial assistance to the workers concerned.

10. Members should, in accordance, if appropriate, with provisions in multilateral agreements, invest any reserves accumulated by statutory pension schemes and provident funds in such a way as to promote and not to discourage employment within the country, and encourage such investment from private sources, including private pension schemes, while at the same time affording the necessary guarantees of security and yield of the investment.

11. The progressive introduction in rural and urban areas of community services, including health-care services, financed by social security contributions or by other sources, should lead to increased employment and the provision of training of personnel, while at the same time making a practical contribution to the achievement of national objectives regarding employment promotion.

III. PROTECTION OF UNEMPLOYED PERSONS

12. In case of partial unemployment and in the case referred to in Article 10, paragraph 3, of the Convention, benefit should be provided, under prescribed conditions, in the form of periodical payments fairly compensating for the loss of earnings due to unemployment. These benefits might be calculated in the light of the reduction of hours of work suffered by the unemployed persons or so that the total of the benefit and the earnings from the part-time work reaches a sum between the amount of the previous earnings from full-time work and the amount of the full unemployment benefit, so as not to discourage part-time or temporary work, when these forms of work may assist in a return to full-time work.

13. (1) The percentages specified in Article 15 of the Convention for the calculation of benefits should be reached on the basis of the gross earnings of the beneficiary before tax and social security contributions.

(2) If appropriate, these percentages may be reached by comparing net periodical payments after tax and contributions with net earnings after tax and contributions.

14. (1) The concept of suitable employment should, under prescribed conditions, not apply to—

- (a) employment involving a change of occupation which does not take account of the abilities, qualifications, skills, work experience or the retraining potential of the person concerned;

- c) des allocations de séparation ;
- d) des indemnités de réinstallation.

6. Les Membres devraient assurer la coordination des régimes légaux et encourager la coordination des régimes privés de pensions, de manière à éliminer les entraves à la mobilité professionnelle.

7. Les Membres devraient offrir aux personnes protégées, dans des conditions prescrites, des facilités pour leur permettre d'accéder à des emplois temporaires rétribués, sans mettre en danger les emplois d'autres travailleurs, afin d'améliorer leurs propres chances de parvenir à un emploi productif et librement choisi.

8. Les Membres devraient, dans toute la mesure possible et dans des conditions prescrites, offrir aux chômeurs qui souhaitent créer leur propre entreprise ou s'engager dans une autre activité économique un soutien financier et des services consultatifs.

9. Les Membres devraient envisager de conclure des accords bilatéraux et multilatéraux qui prévoient une assistance en faveur des travailleurs étrangers protégés par leur législation qui souhaitent retourner librement sur le territoire du Membre dont ils sont ressortissants ou sur lequel ils résidaient antérieurement. A défaut de tels accords, les Membres devraient accorder, en vertu de sa législation, une assistance financière aux travailleurs concernés.

10. Les Membres devraient, en accord, le cas échéant, avec les dispositions d'accords multilatéraux, investir les réserves éventuelles accumulées par les régimes légaux de pensions ou les fonds de prévoyance, et encourager l'investissement provenant de sources privées, y compris des régimes privés de pensions, de manière à promouvoir l'emploi dans le pays et non à le décourager, sous réserve des garanties nécessaires de sécurité et de rendement des placements effectués.

11. La mise en place progressive, dans les zones urbaines et rurales, de services communautaires, y compris les services de santé, financés par les cotisations de sécurité sociale, ou, par d'autres sources, devrait servir à multiplier les emplois et à fournir une formation au personnel, tout en contribuant de manière concrète à la réalisation des objectifs nationaux en matière de promotion de l'emploi.

III. PROTECTION DES CHÔMEURS

12. En cas de chômage partiel et dans le cas visé au paragraphe 3 de l'article 10 de la convention, les indemnités devraient être versées dans des conditions prescrites sous forme de paiements périodiques compensant équitablement la perte de gain due au chômage. Ces indemnités pourraient être calculées en fonction de la réduction de la durée du travail subie par le chômeur, ou fixées à un montant tel que le total de l'indemnité et du gain tiré du travail à temps partiel soit compris entre le montant des gains antérieurs pour un travail à plein temps et le montant de l'indemnité de chômage complet, de manière à ne pas décourager le travail à temps partiel et le travail temporaire lorsque ces formes de travail peuvent favoriser le retour au travail à plein temps.

13. (1) Les pourcentages spécifiés à l'article 15 de la convention pour le calcul des indemnités devraient être atteints en prenant en considération le gain brut du bénéficiaire, avant impôt et cotisation de sécurité sociale.

(2) Si cela est approprié, ces pourcentages pourraient être atteints en comparant les paiements périodiques nets d'impôt et de cotisation avec le gain net d'impôt et de cotisation.

14. (1) Dans des conditions prescrites, la notion d'emploi convenable ne devrait pas s'appliquer à :

- a) un emploi comportant un changement de profession qui ne tiendrait pas compte des capacités, des qualifications, des aptitudes, de l'expérience professionnelle ou des possibilités de réadaptation de l'intéressé ;

- (b) employment involving a change of residence to a place in which suitable accommodation is not available;
- (c) employment in which the conditions and remuneration are appreciably less favourable than those which are generally granted, at the relevant time, in the occupation and district in which the employment is offered;
- (d) employment vacant as a direct result of a stoppage due to an ongoing labour dispute;
- (e) employment such that, for a reason other than those covered in clauses (a) to (d), and with due regard to all attendant circumstances, including the family responsibilities of the person concerned, the refusal of the employment is not unreasonable.

(2) In assessing the criteria specified in clauses (a) to (c) and (e) above, account should be taken in general of the age of the unemployed persons, of their length of service in their former occupation, of their acquired experience, of the duration of their unemployment, of the state of the labour market and of the repercussions of the employment on their personal and family situations.

15. If an unemployed person has agreed to accept, for a prescribed maximum period, temporary employment which cannot be regarded as suitable within the meaning of Paragraph 14 above, or part-time employment in the circumstances covered in Article 10, paragraph 3, of the Convention, the level and duration of unemployment benefit paid at the end of such employment should not be adversely affected by the earnings of the unemployed person from that employment.

16. Members should endeavour to extend progressively the application of their legislation concerning unemployment benefit to cover all employees. However, public employees whose employment up to normal retirement age is guaranteed by national laws or regulations may be excluded from protection.

17. Members should endeavour to protect workers who are experiencing hardship in a waiting period.

18. The following provisions should be applicable, as appropriate, to the categories of persons mentioned in Article 26, paragraph 1, of the Convention:

- (a) in cases of full unemployment, the benefit may be calculated in accordance with the provisions of Article 16 of the Convention;
- (b) the qualifying period should be adapted or waived, under prescribed conditions, for certain of the categories of persons newly seeking work;
- (c) when benefit is provided without a qualifying period—
 - (i) the waiting period may be increased to a prescribed length;
 - (ii) the duration of payment of benefit may be limited under prescribed conditions notwithstanding the provision of Article 19, paragraph 1, of the Convention.

19. When the duration of payment of benefit is limited by national legislation, it should be extended, under prescribed conditions, until pensionable age for unemployed persons who have reached a prescribed age prior to the pensionable age.

20. Members whose legislation provides for the rights to medical care and makes it directly or indirectly conditional upon occupational activity should endeavour to ensure, under prescribed conditions, the provision of medical care to unemployed persons, including, if possible, those who are not in receipt of unemployment benefit, and to their dependants.

21. Members should endeavour to guarantee to persons in receipt of unemployment benefit, under prescribed conditions, that the periods during which benefits are paid will be taken into consideration—

- (a) for acquisition of the right to and, where appropriate, calculation of disability, old-age and survivors' benefit, and

- b) un emploi comportant un transfert de résidence dans un lieu où il n'existerait pas de possibilités de logement appropriées;
- c) un emploi dont les conditions et la rémunération seraient sensiblement moins favorables que celles qui sont généralement accordées, au moment considéré, dans la profession et la région où l'emploi est offert;
- d) un emploi vacant en raison directe d'un arrêt du travail dû à un conflit professionnel en cours;
- e) un emploi tel que, pour une raison autre que celles qui sont visées aux alinéas a) à d) et compte tenu de toutes les circonstances d'espèce, notamment des responsabilités familiales de l'intéressé, le refus de cet emploi ne pourrait lui être raisonnablement reproché.

(2) Dans l'appréciation des critères définis aux alinéas a) à c) et e) du sous-paragraphe précédent, il devrait être tenu compte, d'une manière générale, de l'âge du chômeur, de son ancienneté dans sa profession antérieure, de l'expérience acquise, de la durée du chômage, de l'état du marché du travail ainsi que des répercussions de cet emploi sur la situation personnelle et familiale de l'intéressé.

15. Si un chômeur a accepté de prendre temporairement, dans les limites d'une durée prescrite, un emploi qui ne saurait être considéré comme convenable, compte tenu des dispositions du paragraphe 14, ou un emploi à temps partiel dans le cas visé au paragraphe 3 de l'article 10 de la convention, le montant et la durée des indemnités de chômage versées à la fin de tels emplois ne devraient pas être affectés négativement par le montant des gains que le chômeur en a tirés.

16. Les Membres devraient s'efforcer d'étendre progressivement l'application de leur législation concernant l'indemnisation du chômage à tous les salariés. Toutefois, les agents de la fonction publique dont l'emploi est garanti par la législation nationale jusqu'à l'âge normal de la retraite pourraient être exclus de la protection.

17. Les Membres devraient s'efforcer de protéger les travailleurs qui éprouvent des difficultés au cours du délai d'attente.

18. Les dispositions suivantes devraient être applicables selon les cas aux catégories de personnes visées au paragraphe 1 de l'article 26 de la convention:

- a) en cas de chômage complet, les indemnités devraient pouvoir être calculées conformément aux dispositions de l'article 16 de la convention;
- b) le stage devrait être adapté ou supprimé, dans des conditions prescrites, pour certaines catégories de nouveaux demandeurs d'emploi;
- c) lorsque les indemnités sont accordées sans aucune condition de stage:
 - i) les délais d'attente devraient pouvoir être portés à une durée prescrite;
 - ii) les durées de versement des indemnités devraient pouvoir être limitées dans des conditions prescrites, nonobstant les dispositions du paragraphe 1 de l'article 19 de la convention.

19. Lorsque la durée de versement des indemnités est limitée par la législation nationale, elle devrait être prolongée, dans des conditions prescrites, jusqu'à l'âge d'admission à pension de vieillesse pour les chômeurs ayant atteint un âge prescrit précédant l'âge d'admission à pension de vieillesse.

20. Les Membres dont la législation couvre les soins médicaux et en subordonne directement ou indirectement le droit à une condition d'activité professionnelle devraient s'efforcer de garantir, dans des conditions prescrites, les soins médicaux aux chômeurs, y compris, si possible, ceux qui ne bénéficient pas d'indemnités de chômage, ainsi qu'aux personnes à leur charge.

21. Les Membres devraient, dans des conditions prescrites, s'efforcer de garantir aux bénéficiaires des indemnités de chômage la prise en considération des périodes au cours desquelles ces indemnités sont versées:

- a) pour l'acquisition du droit et, le cas échéant, le calcul des prestations d'invalidité, de vieillesse et de survivants;

(b) for acquisition of the right to medical care and sickness, maternity and family benefit after the end of unemployment,
when the legislation of the Member concerned provides for such benefits and makes them directly or indirectly conditional upon occupational activity.

22. Members should endeavour to make adjustments of statutory social security schemes which are based on occupational activity to the occupational circumstances of part-time workers. Such adjustments, provided for in Article 25 of the Convention, should relate in particular, under prescribed conditions to—

- (a) the minimum hours of work and minimum earnings necessary for the entitlement to benefits under the basic and supplementary schemes;
- (b) maximum earnings for the calculation of contributions;
- (c) the qualifying period for entitlement to benefit;
- (d) the methods of calculating cash benefits, in particular pensions, on the basis of earnings and of the length of the period of contribution, insurance or occupational activity;
- (e) entitlement to non-reduced minimum benefits and flat-rate benefits, in particular family allowances.

23. Members should endeavour to promote a real understanding of the hardships of unemployed persons, particularly those who have been unemployed for a long period, and their need for sufficient income.

IV. DEVELOPMENT AND IMPROVEMENT OF SYSTEMS OF PROTECTION

24. Since the systems of protection for the unemployed of some Members are in the early stages of development and others may have to consider changes to existing schemes in the light of changing needs, a variety of approaches may legitimately be taken in assisting the unemployed, and Members should give high priority to a full and frank exchange of information on programmes of assistance for the unemployed.

25. With a view to reaching at least the standards laid down in Part IV (Unemployment Benefit) of the Social Security (Minimum Standards) Convention, 1952, Members which intend to develop their system of protection against unemployment should be guided, in so far as is possible and appropriate, by the following provisions.

26. (1) Members should be aware of the technical and administrative difficulties involved in the planning and introduction of social security mechanisms for the compensation of unemployment. In order to introduce forms of unemployment compensation through the payment of benefits of a non-discretionary nature, they should seek to meet the following conditions as soon as possible—

- (a) the introduction and satisfactory operation of a free public employment service containing a network of employment offices and having acquired sufficient administrative capacity to collect and analyse information on the employment market, to register job offers and jobseekers and to verify objectively that persons are involuntarily unemployed;
- (b) a reasonable level of coverage by and extensive experience in the administration of other branches of social security deemed to have priority on social and economic grounds, such as primary health care and compensation for employment accidents.

(2) Members should, as a major priority, seek to meet the conditions set out in subparagraph (1) above by promoting a sufficiently high level of stable employment offering adequate wages and working conditions, in particular through

b) pour l'acquisition du droit aux soins médicaux, aux indemnités de maladie et de maternité et aux prestations familiales, après la fin du chômage, lorsque la législation du Membre considéré prévoit de telles prestations et en subordonne directement ou indirectement le droit à une condition d'activité professionnelle.

22. Les Membres devraient s'efforcer d'adapter les régimes légaux de sécurité sociale liés à l'exercice d'une activité professionnelle aux conditions de l'activité professionnelle des travailleurs à temps partiel. L'adaptation requise, prévue à l'article 25 de la convention, devrait porter notamment, dans des conditions prescrites, sur :

- a) les durées minimales de travail et les montants minimaux de gains conditionnant le droit au bénéfice des régimes de base et des régimes complémentaires ;
- b) les plafonds de calcul des cotisations ;
- c) la durée de stage exigible pour l'ouverture du droit aux prestations ;
- d) les modes de calcul des prestations en espèces et notamment des pensions en fonction des gains et de la durée de cotisation, d'assurance ou d'activité professionnelle ;
- e) le droit à des prestations minimales et à des prestations forfaitaires, notamment les prestations familiales, non réduites.

23. Les Membres devraient chercher à promouvoir une véritable compréhension envers les difficultés des chômeurs, notamment ceux qui se trouvent au chômage depuis une longue durée, et leur besoin d'un revenu suffisant.

IV. DÉVELOPPEMENT ET PERFECTIONNEMENT DES RÉGIMES DE PROTECTION

24. Etant donné que le développement d'un régime de protection des chômeurs en est à ses débuts dans un certain nombre de Membres et que d'autres peuvent être amenés à envisager des modifications dans les régimes existants en fonction de l'évolution des besoins, des approches différentes peuvent être légitimement adoptées pour venir en aide aux chômeurs, et les Membres devraient accorder une haute priorité à un échange d'informations franc et complet sur les aides aux chômeurs.

25. Pour atteindre au moins les normes fixées par les dispositions de la partie IV (prestations de chômage) de la convention concernant la sécurité sociale (norme minimum), 1952, les Membres qui entendent développer leur régime de protection contre le chômage devraient s'inspirer, dans la mesure où il est possible et approprié, des dispositions suivantes.

26. (1) Les Membres devraient être conscients des difficultés techniques et administratives que comportent la planification et la mise en œuvre de mécanismes de sécurité sociale pour l'indemnisation du chômage. En vue d'introduire des formes d'indemnisation du chômage comportant des prestations de caractère non discrétionnaire, ils devraient chercher à réunir, dès que possible, les conditions suivantes :

- a) l'institution et le fonctionnement satisfaisant d'un service public gratuit de l'emploi doté d'un réseau de bureaux de placement et ayant acquis une capacité administrative suffisante pour recueillir et analyser les informations sur le marché de l'emploi, enregistrer les offres et les demandes d'emploi et pour vérifier objectivement le caractère involontaire du chômage des personnes concernées ;
- b) un niveau raisonnable d'implantation et une expérience étendue de la gestion d'autres branches de la sécurité sociale jugées prioritaires sur les plans social et économique, tels que les soins de santé primaires et la réparation des accidents du travail.

(2) Les Membres devraient, à titre hautement prioritaire, s'efforcer de réunir les conditions énoncées au sous-paragraphe 1 ci-dessus en favorisant un niveau suffisamment élevé d'emploi stable offrant des salaires et des conditions de travail

necessary and appropriate measures, such as vocational guidance and training, to facilitate voluntary matching of skills on the labour market to available job vacancies.

(3) The co-operation and technical advice of the International Labour Office should continue to be put to good advantage in supporting any initiative taken by Members in this respect in cases where there is insufficient national expertise.

(4) When the conditions specified in subparagraph (1) above are met, Members should, as rapidly as their resources permit, and if necessary in stages, introduce programmes for the protection of the unemployed, including social security mechanisms for the compensation of unemployment.

27. In cases where the conditions referred to in Paragraph 26(1) are not met, Members should give priority to special assistance measures for the most needy unemployed persons, to the extent permitted by the available resources and in the context of national conditions.

28. Members which have set up a national provident fund might examine the possibility of authorising the payment of periodical cash benefits to the holders of accounts whose earnings are interrupted by long-term unemployment and whose family situation is precarious in order to provide for their essential needs. The level of this benefit and the period during which it is payable might be limited according to the circumstances, in particular the amount credited to the account.

29. Members might also encourage employers' and workers' organisations to set up assistance funds at the enterprise or inter-enterprise level. These could advantageously be introduced in the enterprises and sectors of activity which have sufficient economic capacity.

30. Members whose laws or regulations require employers to make severance payments to workers who have lost their jobs should envisage making provision for the employers to bear this responsibility in common through the creation of funds financed by employers' contributions, so as to ensure the receipt of these payments by the workers concerned.

adéquats, notamment par des mesures nécessaires et appropriées, telles que l'orientation professionnelle et la formation, pour faciliter la correspondance volontaire des qualifications avec les emplois vacants sur le marché du travail.

(3) Les services de coopération et les conseils techniques du Bureau international du Travail devraient continuer à être mis à profit pour soutenir toute initiative prise par les Membres en ce domaine, faute d'une expertise nationale suffisante.

(4) Lorsque les conditions visées au sous-paragraphe 1 sont réunies, les Membres devraient, aussi rapidement que leurs ressources le permettent et, s'il est nécessaire, par étapes, instituer des régimes de protection de chômeurs, et notamment des mécanismes de sécurité sociale pour l'indemnisation du chômage.

27. Lorsque les conditions visées au sous-paragraphe 1 du paragraphe 26 ne sont pas réunies, les Membres devraient accorder la priorité à des mesures spéciales d'aide aux chômeurs les plus nécessiteux, en fonction des ressources disponibles et selon les conditions propres à chaque pays.

28. Les Membres ayant institué un fonds national de prévoyance pourraient examiner la possibilité d'autoriser, au profit des titulaires de compte dont les gains sont interrompus par un chômage de longue durée et dont la situation familiale est précaire, le versement de prestations périodiques en espèces pour faire face à leurs besoins essentiels. Ces prestations pourraient être limitées dans leur montant et dans leur durée en fonction des circonstances, et notamment du solde du compte.

29. Les Membres pourraient également encourager la constitution par les organisations d'employeurs et de travailleurs de fonds de secours d'entreprise ou interentreprises. Cette méthode pourrait être mise à profit dans les entreprises et les secteurs d'activité jouissant d'une capacité économique suffisante.

30. Les Membres dont la législation met à la charge des employeurs le versement d'indemnités de fin de service aux travailleurs qui ont perdu leur emploi devraient envisager la mise en commun de la responsabilité des employeurs par la création de fonds alimentés par des cotisations de ceux-ci, afin de garantir le versement de ces indemnités aux travailleurs intéressés.

**RESOLUTIONS
ADOPTED BY THE CONFERENCE**

RESOLUTIONS

I

Resolution to place on the agenda of the next ordinary session of the Conference an item entitled "Partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107)"¹

The General Conference of the International Labour Organisation,

Having adopted the report of the Committee appointed to consider the sixth item on the agenda,

Having in particular approved as general conclusions, with a view to the consultation of governments, proposals for the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107);

Decides that the question of the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), shall be included in the agenda of its next ordinary session for a second discussion with a view to the adoption of a Convention.

II

Resolution concerning rural employment promotion²

The General Conference of the International Labour Organisation,

Having taken note of Report VII on rural employment promotion;

1. Adopts the following conclusions;
2. Invites the Governing Body to request the Director-General:
 - (a) to bring these conclusions to the attention of member States and of workers' and employers' organisations;
 - (b) to take these conclusions into account in preparing the Programme and Budget Proposals for 1990-91 and future biennia, and in preparing or revising future medium-term plans for the Organisation.

CONCLUSIONS CONCERNING RURAL EMPLOYMENT PROMOTION

INTRODUCTION

1. Global unemployment and underemployment are the challenge of our time in the present context of growing population and increased urbanisation. Under-utilisation of labour, and the associated problem of poverty, affect many countries at all levels of development. These difficulties have been compounded by an increasingly difficult international environment. The problem is particularly acute in developing countries where decades of unbalanced development have contributed to limiting the capacity of the urban and modern sectors of the economy to generate sufficient employment and economic growth. The debt problem, declining commodity prices, fluctuating exchange rates and protectionism have led to a drastic reduction in export earnings and in the import capacity of developing countries. Faced with this situation, many countries have had to adopt structural adjustment programmes which have affected employment prospects, at least in the short term. In the search for a solution to the employment problem, rural econo-

¹ Adopted on 21 June 1988.

² Adopted on 22 June 1988.

mies of both developed and developing countries will have a major role to play. Economic growth provides the most desirable environment for employment creation and should be accompanied by income growth in particular for the poorest sections of society.

2. Looking ahead, there are challenging tasks to be undertaken. The relationship between agricultural policies of developed countries and the export earnings of, and employment in, developing countries require a more liberal approach to trade in the developed countries. In industrialised market economies an important issue which needs to be confronted relates to the costs and benefits of alternative policy options to deal with agricultural surpluses, protection and food prices. An awareness of problems connected with international trade should be encouraged at all levels within these countries. The results of significant changes in international trade would be complex and would vary between countries and within countries. It can be expected that change would have implications for employment and employment promotion policies in both developed and developing countries.

3. In centrally planned economies the current initiatives towards reform may have far-reaching implications for agricultural productivity and employment. A major issue in this respect relates to the optimum organisational structure and the institutionalisation of the recent reforms. These reforms aim at the expansion of technological innovations with a view to increasing efficiency and labour productivity in agriculture. Such changes would release labour for industry and services and would increase the supply of food for the urban areas.

4. In developing countries the rapid increase of population and the labour force will continue in the foreseeable future. There is sufficient evidence that agriculture alone will not be able to absorb the increase in the labour force, even under the most optimistic scenarios. Major reorientations in social and economic policies will be required to create the appropriate framework for the increase in employment opportunities and incomes of the rural population, who are generally poor, in the agricultural as well as the non-farm economies of developing countries. The lessons of past experience, together with the present difficult international environment, emphasise the need to devise new development strategies at the national and international levels in which the crucial role of the rural sector is fully recognised, and to create more favourable macro-economic conditions for the rural sector. Under the present conditions, in many countries, revival of growth itself requires acceleration of agricultural growth and development of trade linkages between agriculture and industry. There is also an urgent need to increase income growth, to combat mass poverty, unemployment and underemployment in rural areas and to bring about an equitable distribution of the benefits of growth. In pursuing such a strategy, particular attention should be given to closing the rural-urban gap through the creation of appropriate infrastructures, and to the full participation of women.

5. While the challenges of employment are great, taking a forward look points to increased opportunities. There are signs of gradual recovery from the global recession of the early 1980s. Major technological innovations are now being adopted in agriculture, offering encouraging prospects for raising productivity and increasing incomes and employment, but at the same time in some cases exposing workers to new hazards and risks to employment. It is necessary that workers should be adequately protected against potential occupational hazards, for example, chemical and biological hazards deriving from those innovations. There is a growing awareness that efforts at the international level should be directed at protecting the poor, especially the rural poor, against the shocks of negative international developments. All these trends point out the opportunities that exist in facing up to the challenge of global unemployment and underemployment.

NATIONAL ACTION

6. All countries, whatever their level of development, and whatever their economic and social systems, need to give greater attention to the contribution that the development and modernisation of rural areas can make to overall

growth, to balanced economic and social development, and to the solution of their employment problems.

7. Countries should ensure that:

- (a) strategies and policies for growth and development lead to a better balance between rural and urban areas, and to a strengthening of the linkages between agriculture and industry. The rural sector, including agriculture, plantations, forestry, animal husbandry, fisheries and non-agricultural enterprises, can make an important contribution to industrial development as a supplier of food and raw materials, as a market for local industrial products and as a provider of investible surplus in rural areas. Small and medium-sized enterprises should be promoted in accordance with the conclusions adopted by the Conference at its 72nd Session (1986) concerning the promotion of small and medium-sized enterprises. Appropriate policies regarding prices, credit, taxation, technology, investment and institutional development should be considered, taking into account their social implications. Rural workers' organisations should be promoted in accordance with the Rural Workers' Organisations Convention, 1975 (No. 141);
- (b) adequate opportunities for gainful and productive employment in farm and non-farm activities, particularly for youth, are provided to the inhabitants of rural areas so as to improve the standard of living in these areas, and to stem the exodus of the rural population to the large cities. The special needs of vulnerable and disadvantaged groups such as the handicapped should be accorded appropriate attention. Special consideration should also be given to indigenous and tribal populations;
- (c) policies for overall rural development make adequate provision for hydraulic, electrical, communication and other infrastructural development as well as health, housing, education and cultural services, thus reducing the gap in living conditions between rural and urban areas;
- (d) every effort is made to provide seasonal, part-time, casual and migrant workers and contract labour with adequate social protection and working conditions. Every effort should also be made to create alternative employment opportunities during the rest of the year. In this connection, attention should be given to the ratification and full implementation of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96);
- (e) women's central role in rural development is fully recognised and women are given equal access to basic resources, productive assets and property rights. In recognition of women's double work burden related to employment and family responsibilities, measures to provide them with adequate social services and appropriate technologies should be given priority. In parallel, non-traditional productive activities for women should be supported and women's access to decision-making institutions should be facilitated;
- (f) agricultural policies, including pricing policies, are so designed as to increase productivity, ensure sufficient supply of food to all people, and provide adequate incentives and incomes to food producers, particularly in developing countries;
- (g) every encouragement is given to the development of rural non-farm activities (including rural industries and services) which can on the one hand provide locally many of the goods, services, infrastructural facilities and equipment needed for agricultural growth and employment, using local resources and locally produced inputs to the maximum extent possible, and on the other hand provide employment and incomes to a significant section of the rural labour force. In this context, encouragement and assistance needs to be given to the growth of enterprises in rural areas, especially small and medium-sized ones and co-operatives, ensuring them adequate access to capital, credit, equipment, markets and skills;
- (h) policies for education, vocational training and technical advisory services, available on a continuing basis, and human resource development are so designed as to provide rural populations, including youth, women and children, with the skills and aptitudes required for productive employment, both in the farm and non-farm sectors, in rural areas;

- (i) provision is made for the progressive extension of social security, retraining and other measures to assist the rural population in finding alternative employment opportunities whenever they are affected by changes in the economic environment;
- (j) representative organisations of employers and workers are consulted in the design and implementation of policies, programmes and projects for overall rural development. Encouragement should also be given to local initiatives for employment. In conformity with the Rural Workers' Organisations Convention, 1975 (No. 141) and Recommendation (No. 149), member States should encourage the growth of strong rural workers' organisations, and should take appropriate measures for the ratification and application of those instruments;
- (k) due attention is given to the protection and rehabilitation of the rural environment and particularly to addressing the problems of soil deterioration and erosion, so as to provide the basis for sustainable development and employment growth in rural areas; and
- (l) where rural employment promotion requires the introduction of technological change and innovation, due attention is paid to rural workers' health and safety, including their protection against chemical and biological hazards.

Developed countries

8. In industrialised market economies, important issues include the costs and benefits of alternative policy options aimed at a more liberal trade in agricultural products, a reduction in agricultural surpluses and a diminished production-stimulating support with a view to reducing the budgetary burdens of such support and to further opening up markets for developing countries. In this context consideration should be given to policies designed to: (a) minimise the potentially negative effects, particularly on the poorest regions and the poorest segments of the populations; (b) encourage the development of small and medium-sized enterprises to provide jobs for the farmers and agricultural workers affected; (c) promote the protection and preservation of the rural environment; (d) discourage rural exodus leading to more unemployment in urban areas; and (e) take measures to ensure appropriate food security. Member States should extend social security, training, retraining and other measures to facilitate labour mobility particularly during the transitional phase. Innovative policies in this respect should aim at increasing employment opportunities in the rural areas so as to contribute to a reduction in overall unemployment.

9. The recent developments in centrally planned economies pose a challenge for planners and policy-makers. Attempts at reform and restructuring must give agriculture an important place in future development. These countries, in introducing new policy measures for increasing efficiency and labour productivity in agriculture, should focus on: (a) reforms concerning prices, methods of labour remuneration, and organisation of work; (b) the introduction of institutional changes that guarantee greater farm autonomy and decentralisation in decision-making and access to ownership of land in accordance with national legislation; (c) policies to assist workers who may be displaced as a consequence of the reforms; and (d) appropriate support to the creation of small and medium-sized enterprises in rural areas. These countries should also focus on further increasing their imports of agricultural products from developing countries.

Developing countries

10. The acute situation in developing countries, reflected in massive unemployment, underemployment, poverty, malnutrition and high child mortality rates, requires the assignment of a central role to rural employment promotion. This is particularly important in view of the difficult international environment which has prevailed since the early 1980s. Given the decline in resources available to these countries due to the debt servicing burden, the fall in commodity prices, rising interest rates and trade barriers, member States should mobilise the political will to adopt policies and programmes in support of a rural employment-oriented strategy of development, aiming at the alleviation of rural poverty, the creation of

income generating activities and the improvement of the socio-economic well-being of rural people. This should include the following elements:

- (a) in defining their national development strategies, particularly in the context of structural adjustment and the need for recovery, member States should give priority to employment promotion, economic growth and modernisation of the rural sector. Structural adjustment programmes should be so designed as to improve the productive potential of undertakings of all types and increase the productive and income-earning capacity of the weakest groups. The rural sector's share in investment and public expenditure, especially in the development of infrastructure and social services, should be commensurate with its relative importance in population and poverty. Furthermore, pricing, subsidy and other macro-policies should be so designed as to provide adequate incentives to rural producers and to develop market linkages between the rural and urban sectors;
- (b) in designing population policy, priority should be accorded to the promotion of family planning based on education complemented by family and child health care measures and basic literacy in rural areas;
- (c) in order to bring about a more balanced spatial distribution of population, and mitigate the impact of excessive urbanisation, member States should give consideration to the development of small and medium-sized towns and the encouragement of small and medium-sized agro-industrial enterprises, including those processing plantation crops;
- (d) member States should design an employment-oriented strategy of rural development that aims at promoting labour absorption in both the farm and non-farm sectors. The non-farm sector must play a key role in this strategy;
- (e) the promotion of labour absorption in agriculture requires designing an integrated set of programmes in support of smallholders aiming at increasing productivity and employment of this important sector. Such programmes should include the adoption of policies which stimulate crop diversification and the diffusion of high-yielding varieties, appropriate farm equipment, biotechnological innovations and the results of agricultural research, paying due attention to the environment as well as to the health and safety of rural workers, including their protection against occupational hazards; the provision of adequate credit, extension, training and marketing services; the allocation of public investment to irrigation development, and the adoption of programmes of subsidies and credit to enable smallholders to make fuller use of their land through irrigation. In cases where very small holdings are unproductive or inefficient because of their size, voluntary consolidation of holdings or production units should be encouraged so as to optimise production and marketing;
- (f) the right to freely chosen employment and to own property should be recognised. In certain situations, agrarian reform involving redistribution of property rights in land in favour of the landless or small producers, would assist the modernisation of agriculture, employment opportunities and equitable rural development. Wherever appropriate, such reforms should be undertaken within the context of an overall rural development strategy, with the objectives of promoting optimum use of land and facilitating the application of appropriate new technologies, and should be carried out through just legal procedures, providing effective and equitable compensation and access to independent judicial process for those adversely affected. Such reforms would need to be accompanied by measures to improve facilities for credit, input supply, marketing, training and extension services. Since in many countries different types of property title coexist, there should be legal security of property and/or tenure;
- (g) the development of a dynamic non-farm sector (rural and agro-based industries and services) requires: (i) designing innovative policies to provide incentives for the channelling of agricultural resources into value-adding non-farm enterprises; (ii) creating infrastructure and other facilities including credit, training, marketing and technology; (iii) stimulating and respecting various organisational forms of production in conformity with basic human rights; and

- (iv) implementing complementary policies to support and legitimise the role of the informal sector with access to financing, appropriate technologies and enterprise skills;
- (h) any direct employment creation programmes that may exist should lead to an increase in the bargaining power of rural workers, and ensure adequate remuneration and, where applicable, social protection through legislation for both men and women. In this context, priority should be given to the ratification and full implementation of the Minimum Wage-Fixing Machinery (Agriculture) Convention, 1951 (No. 99);
- (i) in designing and implementing rural employment policies, special attention should be paid to enabling women's full participation in the development process. In particular, emphasis should be given to: (i) ensuring their equitable access to training, employment extension services and productive assets including land; (ii) enforcing equality of pay and guaranteeing social protection; (iii) encouraging women's full integration into rural workers' organisations on the basis of a recognition of their particular needs and concerns and ensuring their full participation and influence in rural development processes, including through women's organisations in the service of the community; and (iv) encouraging and promoting women's participation in small and medium-sized enterprises in rural areas;
- (j) national strategies should take full account of the basic needs of the rural population with a view to closing the gap between urban and rural living standards;
- (k) the success of rural employment strategies requires full participation by rural workers and employers through their freely chosen organisations in all phases of planning, implementation and evaluation. Within this context, member countries are called upon to increase efforts to step up the ratification and application of ILO instruments concerning the rural sector, especially the Rural Workers' Organisations Convention, 1975 (No. 141), and Recommendation (No. 149), the Plantations Convention, 1958 (No. 110), and the Tenants and Share-croppers Recommendation, 1968 (No. 132);
- (l) encouragement of rural workers' and employers' organisations to participate more fully in the organisation of services for people's health care; literacy; training; the provision of safe drinking water, electricity, communications and other facilities to the villages; group-based credit programmes for the poor; and the promotion of workers' education for strengthening their active participation in rural workers' organisations;
- (m) production, marketing, credit and other types of rural co-operatives have a major role to play in promoting employment, development and self-sufficiency. The rural population should have free access, democratic control and independence from any external interference in the creation and functioning of co-operatives. Their development should be encouraged, in conformity with the Co-operatives (Developing Countries) Recommendation, 1966 (No. 127). Efforts should be made to develop training, credit, marketing and other facilities to enable co-operatives to mobilise local resources and increase the access of the rural population to productive resources and services;
- (n) policy-making is often constrained by the lack of relevant data, particularly on rural employment and incomes. Member countries should undertake determined efforts to improve the data base for policy-making particularly by providing information disaggregated by sex and by rural and urban sector separately;
- (o) care should be taken to ensure that all appropriate research data are communicated to the local level so that they can be utilised and their benefits realised; and
- (p) existing programmes should be evaluated and the lessons learned taken into account for application in future programmes.

INTERNATIONAL ACTION

11. Recognising the need to improve the international environment for developing countries, and taking account of the Conclusions adopted by the High-Level Meeting on Employment and Structural Adjustment and the special responsibility of the ILO in the United Nations system for labour and social matters including the promotion of full, productive and freely chosen employment and its responsibility to examine and consider economic and financial policies in the light of their impact on employment and social conditions, the Conference calls upon the international community:

- (a) to take the necessary steps for a more liberal international trade, avoiding distortions, together with appropriate protective social policy measures;
- (b) to find a solution to reduce the debt burden of developing countries;
- (c) to facilitate increased flows of capital and aid; and
- (d) to develop mechanisms for the transfer to developing countries of appropriate technological innovation, including biotechnology, and the use of raw materials for industrial processing.

THE ROLE OF THE ILO

12. In view of the impact of macro-economic policies, especially those aiming at economic reform and structural adjustment, on employment and livelihood of the rural population, the Conference urges the ILO to reassess present research on the interlinkages between macro-economic policies and employment and poverty in the rural areas with a view to undertaking innovative, original applied research on these topics. The main objective of this research should be to provide sound advisory services and data to ILO constituents in order to assist them in promoting growth strategies for recovery.

13. The ILO should, within its field of competence, combine research, advisory services and technical co-operation to strengthen its assistance to member States in the following areas:

- (a) the design of strategies aiming at increasing labour absorption in rural areas through the promotion of growth linkages between agriculture and the non-farm rural economy. Such strategies should aim at increasing productivity in both sectors through the adoption of innovative and appropriate technology and the promotion of new enterprises. The ILO's work should include: (i) documenting and disseminating knowledge on the appropriate macro and micro policies for promoting economic growth, labour absorption and productivity in agriculture and the non-farm economy; (ii) studying the methods of strengthening the agriculture/non-agriculture linkages in the rural areas; (iii) the formulation of alternative options for employment promotion policies, particularly for the least developed countries; (iv) studying the impact on rural employment and production of different systems of ownership; (v) documenting and studying the ways of developing rural-urban linkages as well as linkages with the non-traditional export markets; and (vi) studying the impact of structural adjustment programmes on employment and food security. The ILO should advise governments on the employment aspects of alternative adjustment programmes, particularly in the least developed countries;
- (b) the promotion of employment in the rural non-farm economy, this being a crucial element in the promotion of employment in the rural areas in the medium term. Technical co-operation projects in this area should shift away from isolated micro projects into more inter-related projects of a coherent programme. In line with the conclusions adopted by the Conference at its 72nd Session (1986) concerning the promotion of small and medium-sized enterprises, the ILO should pay special attention to the role that such enterprises can play in rural development. The Conference calls upon the ILO to organise, where appropriate, non-farm employment strategy missions, in co-operation with other agencies, in order to assist governments and employers' and workers' organisations in the promotion of rural non-farm activities;

- (c) the promotion of labour absorption in agriculture in developing countries. Particular emphasis should be given to: (i) designing the appropriate institutional framework for promoting increased agricultural production and employment; (ii) providing assistance to maximise the employment potential of the introduction of improved technologies such as high-yielding varieties, improved farm equipment and bio-technology; (iii) assisting in the establishment of occupational safety and health programmes for agricultural workers; (iv) acting as a "clearing house" for information on successful experiences of increased labour absorption in agriculture and the real living conditions obtained by the workers; and (v) assisting rural workers' and employers' organisations in the formulation of socio-economic programmes;
- (d) the design of an integrated programme in support of smallholders in the rural areas of developing countries with a view to increasing the production of food and the promotion of employment. Such an approach might include: (i) the design of an innovative institutional framework for improving access to credit, particularly for the poor; (ii) the provision of appropriate training, complemented by access to appropriate technical assistance, by introducing innovative and participatory training approaches and methodologies; and (iii) the provision of technology suited to the needs of small farmers, keeping in view their safe working conditions;
- (e) the development of appropriate approaches to, and programmes for, enhancing technical, managerial, organisational, enterprise and other skills for men and women to enable them to participate in and benefit from the process of growth and development in rural areas;
- (f) the development of strategies, within the International Programme for the Improvement of Working Conditions and Environment (PIACT), for improving the living and working conditions of rural workers;
- (g) the documentation and dissemination of information on the causes and dimensions of rural poverty with particular emphasis on the linkages between rural and urban poverty caused by migratory movements. In this respect emphasis should be given to special anti-poverty and direct employment creation programmes targeted at the most disadvantaged groups. These should include special public works programmes, food-for-work programmes and other direct intervention.
- (h) giving priority to activities in support of rural women. Particular emphasis should be given to: (i) continuing research and documentation on the constraints on employment, conditions of work and differential impact of policies on rural women; (ii) direct measures to increase returns to women's labour in agricultural, productive and economically viable employment opportunities; (iii) encouraging the development of social amenities including provision of safe water supply, easy access to fuel and child-care facilities; (iv) steps to encourage women's full participation and influence in economic and social development; (v) women's access to decision-making bodies; and (vi) developing productive non-traditional activities for women;
- (i) the design of programmes aimed at documenting and improving the legal, economic and social conditions of home-based workers;
- (j) the design of programmes aimed at documenting and improving the legal, economic and social condition of the informal sector, which is now recognised as an important element of the rural sector both in terms of employment creation and in terms of generation of productive activities;
- (k) the promotion of the full participation of employers' organisations and workers' organisations as defined in the Rural Workers' Organisations Convention, 1975 (No. 141), in designing and implementing rural employment policies. In this respect emphasis should be given to assisting the rural population in the creation and development of their own organisations, to the promotion of legislation protecting rural workers and their organisations, and to workers' education programmes for such organisations; and
- (l) the collection and dissemination of data by sex, region and sector, on rural employment, wages, incomes and other aspects of development, and assistance to member States in creating systems to monitor the conditions in rural

areas, especially of the poor groups. It should also make greater efforts to disseminate such data and the results of its research on the experience of different countries to a wider audience on a regular basis.

14. The ILO's technical co-operation programmes should aim at the promotion of national self-reliance, respond to the priorities and needs as defined by member States, and be carried out in close consultation with the social partners, including those in the recipient countries. In allocating resources to such programmes, every encouragement should be given to the promotion of human rights, including freedom of association and the right to organise. The ILO should continue and expand its work related to the evaluation and monitoring of the socio-economic impact of technical co-operation projects and ensure the dissemination of the results of its inquiries and the lessons of its experience, both successes and failures. Special attention should be given to the effectiveness of technical co-operation projects.

15. The ILO should vigorously promote and monitor the ratification and application of relevant ILO standards, particularly those related to such basic human rights as freedom of association and the right to organise of rural workers, non-discrimination and abolition of forced labour as well as of child labour. The ILO should also investigate the reasons for the limited ratification of the Rural Workers' Organisations Convention, 1975 (No. 141), and the Plantations Convention, 1958 (No. 110), and promote a tripartite dialogue on the subject. The Governing Body is requested to place on the agenda of an early session of the Conference the revision of the Tenants and Share-croppers Recommendation, 1968 (No. 132). The Conference also calls upon the Governing Body to consider placing on the agenda of an early session of the Conference the question of the application of modern agricultural technologies.

16. The ILO should initiate consultations between workers' organisations and between employers' organisations as to steps which might be taken to improve health and safety as well as employment of rural workers.

17. In the context of the Medium-Term Plan and the Sectoral Activities Programme, the Conference calls upon the Governing Body to convene the Advisory Committee on Rural Development at more frequent intervals. The Governing Body Committee on Employment should keep under review the ILO's work on rural employment. The Governing Body should also consider giving greater priority in the allocation of resources to activities concerning rural labour and employment.

18. The ILO should, within its sphere of competence, contribute to the promotion of dialogue between industrialised and developing countries. The Conference urges that the contribution of the ILO in this area should be based on the Conclusions of the High-Level Meeting on Employment and Structural Adjustment.

19. In carrying out its activities, particularly technical co-operation programmes, the ILO should continue and strengthen its co-operation with other organisations of the United Nations system to promote employment-oriented patterns of development in the rural sector, and should implement the conclusions concerning technical co-operation adopted by the Conference at its 73rd Session (1987). In the joint committees of the United Nations system in which the ILO participates, tripartite representatives should, whenever possible, be included in ILO delegations.

III

Resolution concerning the granting to the Republic of Chad of permission to vote under paragraph 4 of article 13 of the Constitution of the International Labour Organisation¹

The General Conference of the International Labour Organisation,
Having regard to the terms of the financial arrangement adopted by the

¹ Adopted on 8 June 1988 by 384 votes in favour, 0 against, with 1 abstention.

Conference at its 69th (1983) Session for the settlement of the arrears of the Republic of Chad,

Having regard further to the fact that the Government of the Republic of Chad has brought itself up to date within the terms of the said financial arrangement by payment of the amount due in 1987 on 18 January 1988;

Decides that the Republic of Chad shall be permitted to vote in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organisation, it being understood that the aforesaid financial arrangement shall continue to apply.

IV

Resolution concerning the arrears of contributions of Poland¹

The General Conference of the International Labour Organisation,

Having regard to paragraph 6 of article 10 of the Financial Regulations;

Accepts the arrangement proposed by the Government of Poland for the settlement of the arrears of contributions due for the period 1980 to 1987 to the effect that:

- (a) in 1988 Poland will pay in full its contribution for the year 1988;
- (b) in subsequent years Poland will continue to pay its current contribution in full in the year for which it is due;
- (c) Poland will settle the arrears that have accumulated up to and including 31 December 1987, amounting in total to US\$9,039,336, by the payment of 19 equal annual instalments of US\$451,967 beginning in 1988 and a final instalment of US\$451,963.

V

Resolution concerning the granting to Poland of permission to vote under paragraph 4 of article 13 of the Constitution of the International Labour Organisation²

The General Conference of the International Labour Organisation,

Having regard to the terms of the financial arrangement adopted by the Conference at its present session for the settlement of the arrears of Poland;

Decides that Poland shall be permitted to vote in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organisation.

VI

Resolution concerning the assessment of the contribution of Poland for 1988-89¹

The General Conference of the International Labour Organisation,

In accordance with article 9, paragraph 2, of the Financial Regulations;

Fixes Poland's contribution to the budget of the International Labour Organisation for 1988 and 1989 at a rate of 0.64 per cent.

¹ Adopted on 8 June 1988.

² Adopted on 8 June 1988 by 325 votes in favour, 0 against, with 1 abstention.

VII

Resolution concerning the composition of the Administrative Tribunal of the International Labour Organisation¹

The General Conference of the International Labour Organisation,

In accordance with Article III of the Statute of the Administrative Tribunal of the International Labour Organisation,

Extends the terms of office of the Rt. Hon. Sir William Douglas (Barbados) and Mr. Edilbert Razafindralambo (Madagascar) as deputy judges of the Tribunal for a further period of three years.

VIII

Resolution concerning the proposed incentive scheme for early payment of member States' assessed contributions¹

The General Conference of the International Labour Organisation,

Recalling that in accordance with article 10, paragraph 1, of the Financial Regulations, member States' assessed contributions for each calendar year are due and payable on 1 January of that year,

Noting that delays in the payment of assessed contributions by some member States have prejudiced the implementation of the Organisation's programme in a timely and orderly manner and placed those member States which pay their contributions in a timely manner at a disadvantage,

Recalling the concerns expressed by the Conference, the Governing Body and the Director-General with regard to the late payment of assessed contributions,

Agreeing that some form of incentive should be provided to member States that pay their assessed contributions in a timely manner;

1. Decides that an incentive scheme based on the setting aside of interest earned on temporarily surplus regular budget funds in any year shall be introduced as from 1 January 1989 for a two-year trial period;

2. Decides further that during this trial period 40 per cent of interest earned on temporarily surplus regular budget funds in each year shall be paid into the Working Capital Fund and that the remainder shall be set aside to provide a total incentive amount available for distribution to those member States which have paid in full their assessed contributions for the current year by 31 December of that year. The total incentive amount so established in each year will be distributed to eligible member States under an incentive points system based on an "S" curve formula which will take into account the dates and amounts of payments of current year's contributions by member States.

IX

Resolution concerning the Financial Report and Audited Financial Statements for 1986-87¹

The General Conference of the International Labour Organisation,

Decides to adopt the Financial Report and Audited Financial Statements for 1986-87 in accordance with article 29 of the Financial Regulations.

¹ Adopted on 15 June 1988.

X

Resolution concerning reduction in the Programme and Budget for 1988-89¹

The General Conference of the International Labour Organisation,

Recalling that the 73rd Session of the Conference adopted the Programme and Budget for 1988-89 on the understanding that programme reductions to reduce the overall level of the budget would be worked out for approval by the Conference at its present session,

Decides to make programme reductions of \$1.9 million as detailed by major programme in Appendix II to this report.

XI

Resolution concerning reimbursement to the Working Capital Fund in 1989²

The General Conference of the International Labour Organisation,

Noting that the Governing Body, at its 240th (May-June 1988) Session, endorsed in principle the introduction in 1990-91 of a system of Swiss franc assessments combined with forward purchasing of the biennium's dollar requirements and agreed that the final decision should be taken at the 241st Session of the Governing Body in November 1988, based on a more detailed proposal presented by the Director-General with consequential changes in the Financial Regulations and Financial Rules,

Expressing the hope that firm proposals in respect of this problem will be made by the Governing Body within the framework of the programme and budget proposals for the 1990-91 biennium;

1. Decides that, as an exceptional measure and in derogation of article 21, paragraph 2 of the Financial Regulations, the amount due to be added to Part III of the budget (Working Capital Fund) in 1989 in order to reimburse the Fund for withdrawals made to finance the excess of budgetary expenditure over budgetary income in 1986-87 be reduced by \$17 million, thereby reducing by a corresponding amount the additional assessments which would otherwise be made on member States in 1989 for that purpose;

2. Notes that, taking account of the \$17 million, the resulting additional assessment for 1989 required under article 21, paragraph 2 of the Financial Regulations will amount to \$8,059,627.

XII

Resolution concerning the Programme and Budget for 1988-89³

The General Conference of the International Labour Organisation,

Recalling that the rate of exchange between the United States dollar and the Swiss franc (the "budget rate") for the 1988-89 Programme and Budget was fixed at 1.60 Swiss francs for 1 US dollar,

Noting the depreciation of the US dollar in relation to the Swiss franc since that rate was fixed and in particular the adverse trend over the first five months of the 1988-89 biennium,

Considering the consequential need to cover the additional costs that have arisen and are likely to continue to arise during the execution of the programme adopted for 1988-89;

¹ Adopted on 15 June 1988.

² Adopted on 15 June 1988 by 360 votes in favour, 8 against, with 47 abstentions.

³ Adopted on 15 June 1988 by 301 votes in favour, 42 against, with 33 abstentions.

1. Decides to modify the budget rate for the 1988-89 biennium from 1.60 to 1.43 Swiss francs to the dollar and accordingly to add an amount of \$26 million under Part IV (Effects of exchange rate adjustments) to the budgets of expenditure and of income for 1988-89, it being understood that any additional costs arising from the value of the dollar being lower than the revised budget rate of 1.43 Swiss francs to the dollar will be met through adjustments within the level of the revised Programme and Budget for 1988-89;

2. Approves the revised budget of expenditure and income for the 61st financial period ending 31 December 1989, in the amount of US\$357,023,033, resulting from the present resolution and the resolutions adopted at the present session of the Conference concerning programme reductions and reimbursements to the Working Capital Fund, as set out in Appendix I to this report.

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PROVISIONAL RECORD



Resolutions

Resolutions submitted in accordance with article 17 of the Standing Orders of the Conference

Resolution concerning the role of enterprises in employment growth, submitted by Mr. Georget, Employers' delegate, Niger; Mr. Lindner, Employers' delegate, Federal Republic of Germany; Mr. Lounis Khodja, Employers' delegate, Algeria; Miss Mackie, Employers' delegate, United Kingdom; Mr. Nasr, Employers' delegate, Lebanon; Mr. Oechslin, Employers' delegate, France; Mr. Pierides, Employers' delegate, Cyprus; Mr. Rossi, Employers' delegate, Brazil; and Mr. Rowe, Employers' delegate, New Zealand; Mr. Smith, employers' delegate, United States

The General Conference of the International Labour Organisation,

Recalling the conclusions and resolution concerning the promotion of small and medium-sized enterprises, adopted at the 72nd session of the International Labour Conference,

Recalling also the resolution concerning the creation of enterprises and the growth of employment, which was adopted by the Fourth European Regional Conference in September 1987,

Recalling further the conclusions of the High-level Meeting on Employment and Structural Adjustment, held in November 1987,

Convinced that a key to the solution of the problems of unemployment and underemployment faced by many countries lies in the creation of a favourable climate for the efficient utilisation of human skills, including management skills, and the exercise of individual initiative within the framework of policies that encourage the creation and growth of enterprises that are competitive nationally, regionally and internationally,

Noting that the potential for employment growth is particularly strong in small and medium-sized enterprises,

Considering that the entrepreneurial spirit can thrive only in an environment of free markets and free decision-making within enterprises,

Convinced therefore of the need for such an environment so that enterprises, especially small and medium-sized enterprises, can fully realise their growth potential,

Considering that technological developments and changes in world markets make continuing structural adjustments in the economies of all countries inevitable, especially as economic interdependence between countries is increasing,

Convinced further that liberalising national economies will facilitate the necessary adjustments in

ways that maximise economic growth while encouraging job creation and sustainable employment;

Invites the Governing Body of the International Labour Office to instruct the Director-General:

- (a) to give emphasis in the Programme and Budget of the ILO:
 - (i) to activities that encourage the spirit of entrepreneurship, particularly in small and medium-sized enterprises;
 - (ii) to training and retraining programmes directed towards enabling unemployed people to acquire the necessary skills and qualifications to be absorbed into the workforce;
 - (iii) to activities fostering the creation of new enterprises as a prime means of re-employing people who may lose their jobs in the process of structural adjustment, as well as providing employment for new entrants to the workforce;
- (b) to promote and organise exchanges of experience among countries adopting, as essential elements of their economic and employment policies, the encouragement of free enterprise.

Resolution concerning the report of the World Commission on Environment and Development, submitted by Mr. Andersen, Government delegate, Denmark; Mr. Ettarp, Government delegate, Sweden; Mrs. Holmboë Ruge, Government delegate, Norway; Mr. Kristinsson, Government delegate, Iceland; and Mr. Riikonen, Government delegate, Finland

The General Conference of the International Labour Organisation,

Welcoming the report of the World Commission on Environment and Development entitled *Our common future*, in particular its conclusions and recommendations as they relate to the mandate of the International Labour Organisation,

Noting the United Nations General Assembly's resolution 42/187 of 11 December 1987, transmitting to all governments and to the governing bodies of the organs, organisations and programmes of the United Nations system the report of the World Commission and inviting them to take account of the analysis and recommendations contained in the report in determining their policies and programmes,

Noting further that, in the same resolution, the General Assembly called upon the governing bodies of the organs, organisations and programmes of the United Nations system to review their policies, pro-

grammes, budgets and activities aimed at contributing to sustainable development,

Bearing in mind United Nations General Assembly resolution 42/186 of 11 December 1987 on the environmental perspective to the year 2000 and beyond,

Considering that the International Labour Organisation can make an important contribution to international efforts towards sustainable development,

Recalling in this connection the resolution concerning the role of the ILO in technical co-operation, adopted at the 73rd Session of the International Labour Conference, particularly operative paragraphs 2 and 4,

Recalling also the resolution concerning employment policy and environmental protection, adopted by the Fourth European Regional Conference of the International Labour Organisation,

Bearing in mind the close relationship between a sound environment and safe and healthy conditions at the workplace,

Convinced that, through policy measures at the national and international level, a positive link can be established between the requirements of environmental protection and employment creation, particularly in rural areas of developing countries;

1. Invites governments and, as appropriate, employers' and workers' organisations to:

- (a) take account of the analysis and recommendations contained in the report of the World Commission on Environment and Development and of United Nations General Assembly resolution 42/186 on the environmental perspective to the year 2000 and beyond, in determining their policies and programmes in areas related to the mandate of the International Labour Organisation;
- (b) ensure, through co-ordination between central economic and sectoral agencies, that these policies and programmes promote sustainable development;
- (c) encourage initiatives which take into account the requirements and employment creating potential of sustainable development in areas such as agriculture, the rational use of energy, construction and road building;
- (d) stimulate the restructuring of enterprises which constitute a burden on the environment in order to enable them to attain the necessary environmental standards as rapidly as possible;
- (e) plan the environmental policy in such a way that it contributes to preserving and creating employment.

2. Requests the Governing Body of the International Labour Office to instruct the Director-General to:

- (a) undertake an intersectoral, interdisciplinary study on the basis of the report of the World Commission and of the resolution on the environmental perspective in order to identify issues of particular relevance to the International Labour Organisation, taking into account the tripartite structure of the organisation and with particular emphasis on the standard-setting and technical co-operation activities within the competence of the ILO;

- (b) ensure that considerations concerning the connection between environmental investment and employment promotion will be given due attention in this study;
- (c) in preparing the programme and budget proposals for the biennium 1990-91, take into account the recommendations in the World Commission's report and the resolution on the environmental perspective in all relevant programme areas;
- (d) submit the study together with his own recommendations to the 242nd Session of the Governing Body (February-March 1989) for its consideration and decision;
- (e) submit a progress report, based inter alia on the discussion of the matter at the 242nd Session of the Governing Body, to the forty-fourth session of the United Nations General Assembly on the contribution of the International Labour Organisation to the international effort towards sustainable development.

Resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories, submitted by the Government delegations of Algeria, Bahrain, Democratic Yemen, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Morocco, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, and Yemen; Mr. Al-Jassem, Employers' delegate, Kuwait; Mr. Al-Hujailan, Workers' delegate, Kuwait; Mr. Eid, Workers' delegate, Egypt; Mr. Gharib, Workers' delegate, Iraq; Mr. Habaybeh, Employers' delegate, Jordan; Mr. Hussein, Employers' delegate, Iraq; and Mr. Kardan, Workers' delegate, Jordan

The General Conference of the International Labour Organisation,

Taking into consideration the Constitution of the ILO which states that "universal and lasting peace can be established only if it is based upon social justice", and that "conditions of labour exist involving such injustice, hardship and privation ... as to produce unrest so great that the peace and harmony of the world are imperilled",

Taking also into consideration the Declaration of Philadelphia which states that "freedom of expression and of association are essential to sustained progress", and that "all human being, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity",

Recalling the resolution concerning trade union rights and their relation to civil liberties, adopted by the International Labour Conference in 1970, which affirms that without independence and political freedom workers cannot fully exercise their trade union rights,

Recalling also the resolution concerning the policy of discrimination, racism and violation of trade unions freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories, adopted by the Conference in 1974,

Recalling also the resolution concerning the implications of Israeli settlements in Palestine and other occupied Arab territories in connection with the situation of Arab workers and the resolution concerning

the International Year of Shelter for the Homeless and the role of the ILO, adopted by the Conference in 1980 and 1987 respectively,

Affirming that the Fourth Geneva Convention, 1949, concerning the protection of civilian persons in time of war, is applicable to Palestine and other occupied Arab territories, as was reaffirmed by the Security Council in its resolution No. 605 and by the Commission on Human Rights in various sessions,

Expressing its concern at the continued breach of United Nations principles, international rules, conventions on the non-permissibility of the acquisition of land by force,

Affirming the importance of the reports submitted by the Director-General of the ILO every year to the Conference in application of its resolutions of 1974 and 1980, containing the findings of the mission sent by the Director-General to Palestine and other occupied Arab territories,

Expressing its deep concern at what has been stated in the report concerning the persistence of the Israeli authorities' policy of discrimination and violation of human rights and fundamental liberties in Palestine and other occupied Arab territories, at what was stated by the Committee on Freedom of Association in its 251st Report (Case No. 1390) and at the continued violation of the economic and social rights of Arab workers and employers, in addition to the prohibition of strikes, the arrest of trade unionists and the deprivation of their trade union rights,

Expressing also its deep concern at the continued Israeli settlement policy in Palestine and other occupied Arab territories and its direct negative impact on local development opportunities due to the confiscation of land from its rightful owners, as well as the seizing of water sources, the closing down of production establishments, heavy taxation, the deportation of Arab citizens, the dismissal of Arab workers, their deprivation of work opportunities and of the possibility of living in their homeland, the demolition of Arab houses and the imposition of collective punishment in violation of international law, covenants, conventions and resolutions concerning fundamental human rights and freedoms,

Affirming that a member State which pursues a policy of occupation, expansion, oppression of freedom, destruction of production establishments, undermining the interests of the Arab labour force and employers and depriving Arab workers of their social security benefits despite the large cuts made by the Israeli authorities, and which continues to exploit and discriminate against these workers, shall be considered as violating the letter and spirit of the ILO Constitution, the Declaration of Philadelphia and international labour Conventions and Recommendations,

Believing in the ILO's responsibility as a member of the United Nations family specialised in protecting the rights and freedoms of workers and employers, promoting their interests and helping them to face terror, oppressive and inhuman practices and measures that threaten their freedoms, rights, living and working conditions and livelihood;

1. Condemns Israeli terror and acts and methods of oppression aimed at preventing thousands of young Palestinians from work by breaking their hands and toes, incapacitating them for life.

2. Condemns the Israeli authorities' intransigence in refusing to implement the ILO's resolutions of 1974 and 1980, the continuation of their expansion and settlement policies and the violation of the fundamental rights and freedoms of the Arab workers and employers in Palestine and other occupied Arab territories.

3. Calls upon the Governing Body and the Director-General of the ILO, the international development funds and, in particular, the United Nations Development Programme (UNDP) to intensify their efforts urgently to provide all forms of assistance and technical support directly to Arab workers and employers in Palestine and other occupied Arab territories, in order to consolidate their technical, social, and economic capabilities and strengthen their ability to counter the arbitrary measures practised against them by the Israeli occupation authorities.

4. Requests the Director-General of the ILO to intervene with the Israeli authorities so that they put an end to their arbitrary acts in Palestine and other occupied Arab territories, release the Palestinian trade unionists, cease their terror policies and practices and discontinue their displacement and expulsion policies, which run counter to the fundamental rights and freedoms guaranteed by the ILO Constitution, the Declaration of Philadelphia and international labour Conventions and Recommendations.

5. Calls for the setting up, at every session of the Conference, of a special committee of Conference members to study the periodic reports submitted by the Director-General to the Conference concerning the conditions of Arab workers and employers in Palestine and other occupied Arab territories, as well as the technical programmes provided for them and the reports submitted by international establishments in this respect, and to submit to the Conference a report on the outcome of its work to be discussed at one of its sittings.

Resolution concerning the role of the ILO in the protection and promotion of human rights, submitted by Mr. Baker, Workers' delegate, United States; Mrs. Buerud Pedersen, Workers' delegate, Norway; Mr. Dreifuss, Workers' delegate, Switzerland; Mr. Jaaskelainen, Workers' delegate, Finland; Mr. Karlsson, Workers' delegate, Sweden; Mr. Mercier, Workers' delegate, Canada; Mr. Morton, Workers' delegate, United Kingdom; Mr. Muhr, Workers' delegate, Federal Republic of Germany; Mr. Sánchez Madariaga, Workers' delegate, Mexico; Mr. Sunderam, Workers' delegate, Sri Lanka; Mr. Svenningsen, Workers' delegate, Denmark; Mr. Tanaka, Workers' delegate, Japan; Mr. Vanni, Workers' delegate, Italy; and Mr. Verzetnitsch, Workers' delegate, Austria

The General Conference of the International Labour Organisation,

Reaffirming its deep conviction that respect for human rights is an essential condition for social justice, for balanced economic development and for the establishment of lasting peace,

Recalling that freedom of association and trade union rights constitute a vital and integral part of human rights and basic freedoms and that, at the same time, the full exercise of freedom of association is possible only when basic human rights are respected,

Underlining the special significance of the 40th anniversary, in 1988, of the Universal Declaration of Human Rights as well as of the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87),

Welcoming the Director-General's Report to this session of the conference entitled *Human rights—A common responsibility*, which highlights the significant contribution of the ILO towards the defence and promotion of human rights,

Emphasising the close links between the different forms of ILO action, namely standard setting, its supervisory procedures, the promotion of standard implementation and technical co-operation, as well as the vital contribution obtained through effective tripartite co-operation in these areas,

Affirming in this regard the special importance of ILO standards related to the protection of basic human rights which fall within the ILO's competence, such as freedom of association, the abolition of forced labour and the elimination of discrimination in employment,

Reiterating the fundamental principle that all workers without distinction are entitled to full trade union rights and freedoms, irrespective of the status of their job or whether they are employed in the private, the public or the rural sector,

Expressing grave concern that violations of the principles of freedom of association continue to result in numerous cases of killings of trade unionists, disappearances, forced exile, mass arrest, ill treatment and torture, prolonged and repeated detention without trial, severe sentences for normal trade union activities, occupation of trade union premises, confiscation of trade union property, suspension of trade union activities and dissolution of trade union organisations;

1. Call upon the governments of all member States of the International Labour Organisation:

- (a) to guarantee the full respect for and application of basic human and trade union rights as enunciated in the Universal Declaration of Human Rights, in the United Nations Covenants and in the relevant Conventions of the International Labour Organisation;
- (b) to ratify, to this end, all the relevant ILO Conventions and, in particular, to seize the occasion of the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention (No. 87) to ratify, where this has not already been done, and effectively to implement this Convention;
- (c) to co-operate fully with the ILO in its action for the protection and enhancement of basic human rights that fall within its competence, including through close co-operation with the ILO's monitoring and supervisory machinery;
- (d) to devote special attention to the protection of the basic rights of the more vulnerable sections of the population such as women, migrant workers and low-income groups;
- (e) to stimulate actively effective tripartite co-operation as a means of enhancing the full and constructive contribution of the major productive forces in society to the economic and social development of their countries as well as to

the strengthening and adequate functioning of democratic institutions.

2. Calls upon employers' and workers' organisations to intensify their efforts for the promotion of human rights and economic and social justice at the national and international level, and in particular:

- (a) to secure at all times the fully independent and democratic character of their own organisations and to contribute, to the best of their ability, to the strengthening of democratic procedures and institutions in their countries;
- (b) to continue to press for the ratification and full implementation of international labour standards and other instruments related to basic human rights and to co-operate actively with the ILO in monitoring the progress made in this regard.

3. Invites the Governing Body of the International Labour Office to request the Director-General:

- (a) to give maximum support and assistance to member States for the further ratification and implementation of ILO Conventions and to put special emphasis in this regard on those instruments dealing with basic human rights;
- (b) to use its technical co-operation activities in all areas of its competence to promote the ratification and implementation of ILO standards and to take into account, in this connection, that persistent violations of standards related to basic human rights and freedoms cannot be ignored in the process of granting technical assistance to member States;
- (c) to explore constantly ways and means of intensifying the ILO's contribution towards the furtherance of economic and social justice in the world and, in particular, its action against unemployment, poverty, exploitation and discrimination;
- (d) to examine for this purpose with the other international bodies concerned the possibilities of establishing a positive interaction between the promotion of basic international labour standards, on the one hand, and policies for trade, aid and development, on the other;
- (e) to continue to secure maximum co-operation with the United Nations for the protection and promotion of human rights everywhere in the world.

Resolution concerning environmental protection and employment, submitted by Mr. Baker, Workers' delegate, United States; Mrs. Buverud Pedersen, Workers' delegate, Norway; Mr. Dreifuss, Workers' delegate, Switzerland; Mr. Jaaskelainen, Workers' delegate, Finland; Mr. Karlsson, Workers' delegate, Sweden; Mr. Mercier, Workers' delegate, Canada; Mr. Morton, Workers' delegate, United Kingdom; Mr. Muhr, Workers' delegate, Federal Republic of Germany; Mr. Sánchez Madariaga, Workers' delegate, Mexico; Mr. Sunderam, Workers' delegate, Sri Lanka; Mr. Svenningsen, Workers' delegate, Denmark; Mr. Tanaka, Workers' delegate, Japan; Mr. Vanni, Workers' delegate, Italy; and Mr. Verzetnitsch, Workers' delegate, Austria

The General Conference of the International Labour Organisation,

Welcoming the report of the World Commission on Environment and Development entitled *Our common future*,

Noting with deep concern that continuing problems of environmental damage present an increasing threat to the human environment and to the quality of human life,

Considering that only economic activity and employment compatible with public health and the environment are secure and acceptable agents of progress,

Emphasising that the problem of drought is partly caused by ecological mismanagement and that the excessive and improper use of pesticides is a danger to both the working environment and the general environment in rural areas of developing countries in particular,

Stressing that the working environment forms an important and integral part of the general environment as a whole and that improvements in the working environment will enhance the quality of the latter,

Convinced that through judicious policy measures at the national and international level a positive link can be established between the requirements of environmental protection and employment creation,

Considering that environmental protection measures at the national level are essential but not sufficient, since pollution does not stop at national borders, and that therefore close international co-operation is also needed to protect the environment and to ensure the positive effect of environmental measures on employment;

1. Calls upon all member States:

- (a) to take full account of the requirements of environmental protection in the elaboration and pursuance of effective industrial and employment policies;
- (b) to encourage, through appropriate economic and employment policies, the creation of jobs which are conducive to the establishment and maintenance of a clean and healthy environment;
- (c) to encourage investments in key areas, such as clean air, soil and water programmes, public transport, rational use of energy, waste disposal, recycling of used materials, environment supervision, nature preservation, countryside protection, improvement of housing areas, which would create jobs as well as protect the environment;
- (d) to stimulate the industrial restructuring of enterprises which constitute a heavy burden on the environment in order to enable them to attain the necessary environmental standards as rapidly as possible and at the same time, as far as possible, to maintain or increase the number of jobs involved in the restructuring process;
- (e) to take special measures for the safe production, use, storage, transport and disposal, compatible with the environment, of highly hazardous substances and for the development of substitutes which are harmless or less harmful for the health and environment;
- (f) to take special and effective measures for the elimination, and pending the elimination for

minimising the hazardous effects, of the excessive and improper use of pesticides in rural areas, particularly in developing countries;

- (g) to engage in effective tripartite consultations with a view to bringing about an integrated approach in the elaboration and pursuance of policies for full employment and a clean and healthy environment;
 - (h) to strengthen international co-operation in the fields of environmental protection and employment, in particular in order to slow down, stop and, as far as possible, reverse the process of desertification, to prevent transborder pollution and pollution of the seas, as well as to minimise the environmental effects of industrial accidents.
2. Invites the Governing Body of the International Labour Office to request the Director-General:
- (a) to undertake, in collaboration with the United Nations Environment Programme, a programme of ILO action concerning the environment which provides especially for educational and training activities in this field, as well as studies on the economic and social consequences of environmental policies;
 - (b) in preparing the programme and budget proposals for the biennium 1990-91:
 - (i) to take into account the recommendations contained in the World Commission's report in all relevant programme areas;
 - (ii) to include studies on the positive links between environmental protection and employment creation.

Resolution concerning child labour, submitted by Mr. Baker, Workers' delegate, United States; Mrs. Buverud Pedersen, Workers' delegate, Norway; Mr. Dreifuss, Workers' delegate, Switzerland; Mr. Jaaskelainen, Workers' delegate, Finland; Mr. Karlsson, Workers' delegate, Sweden; Mr. Mercier, Workers' delegate, Canada; Mr. Morton, Workers' delegate, United Kingdom; Mr. Muhr, Workers' delegate, Federal Republic of Germany; Mr. Sánchez Madariaga, Workers' delegate, Mexico; Mr. Sunderam, Workers' delegate, Sri Lanka; Mr. Svenningsen, Workers' delegate, Denmark; Mr. Tanaka, Workers' delegate, Japan; Mr. Vanni, Workers' delegate, Italy; and Mr. Verzetnitsch, Workers' delegate, Austria

The General Conference of the International Labour Organisation,

Emphasising the serious repercussions of child labour on the health and on the physical, emotional, educational and intellectual development of children,

Affirming that children below the legal minimum age for employment should not work, should not be made to work and should not be taken into employment,

Expressing deep concern that, despite the growing awareness and resentment of world public opinion, child labour remains widespread in many parts of the world and that working children are very often exploited and employed under unacceptable health and safety conditions,

Confirming the commitment of the ILO to make every effort towards the elimination of child labour

and the protection of children and to lend maximum support and assistance to member States for the earliest possible fulfilment of these objectives,

Recalling the resolution concerning the International Year of the Child and the progressive elimination of child labour and transitional measures, adopted by the International Labour Conference in 1979 and reaffirming the validity of the proposals for action contained therein,

Welcoming the efforts made by the United Nations for the elaboration of an International Convention on the Rights of the Child which should devote adequate attention to the problem of child labour and, in particular, should include provisions in support of the effective implementation of the relevant ILO instruments,

Stressing the unabated relevance and importance of existing international labour standards related to child labour;

1. Calls upon member States to intensify their efforts for the total elimination of child labour and for the protection of working children, and in particular:

- (a) to adopt and pursue effectively comprehensive economic and social policies to combat rural and urban poverty and unemployment which are the root causes of child labour;
- (b) to ratify on a priority basis, where this has not already been done, the Minimum Age Convention, 1973 (No. 138), and to implement the provisions of this Convention as well as those contained in the Minimum Age Recommendation, 1973 (No. 146), and the Minimum Age (Underground Work) Recommendation, 1965 (No. 124);
- (c) to take all the necessary social and legislative measures for the progressive elimination of child labour and, pending the total eradication of child labour, to observe ILO standards in the fields of employment, working conditions, health and safety and human resource development and to ensure, in this connection, the introduction and effective implementation of special protective measures for child workers in all sectors;
- (d) to apply fully and effectively a system of compulsory education and training, freely accessible to all sections of the population, and to extend adequate facilities for this purpose;
- (e) to ensure the provision of fair wages and other forms of remuneration which should directly benefit the child;
- (f) to ensure the effective functioning of an adequate system of labour inspection, including for the rural sector and in respect of small and medium-sized enterprises, and to take all other measures conducive to the elimination of child labour.

2. Calls upon employers' and workers' organisations:

- (a) to co-operate fully with governments and other relevant national institutions in all efforts and campaigns for the eradication of child labour, including with regard to the strict application of existing national legislation and international standards in this field;

- (b) to initiate their own schemes and projects, at the community and enterprise levels, that may directly or indirectly contribute towards the progressive elimination or the alleviation of the adverse effects of child labour.

3. Invites the Governing Body of the International Labour Office to instruct the Director-General:

- (a) to make every effort to secure the continuation and strengthening of the ILO's action for the elimination of child labour and the protection of working children;
- (b) to stimulate and assist the ILO's constituents in developing programmes aimed at raising public awareness of the nature and consequences of the child labour problem and in educating the public in general, and employers and workers in particular, about the relevant laws and regulations;
- (c) to continue monitoring and publicising experiences and progress made by member States in the elimination of child labour and the protection of children at work.

Resolution concerning the contribution of the ILO to the strengthening of respect for human and trade union rights, submitted by Mr. Al-Hujailan, Workers' delegate, Kuwait; Mr. Andreev, Workers' delegate, Bulgaria; Mr. Bochow, Workers' delegate, German Democratic Republic; Mr. Bulgak, Workers' delegate, Byelorussian SSR; Mr. Escandell Romero, Workers' delegate, Cuba; Mr. Kosik, Workers' delegate, Czechoslovakia; Mr. Kovalevski, Workers' delegate, Ukrainian SSR; Mr. Timmer, Workers' delegate, Hungary; and Mr. Yanaef, Workers' delegate, USSR

The General Conference of the International Labour Organisation,

Welcoming the forthcoming 40th anniversary of the adoption of the Universal Declaration of Human Rights of 10 December 1948 which, emphasising the interdependence of civil and political rights, on the one hand, and of economic, social and cultural rights, on the other, was proclaimed by the United Nations General Assembly as a common standard of achievement for all people and all nations,

Endorsing the principle embodied in the Constitution of the ILO that universal and lasting peace can be established only if it is based on social justice, which is inconceivable without the effective exercise of freedom of association,

Recognising that full respect for freedom of association is an essential prerequisite to enable the workers to play a constructive role in the economic and social development of their countries,

Concerned that especially in periods of economic crisis the rights of the workers, in particular freedom of association, are under threat in many parts of the world, with the aim of significantly reducing the capacity of their trade union organisations to protect the workers from intensified exploitation and unemployment,

Emphasizing that the failure to respect freedom of association and the right to collective bargaining threatens further economic and social progress in the countries,

Aware that the International Labour Organisation should further strengthen its efforts to contribute, by effective measures, to the implementation of labour standards covering human rights,

Endorsing the resolution concerning the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), adopted at the 73rd Session of the International Labour Conference in 1987;

1. Reaffirms the ILO's commitment to promote respect for the principles and rights embodied in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

2. Appeals to the Governments of ILO member States:

- (a) to recognise and implement the basic human rights embodied in the Universal Declaration of Human Rights, respect for which is an imperative precondition for the practical implementation of trade union rights and the normal exercise of trade union activities,
- (b) to ratify and apply fully the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Workers' Representatives Convention, 1971 (No. 135), the Rural Workers' Organisations Convention, 1975 (No. 141), and the Labour Relations (Public Service) Convention, 1978 (No. 151), and, pending their ratification, to guarantee in law and in practice the observance of the principle set forth in those Conventions;
- (c) to ensure respect for those civil liberties that are essential for the exercise of trade union rights as contained in the resolution concerning trade union rights and their relation to civil liberties, adopted by the International Labour Conference at its 54th Session (1970);
- (d) to refrain from any action which calls trade union rights and civil liberties into question, and, especially, not to allow the condemnation of, or other repressive measures against, trade unionists on account of activities carried out in the exercise of these rights and liberties;
- (e) to require employers' organisations to promote the democratic participation of workers and their trade unions in the enterprise, to enable them to play more effectively the role that falls to them in the economic and social development in their respective countries;
- (f) to promote the recognition of trade union rights and, in particular, to ensure the effective protection of the exercise of these rights in multinational corporations, and to eliminate all social and legal differences between parent companies and subsidiaries.

3. Invites the Governing Body of the ILO:

- (a) to pursue the action undertaken by the Office to assist member States to ensure the full application of the principles and standards of freedom of association and other trade union rights and liberties based thereon;

- (b) to ensure that the necessary financial and human resources are allocated to enable the ILO to give adequate assistance to governments and to organisations of workers on questions related to the implementation of trade union rights and liberties.

4. Invites the Director-General of the ILO to approach governments in order to ensure the effective protection of trade union activists through the strict implementation of the relevant ILO Conventions and Recommendations.

Resolution concerning development, employment and environment, submitted by Mr. Al-Hujailan, Workers' delegate, Kuwait; Mr. Andreev, Workers' delegate, Bulgaria; Mr. Bochow, Workers' delegate, German Democratic Republic; Mr. Bulgak, Workers' delegate, Byelorussian SSR; Mr. Escandell Romero, Workers' delegate, Cuba; Mr. Kosik, Workers' delegate, Czechoslovakia; Mr. Kovalovski, Workers' delegate, Ukrainian SSR; Mr. Timmer, Workers' delegate, Hungary; and Mr. Yanaef, Workers' delegate, USSR

The General Conference of the International Labour Organisation,

Considering that in the present situation problems relating to employment and productive investment for the satisfaction of human needs, as well as other problems affecting the world of labour, are subjects of major concern in both industrialised and developing countries and are closely linked to economic and development problems,

Recalling the Preamble to the Constitution of the International Labour Organisation and the Declaration of Philadelphia which affirms that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity",

Bearing in mind article 23 of the Universal Declaration on Human Rights which states that "everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment",

Considering that international détente, development and trade and the adoption of measures to promote employment are crucial conditions for lasting peace and the solution of social problems in the interest of workers and peoples all over the world,

Recalling the resolution concerning development, foreign debt and the social objectives of the International Labour Organisation, adopted at the 72nd Session (1986) of the International Labour Conference, which states "that the external debt of the developing countries and the net transfer of resources from them to developed countries have reached alarming proportions, which, together with other economic factors, thereby compromise the progress of their peoples and their levels of employment and income, rendering it more difficult to satisfy the basic needs of their inhabitants",

Conscious that only within the framework of a wider co-operation based on equal terms pursued in an appropriate manner, supported by sufficient means and with the democratic participation of the population can the revitalisation of development, the

reduction of unemployment and the solution of economic and social problems affecting the workers be effective,

Keeping in mind the unavoidable need for steady development for all countries, and particularly the developing countries, based on the principles of mutual advantage and non-interference, with the aim of economic and social progress and economic security for all countries,

Stating that economic insecurity is a major problem for the workers and peoples, as reflected in particular in the external debt, the imbalance of trade and of payments, the deterioration of terms of trade, the high level of unemployment and the deterioration of working and living conditions,

Bearing in mind the resolution concerning employment policy and environmental protection, adopted by the Fourth European Regional Conference of the ILO in September 1987,

Convinced that any policy aimed at economic and social development must be so conceived as to protect effectively and improve the environment,

Noting that the introduction of new technology is causing upheavals in the structure of skills and jobs and in the organisation of labour, and noting with concern that, in many countries, this is leading to a severe reorganisation of the labour market that is detrimental to the workers,

Emphasising that close national and international co-operation is needed to prevent the negative impact of structural adjustment measures and changes in the production process on working and living environment and to increase the positive effect of improved global environment on employment,

Taking into consideration the conclusions of the High-level Meeting on Employment and Structural Adjustment held in November 1987;

1. Invites the Governing Body of the International Labour Office to call upon the governments of member States to:

- (a) ensure the full participation of workers' organisations in the formulation and implementation of programmes of economic and social development;
- (b) create conditions for expanding industrial activities, agriculture, agro-economic industries, small-size industries and co-operatives so as effectively to promote policies aimed at full employment;
- (c) take appropriate measures to promote the implementation of the principle of international economic security, a factor of stability, of economic and social progress and of the development of productive capacity and of jobs;
- (d) strengthen international co-operation on environmental protection to prevent or minimise the negative impact of ecologically unbalanced development on all labour-related issues.

2. Invites the Governing Body of the International Labour Office to:

- (a) urge strongly the international organisations, and especially the World Bank and the IMF, when formulating their programmes in different countries and regions, to bear in mind the social consequences thereof;

- (b) to urge the governments of member States to pursue a policy of full employment.

3. Invites the Governing Body of the International Labour Office to instruct the Director-General to:

- (a) intensify action to assist member States in their economic and social development, particularly in promoting job creation as an important means of improving the working and living conditions of the working people;
- (b) expand the ILO's educational activities into the training and retraining made necessary by new forms of production linked to scientific and technological progress;
- (c) take further steps to discharge the ILO's specific responsibility in respect of improving working conditions and environment and the well-being of workers, through the strengthening of PIACT and its wider co-ordination with other ILO programmes and, as appropriate, with those of other international organisations;
- (d) give an appropriate follow-up to the requests contained in the operative part of this resolution, when preparing the Programme and Budget for 1990-1991 and when implementing the planned activities.

Resolution concerning solidarity and co-operation between the affluent countries and countries of the Third World and the role of the ILO in social and economic development, submitted by Mr. Hordijk, Workers' delegate, Netherlands; and Mr. Peirens, Workers' delegate, Belgium

The General Conference of the International Labour Organisation,

Recalling the Declaration of Philadelphia, which states that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity", that "poverty anywhere constitutes a danger to prosperity everywhere" and that measure should be taken at the international and national level "to expand production and consumption, to avoid severe economic fluctuations, to promote the economic and social advancement of the less developed countries of the world, to assure greater stability in world prices of primary products, and to promote ... international trade",

Noting that numerous industrialised and developing countries are faced with serious social and economic problems and that in the countries of the Third World hundreds of millions of persons living in rural areas are suffering from malnutrition, disease, ignorance and unemployment and from depths of poverty that are incompatible with human dignity,

Considering that underdevelopment is the outcome of a whole set of problems attributable to certain geographic and climatic conditions, to unjust or inappropriate economic structures and relations, and to national shortcomings in organisation and management,

Considering that the drop in commodity prices, the deterioration in terms of trade, the rise of protectionism, the constraints and measures inherent in the

external debt and the servicing of that debt and the world economic recession prevent the normal, just and authentic development of developing countries and increasingly generate poverty, underemployment, and unemployment,

Considering that inequalities and disparities between populations and between rich and poor countries are becoming more pronounced and that the world economic system has not provided the developing countries with the same opportunities for growth and progress as the industrialised nations on which they are dependent,

Considering the urgent need to seek ways and means of creating a new international economic order through solidarity and co-operation among the Community of Nations, so as to establish between the affluent and poor countries just and mutually beneficial relations which ensure the development of all countries,

Recalling the principle of peaceful international co-operation and the responsibility of the international community in this regard, inasmuch as all States have reciprocal obligations in the field of development which are based on the concepts of interdependence and solidarity,

Aware that economic recovery, a reduction in unemployment and the solution to workers' economic and social problems can be brought about only within the framework of broad-based co-operation among countries that are placed on an equal footing, on the understanding that such co-operation, pursued in an appropriate manner, is sustained by adequate resources and benefits from the democratic participation of the population,

Recalling the resolution concerning the strengthening of action for the least developed countries adopted by the International Labour Conference at its 70th Session (1984), the resolution adopted at its 71st Session (1985) concerning the most urgent problems of Africa, whose economic recovery was the subject of priority programmes based largely on the determination and commitment of the international community to support and supplement the efforts made by the African countries themselves,

Confirming the resolution concerning the need to promote co-operation between Europe and the developing countries, in particular Africa and the least developed countries in other regions, and the contribution of the ILO to solving their social and economic problems, adopted at the Fourth European Regional Conference in September 1987,

Convinced that increased economic co-operation, especially between developing countries, would make a positive contribution to the solution of problems because it would constitute a dynamic factor in the effective restructuring of international economic relations,

Further convinced that efforts should be intensified to attain general and total disarmament and to devote the resources thus released to development activities, especially for the benefit of developing countries,

Believing that the ILO, by reason of its commitment to social concerns, its long-standing experience, the importance and diversity of its technical co-operation and its tripartite structure, has an essential role to play in the implementation of co-operation pro-

grammes that are conducive to the attainment of social and economic development objectives among the various nations;

1. Invites the developing countries which are member States of the ILO:

- (a) to adopt social and economic development programmes and policies which correspond to their needs and priorities, paying particular attention to the poorest groups and to the need for an equitable distribution of the benefits deriving from such programmes and policies;
- (b) to encourage the participation of all strata of the population in the development process, by respecting, among others, the international provisions relating to human rights, particularly freedom of association and the rights of workers as well as the right of rural workers to freely establish organisations;
- (c) to implement adjustment policies devised and accepted by workers' organisations, which should enable them to participate more fully in an interdependent world economy;
- (d) to foster economic and technical co-operation among developing countries by promoting the exchange of goods, technology and expertise.

2. Invites the member States of the ILO:

- (a) to adopt policies which ensure balanced economic and trade relations with developing countries;
- (b) to make sure that the various terms and conditions of the various forms of development assistance are appropriate and correspond to needs and that the resources allocated for this purpose are adequate, amount to at least 0.7 per cent of GNP, are increased and are renewed in order to ensure the attainment of objectives and to strengthen the capacity of the beneficiary countries in the various regions so that they may subsequently be able to undertake their social and economic development by their own efforts;
- (c) to take account of the social dimensions of development in co-operation policies by providing the ILO, either directly or through the UNDP, with adequate resources to adapt its technical co-operation programme to the priority needs of rural and urban populations;
- (d) to accord particular attention to the needs of the least developed countries in Africa and in other regions;
- (e) to put an end to the enormous waste of material and financial resources poured into the arms industry and to allocate the resources thus released to co-operation for development and peace.

3. Requests the Governing Body of the ILO to instruct the Director-General:

- (a) to carry out studies in the field of co-operation between industrialised countries and countries of the Third World on questions which fall within the scope of the ILO, relating to:
 - (i) the ways and means of co-operating with developing countries in the areas of labour administration, standards, employment, technical and vocational training, priority

action in the education sector, support for food policies, rural development, the promotion of co-operatives, artisanal industries, small and medium-sized enterprises and tourism;

- (ii) the analysis of obstacles to the promotion and effectiveness of the ILO's technical co-operation, the definition of the priority needs of the various countries, and suggestions as to the appropriate forms of co-operation between the affluent countries and the countries of the Third World for the purposes of development;
- (b) to strengthen the link between technical co-operation and international labour standards, which are the ILO's two main means of action for promoting its objectives of progress and social justice, in order to give the developing countries every opportunity to ratify and apply the instruments of the ILO;
- (c) to strengthen relations between the ILO and the various international, regional or subregional organisations, so as to:
 - (i) inform these organisations better of the experience acquired by the ILO in the field of technical co-operation, the possibilities for action which it offers either directly or through its training centres such as the International Centre for Advanced Technical and Vocational Training, Turin;
 - (ii) draw their attention also to the methodological aspect of the ILO's experience of technical co-operation in numerous fields, particularly with regard to the situation of women, the informal sector, and the fight against poverty and rural development;
 - (iii) co-ordinate better the activities of the ILO with those conducted for the benefit of developing countries by the various organisations, and above all within the United Nations system, especially activities carried out in the field so as to avoid waste and duplication of effort;
- (d) continue the workers' education programme and the programme of assistance to trade union organisations in developing countries.

Resolution concerning the promotion of human rights and development, submitted by Mr. Hordijk, Worker's delegate, Netherlands; and Mr. Peirens, Workers' delegate, Belgium

The General Conference of the International Labour Organisation,

Considering the Declaration of Philadelphia which affirms that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity",

Recalling the Preamble to the Universal Declaration of Human Rights which considers that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world",

Welcoming the forthcoming celebration of the 40th anniversary of the Universal Declaration of Human Rights whose basic ideas have inspired a relentless struggle against injustice and inequality and for freedom and led to the adoption of instruments and laws for the promotion of human rights at the international, regional and national level,

Welcoming further the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), which must be an occasion for encouraging and registering further progress in the ratification and application of a Convention that guarantees the existence and functioning of strong trade union organisations, which are necessary in any democracy,

Considering that, although basic human rights and freedoms are clearly laid down in the provisions of the International Bill of Human Rights, in pertinent ILO instruments and in national laws, the conditions have not been created which allow each person to enjoy his economic, social and cultural as well as civil and political rights, and that the machinery for their application, monitoring and international supervision is encountering difficulties,

Considering that the structure of the world economy, marked as it is by inflation, unemployment, the imbalance in North-South relations, economic, trade, financial and monetary difficulties and the foreign debt of developing countries, is not conducive to the furtherance and practical implementation of rights of a collective nature (the right to development, to employment, to an adequate standard of living, to health, to food, to housing, to social services...),

Observing that economic and social underdevelopment is a major obstacle to the enjoyment of economic, social and cultural rights and affects large segments of the population living in tragic conditions of poverty and destitution,

Deploping the fact that the situation in regions and various countries with different political and social systems reflects the institutionalised violation of fundamental provisions relating to human rights and of the ILO's major Conventions concerning freedom of association and the right to organise, equality of opportunity and conditions of work,

Observing that the policy in force and the repressive regime in territories under foreign occupation are repugnant to the human conscience, lead to acts of violence and flagrant injustice and have serious repercussions on peace, liberty, work, peoples' right to self-determination and the process of development,

Concerned that the Black population and workers of South Africa continue to be the victims of daily discrimination, unacceptable conditions of life and work, lack of freedom, the restriction of trade union rights and violent repressive measures,

Considering that in the International Bill of Human Rights the peoples of the United Nations have declared their determination to promote social progress and better standards of life in larger freedom,

Convinced that any policy aiming at growth and development must go hand in hand with respect for all human rights,

Taking into consideration the conclusions of the High-Level Meeting on Employment and Structural

Adjustment held in November 1987 which recognise the urgent need for measures based on the widest social consensus in order, inter alia, to bring about a balanced world economy, to combat unemployment, and to lighten the debt burden of developing countries, which will further their development, promote employment and reduce poverty,

Convinced that the various financial institutions and international organisations have an important role to play in the implementation of effective adjustment programmes which ensure growth, equitable conditions of life and work, social justice, and respect for and the exercise of human rights;

1. Reaffirms the fundamental principles on which the Organisation is based and, in particular, that:

- (a) labour is not a commodity;
- (b) freedom of expression and of association are essential to sustained progress;
- (c) poverty anywhere constitutes a danger to prosperity everywhere;
- (d) the war against want requires to be carried on with unrelenting vigour within each nation and by continuous and concerted international effort.

2. Invites States Members of the ILO to foster respect for the basic rights and freedoms proclaimed in the Universal Declaration of Human Rights and to take all necessary and appropriate measures inter alia, to protect all workers against all acts of discrimination and to ensure the free exercise of their right to work, right to freedom of association, right to organise and to bargain collectively, right to personal freedom and security and right to protection against arbitrary arrest and detention.

3. Urges the governments of States Members of the ILO which have not done so to ratify and apply fully the ILO's standards on basic human rights relating to freedom of association (Conventions Nos. 11, 87, 98, 135, 141, 151), forced labour (Conventions Nos. 29, 105) and equality of opportunity and treatment (Conventions Nos. 100, 111, 156).

4. Requests States Members of the ILO:

- (a) to facilitate the participation of workers' and employers' organisations in promoting the application of the relevant instruments mentioned above;
- (b) to co-operate fully with the ILO's supervisory bodies by:
 - (i) sending detailed reports on the application of standards;
 - (ii) responding speedily and precisely to complaints and providing supplementary information where required;
 - (iii) agreeing to requests for on-the-spot missions;
 - (iv) complying with recommendations adopted during the examination of specific cases.

5. Requests the Governing Body of the ILO:

- (a) to take all measures to develop and render more effective the supervisory bodies for the application of standards, as well as the various bodies and procedures for examining complaints;
- (b) to instruct the Director-General to intensify the ILO's efforts to:

- (i) promote the ratification and application of ILO Conventions relating to basic human rights, particularly freedom of association and the right to organise;
- (ii) promote studies with a view to framing standards concerning human rights within the ILO's sphere of competence which have not yet been codified;
- (iii) increase awareness and understanding of human and workers' rights and freedoms by means of a world-wide campaign based on the dissemination of documentation and information and the organisation of meetings, symposia and seminars on the occasion of the 40th anniversary of the adoption of Convention No. 87 and of the Universal Declaration of Human Rights;
- (iv) develop and upgrade workers' education activities as they relate to the strengthening of genuine and independent trade union organisations, to workers' rights and to their democratic participation and their role in development, which is closely linked with the enjoyment of economic, social and cultural rights;
- (v) step up efforts in the field of vocational training, workers' education and consolidation of the trade unions of oppressed workers in southern Africa and in the occupied territories of the Middle East;
- (vi) respond positively to proposals and recommendations arising out of the general debate which further the promotion of and respect for workers' rights and human rights and freedoms.

6. As regards developments, requests States Members of the ILO:

- (a) to create economic, social, cultural and political structures which guarantee the development, democracy and the enjoyment of all human rights;
- (b) to give priority to development which seeks to free men from fear, anxiety, hunger, ignorance and oppression, by instituting jointly with workers and employers measures and action programmes which take into account the economic and social dimensions of policies that protect the interests of the most disadvantaged and ensure respect for all human rights;
- (c) to work together to:
 - (i) strengthen international co-operation and devote more financial and technical resources to development and peace;
 - (ii) put an end to injustice and instability in economic, trade and financial relations.

7. Requests the Governing Body of the ILO to instruct the Director-General:

- (a) to strengthen within the ILO's sphere of competence all forms of assistance and aid which further training, employment, working conditions, production, development and respect for rights and freedoms;
- (b) to pursue in close co-operation with the other international bodies concerned the realisation of objectives in the field of development and human rights.

**Resolution concerning the promotion of self-employment,
submitted by the Government delegation of the Islamic
Republic of Iran**

The General Conference of the International Labour Organisation,

Recalling the Declaration of Philadelphia which recognises the solemn obligation of the ILO to further among the nations of the world programmes which will achieve full employment and the raising of standards of living, and that the Preamble to the Constitution of the ILO provides for the prevention of unemployment,

Recalling the Universal Declaration of Human Rights as it relates to the right to work, to equitable and satisfactory conditions of work and to protection against unemployment,

Noting the international labour standards and resolutions of relevance to self-employment, particularly the Employment Policy Recommendation, 1964, (No. 122), the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), and the resolution concerning the contribution of small and medium undertakings to economic and social progress and to the creation of employment, in particular in developing countries, and the resolution concerning the promotion of small and medium-sized enterprises, adopted respectively at the 60th and 72nd Sessions of the International Labour Conference,

Noting that self-employment as one of the vehicles for employment creation with modest capital needs can contribute to socio-economic development, particularly in developing countries,

Considering that self-employment can, by marshalling managerial and entrepreneurial initiative, stimulate the development of a pool of managers, entrepreneurs and skilled workers,

Noting with concern the precarious conditions of employment and social security of the self-employed, particularly in developing countries where many of those engaged in self-employment are not covered by the greater part of the labour and social security laws;

1. Invite governments, in consultation with employers' and workers' organisation:

- (a) to promote, as a part of overall employment policy, productive self-employment activities in both the rural and the urban sector;
- (b) to review all policies and regulations affecting self-employment, with a view to removing specific obstacles thereto, providing the self-employed with credit facilities and all forms of assistance, improving their conditions of employment, gradually extending labour and social protection to them and, as appropriate, making special and more flexible regulations for the promotion of self-employment;
- (c) to develop closer links between educational institutions and the world of work so as to strengthen and expand self-employment and entrepreneurship training in the formal as well as in the informal sector;
- (d) to develop reliable and systematic labour market information, occupational information and guidance services in areas offering opportunities for self-employment.

2. Calls on the Governing Body of the ILO to instruct the Director-General:

- (a) to carry out studies on recent trends in self-employment, governments' policies and programmes concerning the conditions of employment and social protection for the self-employed, with emphasis on the urban informal sectors in developing countries;
- (b) to strengthen the ILO's technical co-operation activities in the field of self-employment by increasing the number of appropriate projects and by training policy-makers and officials concerned with self-employment promotion;
- (c) to encourage and strengthen regional co-operation among the member States for the exchange of information and experiences with respect to self-employment policies and programmes.

**Resolution concerning occupational safety and health,
submitted by Mr. Clever, Government delegate, Federal
Republic of Germany; Mr. Rood, Government delegate,
Netherlands; and Mr. Schintgen, Government delegate,
Luxembourg**

The General Conference of the International Labour Organisation,

Recalling the resolution concerning the improvement of working conditions and environment and the conclusions concerning future action in the field of working conditions and environment, adopted at the 70th Session of the International Labour Conference in 1984,

Recalling also the resolution concerning the promotion of measures against risks and accidents arising out of the use of dangerous substances and processes in industry, adopted at the 71st Session of the International Labour Conference in 1985,

Recalling further the resolution concerning occupational safety and health, adopted by the Fourth European Regional Conference of the International Labour Organisation in 1987,

Considering the general survey on safety in the working environment prepared by the Committee of Experts on the Application of Conventions and Recommendations for the 73rd Session of the International Labour Conference in 1987,

Recognising that the overall number of work accidents and occupational diseases in many member States has been reduced considerably over the last few decades, thanks to appropriate efforts,

Noting that the development of modern techniques and technologies has, on the one hand, helped to raise productivity, improve working conditions and do away with arduous physical labour and work methods dangerous to health and life but that it can, on the other hand, give rise to new occupational hazards,

Noting with concern that the widespread and increasing application of new production methods and use of dangerous substances, as well as the hazards connected with radiation and biotechnology, result in increased occupational risks for workers,

Stressing the need for exercising better supervision over the use of dangerous substances,

Underlining the need for systems of occupational safety and health and labour inspection to be further developed and strengthened,

Recognising that active participation of workers and employers, their representatives and their organisations—or, if need be, both—constitutes an essential factor in health protection and accident prevention (regardless of their other duties in this field) as well as in the improvement of working conditions and the working environment,

Stressing the role of training and information in the prevention of adverse effects of the use of new technologies,

Emphasising the importance of complying with international labour standards on occupational safety and health and under the International Programme for the Improvement of Working Conditions and Environment (PIACT),

Convinced that the application of new occupational safety and health measures would enable further progress to be made in safety at work and occupational medicine,

Considering that the development of progressive occupational safety and health measures would have economic advantages and that an international exchange of experience could result in reducing the costs of developing new occupational safety and health measures,

Recognising the need for co-operation between governments and employers' and workers' organisations in the identification and prevention of the adverse effects of new technologies on workers' health,

Underlining the importance of widening and deepening co-operation among member States in the prevention of work accidents and occupational diseases;

1. Requests the Governing Body of the International Labour Office to call upon all members States:

- (a) to incorporate effective legislative, technical, economic and social measures in their internal policies in order to create and maintain working conditions conducive to occupational safety and health, particularly when new technologies are introduced;
- (b) to ratify and apply effectively the international labour instruments specifically related to occupational safety and health and to give effect to the provisions and guide-lines contained in the relevant codes of practice;
- (c) to create better conditions for the establishment and extension of occupational safety and health services and, further promote the establishment of inter-enterprise services for small and medium-sized enterprises;
- (d) to continue to develop training and retraining programmes for safety engineers and works physicians and to promote the training of safety delegates and works council members in occupational safety and health questions;
- (e) to assemble data concerning occupational safety and health experience in the development and use of new technologies in the various fields of application and to evaluate such data from the point of view of workers' safety and health;
- (f) to carry out further research in the occupational safety and health field on the effects of biotechnology and genetic technology on workers' health;

- (g) to evaluate medical findings on work-related illnesses with a view to developing guide-lines for the prevention of such illnesses;
- (h) to make use of the International Occupational Safety and Health Hazard Alert System for international exchanges on new issues and information relating to the protection of workers' health;
- (i) to take special measures for the safe use and, wherever possible, replacement of highly hazardous substances and processes that have harmful effects on the health of the workers concerned or on the general environment and to disseminate information on experience in the prevention of such hazards.

2. Requests the Governing Body of the International Labour Office to instruct the Director-General:

- (a) to continue to strengthen the Office's standard-setting activities for the improvement of the working environment and occupational safety and health;
- (b) to intensify the Office's activities as regards the preparation of handbooks, teaching materials and programmes for worker training in the use of safe work methods;
- (c) to step up the work being done by Office departments and units in the collection, evaluation and dissemination of information on the effects of new technologies on occupational safety and health, having due regard to the recommendations of the Tripartite Ad Hoc Meeting of Consultants on Methods of Prevention of Major Hazards in Industry (October 1985);
- (d) to take due account, in the Office's work programme, of the protection of workers' health in the application of new technologies and, in particular, biotechnology;
- (e) to devote particular attention, in collaboration with the World Health Organization, to the field of work-related illnesses affecting workers, with a view to their early identification and the adoption of technical, organisational and personal preventive measures;
- (f) to convene a tripartite meeting or seminar of occupational safety experts on safety problems associated with the use of industrial robots and data-processing systems;
- (g) to review the schedule of occupational diseases appended to the Employment Injury Benefits Convention, 1964 (No. 121), which was last revised in 1980, and to submit a recommendation to the Governing Body on the basis of the state of knowledge in member States, with a view to including in the agenda of the International Labour Conference an item relating to the consideration and adoption of a new schedule.

Resolution concerning the promotion of employment and social security, submitted by the Government delegation of Italy

The General Conference of the International Labour Organisation,

Recalling that the Declaration of Philadelphia entrusted the ILO with the task of encouraging the

execution, in the various countries of the world, of programmes aiming at extending social security measures, with a view to ensuring a basic income to all those in need of such protection,

Recalling the Conventions, Recommendations and resolutions in the fields of social security and employment policy adopted by the ILO within the framework of the standard-setting activities peculiar to the Organisation,

Recalling, in particular, the decisions adopted by the Fourth European Regional Conference and, more specifically, the Resolution concerning employment policy and environmental protection,

Considering the general objectives established by the High-Level Meeting on Employment and Structural Adjustment,

Noting the general trend, which is emerging in member States, towards the polarisation of structural imbalances both on the labour markets (because of demographic trends, the increase in life expectancy, the greater participation of women) and in the area of social security, in relation to the problems of the financial disequilibrium of these systems (due to the composition and distribution of populations, as well as to the levels of protection attained),

Considering that such situations now make it imperative to reconsider policies for employment and social protection from an innovative viewpoint and that, within this framework, a more rational distribution of national resources and budgets – devoted at present to contingency and assistance objectives – could make it possible to benefit from combined action for the creation of new jobs,

Recognising that, within the same context, it is necessary to reconsider the selective satisfaction of social, collective and individual needs, according to priorities which would safeguard the essential aspects of social protection established by the relevant ILO Conventions,

Bearing in mind, furthermore, that the progressive expansion of labour demand – resulting in particular from the increasing participation of women and young persons seeking employment for the first time as well as the increase in the number of the long-term unemployed – requires the introduction of greater flexibility on national labour markets as well as greater economic growth;

1. Requests the Governing Body of the ILO to appeal to member States:

- (a) to encourage development and economic growth policies for employment promotion, fostering, in particular, policies for vocational guidance, training and rehabilitation;
- (b) to reconsider, within the framework of active employment policies, the possibility of increas-

ing new employment opportunities through the redistribution of resources currently devoted to the financing of purely assistance-oriented activities;

- (c) to encourage the development of entrepreneurship, including small undertakings and co-operatives, as well as self-employment and local initiatives for employment;
- (d) to seek, at all events, ways and means of ensuring the maintenance of the levels of social protection which have been attained, in particular by reconsidering the methods of financing social security systems in order to guarantee them the necessary financial equilibrium;
- (e) to encourage, in relation to problems of structural adjustment and technological innovation, the development of an institutional and standard-setting framework as well as labour relations; with a view to reconciling and rendering mutually compatible the requirements of the growth and development of economies with the competitiveness of business and the improvement of working conditions;
- (f) to promote the implementation of the above-mentioned policies with the co-operation of the social partners within the framework of effective social dialogue at all levels.

2. Invites the Governing Body of the ILO to instruct the Director-General:

- (a) to promote research at the national and international levels, with the collaboration of the International Institute for Labour Studies, so as to assist member States in formulating appropriate policies for the attainment of the policies advocated above;
- (b) to develop study and research activities, with a view to examining in depth the relations which exist between the promotion and flexibility of employment, on the one hand, and the rational use of social security funds, on the other;
- (c) to seek alternative solutions to those generally adopted for the financing of social security, so that the provision of the latter may be ensured by the resources necessary for maintaining or attaining balanced conditions, without detriment to the levels of protection attained;
- (d) to encourage the search for policies as well as action or measures which could be adopted to promote the monitoring of all kinds of irregular work;
- (e) to disseminate the results of the research and studies undertaken with a view to assisting and orienting the development of specific national policies.

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Support was also expressed for the reduction of the Working Capital Fund by \$5 million.

42. The representative of the Government of Sweden commended the Director-General for having found further savings in the budget. He agreed with the representative of the Workers' group that the conditions under which the Director-General had made a commitment to find savings had not been fully met; large amounts of contributions were overdue.

43. The reduction in funds for Office automation, as expressed by the representative of the Employers' group, might be just short-term savings which might delay the greater long-term savings that would accrue from such automation.

44. He also had grave reservations concerning the proposed cut of \$5 million in the size of the Working Capital Fund. He would have preferred this proposal to be examined in conjunction with the exchange rate problem at the Committee's May 1988 meeting.

45. The representative of the Government of Botswana referred to paragraphs 8, 9 and 10 of the document and supported the cut of \$127,000 in paragraph 10. Additional savings might possibly result from having candidates for ILO positions interviewed at the respective UNDP offices in the regions. The proposed travel cuts, however, might reduce the technical advisory services furnished by the Office, for which the developing countries had very high regard.

46. The representative of the Government of the United Kingdom noted the proposed cuts were largely in administrative costs, and asked that the Director-General reassure the Committee that the slowdown in Office automation would not limit the Office's capacity to make future savings. Although satisfied with the proposed \$5 million cut in the Working Capital Fund, he would like to have the Director-General's view as to the desirable level of the Fund. Recently the External Auditor had reported that the level of the Fund at the equivalent of two to three months' expenditure would be satisfactory.

47. The representative of the Government of the United States registered disappointment that the Director-General had been unable to reduce the budget to \$318 million, as anticipated at the June 1987 Session of the Conference. If sufficient contributions were not forthcoming, programme reductions might be necessary. He urged all further possible savings so that assessments against member States could be kept to the lowest possible level.

48. The representative of the Government of Czechoslovakia stated that an organisation had to adapt its activities to its resources. He was concerned at the temporary nature of some of the cuts. The reduction of the Working Capital Fund would have serious repercussions later on. Since there was little hope of improvement in the exchange rate costs problem, he asked whether consideration had been given to the consequences of this reduction? What would happen if the exchange rate got worse? An even larger deficit would arise, leading to undesirable increases in member States' contributions.

49. The representative of the Government of Australia noted and welcomed the proposed budget cuts. He endorsed the representative of the Government of Sweden's view concerning the original commitment of the Director-General to reduce the budget by \$6.9 million. This commitment had been based on the assumption that arrears would be substantially paid by the end of 1987 and this had not materialised. He looked forward to the pending consideration of the exchange rate problems and the prospective 1988-89 deficit. He was greatly concerned at income shortfalls and regretted to see press reports that the largest contributor, which had voted for the budget, was now proposing to meet its 1988 budget commitment to the extent of only 80 per cent of its assessment, and that even this was not likely to be paid until November 1988. Pending an opportunity to consider the Director-General's proposals on these two serious problems, his Government wished to reserve its position on how it would respond to the question of replenishing the Working Capital Fund until this matter arose at the Conference in June 1988.

50. The representative of the Government of Venezuela welcomed the proposed budget reductions, which justified his Government's view that such reductions could be achieved without harming programmes. Further savings could be made, for example by further reducing staff travel costs; this might be achieved by purchasing tickets direct from the airlines instead of through the Office's permanent travel agency. The delay in office automation would cause problems, particularly for the Freedom of Association Branch, because of the numerous cases and documents it processed. He also questioned whether the reduction of the Working Capital Fund represented a solution. Perhaps the \$5 million

cut could have been found in other programme and budget areas. He stated that the \$197,000 reduction in publication services was insufficient since further reductions could be made in this area. His support for the proposals was given on the understanding that further rationalisation of expenditure would be pursued.

51. The representative of the Government of China noted with satisfaction that the proposed reductions were in administrative expenditure while avoiding to affect technical co-operation and the other substantive programmes. Many Governments had expressed concern lest the zero growth budget adopted by the ILO in 1987 might jeopardise important programmes in 1988-89. However, he could accept the idea of the reduction of \$1.9 million, which had been forced on the Director-General by the current financial difficulties. The reduction by \$5 million in the Working Capital Fund should constitute only an expedient, since that Fund should be kept fairly stable in proportion to the size of the budget in order to maintain its capacity to cope with greater financial difficulties that might well arise.

52. The representative of the Government of Malaysia wondered if further reductions could not be found. Since member States had had to reduce their national budgets, it would be difficult for them to pay increased contributions to the ILO. Referring to the \$340,000 reduction in the Conference costs, he noted that none had been proposed for the Governing Body and regional meetings. The travel reductions also related to staff travel only. Should this not apply across the board?

53. The representative of the Government of Italy felt that a number of risks were inherent in the proposed cuts, particularly as regards the costs-efficiency aspects of equipment purchasing. However, there seemed no alternative to the proposed savings in the present situation. The greater risk concerned the long-term aspects: the circumstances that had brought about the need for savings meant that certain governments had in effect renegotiated their budgetary contribution. He encouraged the governments concerned to give special attention to this problem in order to prevent the risk of future arbitrary practices. The very balance of the ILO's operations was threatened, and other Members which had, after the usual lengthy procedure for the adoption of the Programme and Budget, agreed to an overall level of services, found it extremely disheartening to have to agree to new cuts. Once adopted, the budget conferred not only a moral, but a genuine obligation on member States to pay their contributions, and it was unfair for countries which honoured those obligations to suffer on account of those which did not.

54. The representative of the Government of Greece supported the proposal in paragraph 18 of the paper. He supported the views of the previous speaker, and suggested that a committee of experts be established to study the possibility of reducing flexible costs.

55. The representative of the Government of France, while accepting the proposals, observed that the real problem had not been resolved. At the Conference in June 1987, the Director-General had undertaken to reduce the Programme and Budget by \$6.9 million, on condition that the ILO was once again placed on a sound financial footing, i.e. that States paid their arrears of contributions. The withdrawal of \$5 million from the Working Capital Fund was acceptable on a once-only basis, but the problem of late contributions remained; like others, his own Government would not make good the losses due to other States' delays in payments. The losses due to exchange rate fluctuations were inevitable, and strict logic would dictate that only those losses should be covered by the Working Capital Fund. However, realism was necessary and it should be recognised that while acceptance of the proposals was a gesture of solidarity, it did not really solve the basic problem.

56. The representative of the Director-General (the Treasurer and Financial Comptroller) stated in reply to Mr. von Holten that no cost-benefit analysis had yet been carried out on the proposed cuts in purchases of office equipment. However, each request for the purchase of equipment would be carefully evaluated and priority would be given to the more urgent cases; the reduction would have an inevitable effect on long-term productivity. The postponement of the initial testing of the PERSIS data base was regrettable, but this had also been dictated by priorities and the consideration that this was a relatively long-term project that would only bring benefits in productivity several years hence.

57. As regards the reduction in allocations for interview travel, a small amount was left, for it was not intended to halt recruitment entirely; in this connection he stated in reply to the Government representative of Botswana that the ILO in fact used UNDP as well as its own field offices to the extent possible for interviews and screening of candidates.



Provisional Record

Seventy-fifth Session, Geneva, 1988

Second item on the agenda: Programme and budget proposals and other financial questions

Further information and proposals submitted by the Governing Body of the International Labour Office to the 75th Session of the Conference

1. This issue of the *Provisional Record* includes information and proposals by the Governing Body in respect of:

- A. Proposed programme reductions for 1988-89 and an adjustment relating to Part III of the budget (Working Capital Fund) (paragraphs 2 and 3)
- B. Proposed incentive scheme for early payment of member States' assessed contributions (paragraphs 4 and 5)
- C. Financial Report and Audited Financial Statements for 1986-87 (paragraphs 6 and 7)
- D. Programme and Budget for 1988-89 – budget exchange rate and consequential adjustments (paragraphs 8 and 9)
- E. Composition of the Administrative Tribunal of the ILO (paragraphs 10 and 11)

Appendix I. Revised summarised budget of expenditure and income for 1988-89

Appendix II. Revised expenditure budget for 1988-89 by major programme

Appendix III. Statements showing the status of collection of annual contributions

The points for decision are in paragraphs 3, 5, 7, 9 and 11.

A. PROPOSED PROGRAMME REDUCTIONS FOR 1988-89 AND AN ADJUSTMENT RELATING TO PART III OF THE BUDGET (WORKING CAPITAL FUND)

2. The following is an extract from the first report of the Programme Financial and Administrative Committee to the Governing Body at its 239th Session (February-March 1988).

Adjustments to the 1988-89 Programme and Budget

35. The committee had before it a document (GB.239/PFA/2/5) containing proposals for adjustments to the 1988-89 Programme and Budget.

36. Mr. von Holtzen, speaking for the Employers' members, stressed again that the Organisation was in a serious financial position. There was the cash deficit and there was the exchange rate problem to which the Committee would come back in May. Furthermore, it was very much to be doubted that the contributions assessed for the current biennium, not to speak of the arrears, would really be paid. The Committee might therefore be forced in a near future to undertake a full revision of the pro-

gramme with a view to cutting it vertically and not only horizontally as in the past.

37. The Employers, against this background, viewed the Director-General's proposals with misgivings and in particular the proposal to reduce the Working Capital Fund. If that proposal were to be accepted by the Committee, they would have to abstain and asked this to be recorded. As for the other proposals, they questioned the wisdom of further delaying automation and computerisation in the Office and wished to know what cost-benefit analyses had been undertaken in this context. They also questioned the wisdom of cutting the provision for interview travel as the quality of external recruitment should not be allowed to suffer even in hard times.

38. Mr. Muhr said that the Workers' members did not view the proposals before the Committee with much enthusiasm. He recalled that at the 1987 Conference the Director-General had foreseen the probable need for programme reductions and had undertaken to put forward proposals for consideration by the Programme, Financial and Administrative Committee. But this undertaking had been made subject to the receipt of large amounts of assessed contributions still owed by major contributors being fully paid by the end of 1987. This condition had not been fulfilled by member States, so that although in theory the Director-General was now freed of his earlier commitment, he had nevertheless chosen to put forward some proposals. This meant that the Committee was now faced with the problem of adjusting the level of certain activities to the means available—a difficult exercise which he was sure all Members hoped would not have to be repeated. It was difficult to pronounce individually on the proposals and perhaps some savings were possible without significant reductions in the activities of the Organisation; however, it was by no means certain that the delays in the acquisition or testing of computer systems would save money in the long run.

39. He noted that the proposal to reduce the level of the Working Capital Fund would be considered by the Conference later in the year. There had been no indication of what the level of the Working Capital Fund should be, but in the light of experience in the last few years it was clearly not high enough to meet the probable calls on it. If the Organisation were to be in a position to overcome financial difficulties such as those it faced now, then a substantial Working Capital Fund was required. The level of the Fund had in fact been reduced some years ago and any further reduction would expose the Organisation to the risk that more and more programme cuts would be necessary in the future if funds were not available from other sources. The Workers' members could not show any enthusiasm for the proposal but on the other hand they had none better to submit to the Director-General. Accordingly, they were prepared to accept the point for decision in the paper before the Committee, but they would reserve the right to express their position again at the Conference when other factors might have come to light. They were therefore prepared to support the proposal in the Office paper, albeit with great reluctance.

40. The representative of the Government of the USSR expressed support for the proposal to reduce the 1988-89 budget by \$6.9 million.

41. The representative of the Government of the Federal Republic of Germany agreed with the \$1.9 million programme reduction. If this represented the introduction of a crisis plan in the present financial difficulties, designed not to increase the burden of those member States which paid on time, as a result of shortfalls and late payments, the amount was small compared with the \$17.3 million cuts that had been made to the 1986-87 budget.

58. It should be realised that the desirable level of the Working Capital Fund depended on the timing of the receipt of contributions: if governments paid on time, it could be allowed to remain low. The Fund in its present form had been created in 1952, when it had inherited some amounts from the League of Nations period of the Organisation's history and stood at \$2.25 million, representing some 36 per cent of an annual budget of \$6.3 million, and this at a time when the exchange rate was as steady as a rock and when contributions were paid more punctually. If the Governing Body agreed to reduce the Fund by \$5 million, it would stand at \$32.1 million, representing some 20 per cent of the annual authorised spending limit of the Office. It could not therefore be regarded as high in present circumstances, and in fact a considerable degree of reticence had surrounded the decision to draw it down in the way proposed.

59. A revised budget estimate for 1988-89 would be forthcoming in May, based on the prevailing exchange rate. Depending on the rate in May, the Conference might be asked to increase assessments for 1989 to cover additional exchange costs. Hopefully in this manner, the Working Capital Fund would not be over-taxed as a result of exchange rate fluctuations. Arrears of contributions due to the Organisation amounted to \$36.6 million: \$23.7 million were due for 1987; \$4.1 million for the previous biennium; \$10.9 million for previous years; and \$0.6 million from States which had withdrawn from the Organisation. If this debt were paid, a considerable reimbursement of withdrawals for past deficits could be made to the Working Capital Fund. However, as to the question of when this would happen, it was for governments, not the Office, to supply the answer to this question. It should be noted that member States had not been asked to pay anything into the Fund other than to replenish withdrawals, since 1971, when it had been some \$20 million smaller than at present. Over the years, it had accumulated income and miscellaneous income through investment, not from government payments to build it up. In the present circumstances, a substantial Working Capital Fund was essential to ensure financial security, but those circumstances would hopefully not continue indefinitely. Once long-term solutions to the exchange rate problem had been adopted and the payment of contributions became more punctual, its level could be reviewed.

60. Airline tickets were under some circumstances purchased direct from the airlines themselves, but normally such purchasing was not financially attractive. The Office enjoyed extremely advantageous arrangements, both financial and in terms of quality of service, with its travel agent. Travel costs could only be reduced for staff, as the travel costs of delegates and others attending ILO

meetings were a constitutional obligation for the Office. The Conference budget had been cut owing to the amount of external recruitment, it entailed, but the Governing Body involved very little external collaboration, and few cuts had therefore been possible in that programme.

61. The net effect of the proposals was to reduce the budget to a level of \$318 million as had been called for by the representative of the United States Government. This represented a reduction of \$6.9 million on the initial level, but the different components of that reduction should be clearly understood; the proposed adjustments would save \$1.9 million, and the Working Capital Fund would cover the rest. However, Parts III and IV would have to be reviewed by the Governing Body and the Conference this year in order to replenish the Working Capital Fund and to provide for exchange rate fluctuations. None of the governments in arrears of contributions denied that they owed the ILO the amounts due, and it was therefore simply a question of when those amounts were paid. Reimbursements of budget surpluses to governments and additional assessments on them to cover deficits were covered by articles 18 and 21(2) of the Financial Regulations respectively, and those two articles had a balancing effect. When the substantial arrears owed were paid, any surplus of receipts over payments would be reimbursed to the governments.

62. The representative of the Government of Italy emphasised that the proposals should not be regarded as exonerating governments from their constitutional financial obligations. The Director-General should make every effort to persuade the governments concerned to pay what they owed.

63. *The Committee recommends that the Governing Body propose the following financial and budgetary measures to the International Labour Conference for adoption at the 75th Session (1988):*

- (a) *to endorse the programme reductions of \$1.9 million and consequent revision of the expenditure budget for 1988-89 to \$322,960,000 as detailed by major programme in the Appendix to this report, and*
- (b) *to decide that, as an exceptional measure and in derogation from article 21.2 of the Financial Regulations, the amount due to be added to Part III of the budget (Working Capital Fund) in 1989 in order to reimburse the Fund for withdrawals made to finance the excess of budgetary expenditure over budgetary income in 1986-87 be reduced by \$5 million, thereby reducing by a corresponding amount the additional assessments which would otherwise be made on member States in 1989 for that purpose.*

FOR DECISION

3. On the recommendation of its Programme, Financial and Administrative Committee, the Governing Body decided on 2 March 1988 to submit the following resolution to the International Labour Conference at its 75th Session (1988), for adoption:

The General Conference of the International Labour Organisation,

- (a) endorses the programme reductions of \$1.9 million and consequent revision of the expenditure budget for 1988-89 to \$322,960,000 as detailed by major programme in the *Appendix* [The *Appendix* referred to is the *Appendix to Report II.*] to this report; and
- (b) -¹

¹ As the Governing Body amended this recommendation at its 240th Session (May 1988), as reflected in section D of this *Provisional Record*, it is not necessary for the Finance Committee to take a decision on it.

B. PROPOSED INCENTIVE SCHEME FOR EARLY PAYMENT OF MEMBER STATES' ASSESSED CONTRIBUTIONS

4. The following is an extract from the first report of the Programme Financial and Administrative Committee to the Governing Body at its 239th Session (February-March 1988).

Collection of regular budget contributions (Fourth item on the agenda)

64. The Committee had before it a document (GB.239/PFA/4/7) reviewing its previous consideration of problems faced by the Organisation through the irregular pattern of receipts of regular budget contributions.

65. Mr. von Holten considered that it was widely recognised that something had to be done to offset the injustice created by the

late payment of contributions. Of the alternative courses outlined in the Office paper, the first one was based on the system, originally introduced by the ICAO and since then adopted also by WMO, WHO and UNESCO. This system consisted in paying the interest earned on contributions into a separate fund which served to pay incentives to governments on an "S curve" scale according to the date on which they paid their contributions. It was indicated in the paper that the ILO Members would not have to wait for the end of the financial period to get their incentives but be paid on an annual basis. The disadvantages of such a system were that it reduced the amounts available to the Working Capital Fund and that the size of the resulting incentive was unpredictable. It also required an amendment to the Financial Regulations.

66. The alternative scheme proposed by the Employers' members consisted in establishing an Undistributed Reserve in the expenditure budget out of which Members would be paid rebates, preferably on the same "S curve" scale, according to the date of payment of their contributions. The advantages of this scheme were that Members would know exactly what rebates they would get and be able to deduct them before paying their contributions. Another advantage—at least in the eyes of the Employers—was that the scheme would be financed entirely by those Members who did not pay their contributions on time. Although the Employers preferred their own scheme, they would go along with the Governments if they preferred the ICAO scheme. The important thing was that something had to be done and done at once.

67. Mr. Muhr stated that the Workers' members would support any proposal that effectively brought about the early payment of contributions. However, caution was necessary with either of the proposals to ensure that they did not provide a bonus for payments in the second half of the year; incentives should only apply to contributions paid in full and on time, for example in the first six months of the year only, and late payments should be penalised. It was necessary to monitor the effect of the scheme adopted in order to assess its effectiveness, and he was pleased to note that a considerable number of government representatives now seemed to support the idea.

68. The representative of the Government of France was in favour of an incentive scheme that increased the ILO's resources and rewarded prompt contributors. Caution was necessary, however, so as to ensure that any improvements in the payment of contributions did not ease the pressure on late payers, some of whom were likely to remain late payers. It was therefore advisable to adopt a system that paid total incentives derived from all interest earnings on income surpluses, distributed at the end of the budgetary year to which they referred. A system of incentives could, if unsuccessful, lead to losses for the Organisation, and care should be taken to avoid this.

69. The representative of the Government of Sweden thought it important to take a decision on the matter at the present session. The S-curve interest incentive system seemed preferable, provided the amount set aside represented all the interest earned so as to ensure that the greatest possible incentive was available. However, the proposal in the Office paper would be acceptable for a trial period. It was understood that rebates under the incentive scheme would only be made to governments paying their contributions in full. His own Government would continue to pay its own contribution early in the year.

70. The representative of the Government of Canada expressed a preference for the S-curve formula, but had no strong reservations concerning the alternative: the essential requirement was to do something effective. The disadvantage of the Employers' proposal was that it would entail an increase in assessments under Part IV, which in present circumstances seemed unconstructive, and the alternative system of using the interest earned was therefore preferable, as it was the prompt payers who created the cash surplus on which such interest was earned. In this connection he agreed with the previous speaker that the incentive should be as large as possible, and that therefore all the interest earned should be available.

71. The representative of the Government of Italy remarked that the delays in the payment of contributions were in some cases partially intended as political gestures of disapproval, whilst other delays were due to inability to pay promptly. He was therefore sceptical about the effectiveness of any incentive scheme. Nevertheless, it was worth experimenting, even if the proposals seemed unnecessarily complicated. A simple scheme would be to set aside interest earned on individual payments and reimburse the paying governments with the amounts earned on the investment of their own contributions. No rebate should be made for contributions paid, for example, after end-June; those paying before that date

would receive rebates, and those paying after that date would be charged penalties at the same rate of interest.

72. The representative of the Government of Turkey emphasised the importance of ensuring the financial security of the Organisation. The incentive scheme used by the ICAO made an appropriate distinction between early and late payers, but the alternative Employers' scheme based on the use of the Undistributed Reserve seemed more reliable, since the amount of the total incentive would be fixed in advance. The scheme should be introduced on a trial basis and he supported the proposal in paragraph 16 of the Office paper. He agreed that rebates should be granted only in respect of full contributions received during the year for which they fell due.

73. The representative of the Government of Venezuela felt that neither of the proposals took full account of the different reasons for which certain governments paid their contributions late. Some did so for political reasons, other simply because of their incapacity to pay. He could therefore not support the proposals and would abstain on them.

74. The representative of the Government of India considered that the ICAO scheme seemed the more reasonable, and therefore supported the proposal in paragraph 17 of the paper.

75. The representative of the Government of Czechoslovakia, while remaining sceptical about the effectiveness of an incentive scheme, agreed to the proposal in paragraph 17 of the paper on a trial basis.

76. The representative of the Government of the Federal Republic of Germany had no objections to the introduction of an incentive scheme if the majority wished it. He recalled, however, that 90 per cent of total contributions came from only ten countries. The ICAO scheme was preferable, but the full amount of the interest earned on cash surpluses should be allocated to the incentive scheme. This was not crucial, however, and on a trial basis he could agree to the allocation of only 60 per cent suggested in the Office paper. He therefore supported the proposal in paragraph 17.

77. The representative of the Government of the USSR considered that any incentive scheme should be easy to apply, should have the necessary effect and should not involve any addition in assessments. He therefore supported the proposal based on interest earnings on a trial basis, and preferred the use of all the interest earned to finance the scheme.

78. The representative of the Government of the United Kingdom remained doubtful regarding the effectiveness of incentives. He could not support any scheme involving an increase in assessments, but would not oppose the wish of the majority. An incentive scheme was unlikely to produce the desired effect and would probably only touch the surface of the problem.

79. The representative of the Government of the United States was likewise sceptical regarding the likely success of an incentive scheme, and noted that there was no evidence that such schemes had been effective in other organisations. However, if the Governing Body decided to introduce such a scheme, then he could only accept one that was based on the interest earned on regular budget funds.

80. The representative of the Government of Greece observed that the creation of an incentive scheme need not entail the imposition of penalties. For one reason or another any government might find itself in the present world economic situation unable to meet all its financial obligations promptly. Neither of the proposals seemed to recognise the distinction between the poorer member States and the others: of the two proposals, that proposed in paragraph 17 seemed more appropriate as it involved a system based on interest earnings.

81. The representative of the Government of Australia supported the introduction of an incentive scheme, and echoed the views expressed by the representatives of the Governments of Sweden, Canada and the Federal Republic of Germany.

82. The representative of the Government of Japan agreed with the views previously expressed by the United Kingdom Government representative. He would reluctantly accept a majority decision for any incentive scheme not involving an increase in contributions, provided that the scheme was introduced on a trial basis and that rebates would be awarded only to member States which paid their contributions in full and on time.

83. Mr. Muhr wished to stress that, on a vote, the Workers would give preference to a proposal based on paragraph 16, but with the modification that no incentive should be awarded for payments made in the last six months of the calendar year. They

would, however, as a compromise be willing to support a proposal based on paragraph 17 in order to achieve consensus at the Conference, even though they had reservations about its effectiveness.

84. The representative of the Director-General (the Treasurer and Financial Comptroller) explained that there were two basic reasons behind the incentive scheme proposals put forward for consideration by the Committee. The first was to try to achieve a greater measure of equity amongst member States, so that those which paid their contributions on time should not continue to carry more than their fair share of member States' contributions to the ILO, and the second purpose was to try to improve the cash flow of the Office. There were a number of points of difference between the two schemes described in the Office paper. The scheme originally proposed by the Employers had not found wide support among the Government members because member States which paid late would in effect be required to pay more. On the other hand, the Worker members had expressed reservations about the interest incentive scheme already adopted by ICAO; and it was in fact very difficult to give any estimate as to its effectiveness because the size of the rebates would depend directly on the rate of payment of member States' contributions. From the discussion so far, there seemed to be a consensus emerging which showed the Government members to be in favour of the ICAO interest incentive scheme, although some comment was required in response to questions raised during the course of the debate.

85. If the interest incentive scheme were to be adopted and if it had the desired effect, so that member States paid their contributions early, the allocation of 60 per cent of interest earnings for incentive rebates would represent quite a substantial amount, depending on the response of the member States. If the Committee took the decision to adopt the interest incentive scheme, he suggested that the length of the trial period be two years; after this trial period the proportion of interest earnings to be set aside for incentive payments, as well as other features of the scheme, could

be reviewed from time to time as circumstances dictated, bearing in mind the need for a Working Capital Fund of adequate size. In response to a question from the representative of the Government of Italy, he explained that the Office's cash flow requirements precluded the accumulation of interest in separate accounts in respect of specific member States' contributions.

86. The representative of the Government of Venezuela queried whether the proposals at present being considered by the Programme, Financial and Administrative Committee might be more appropriately referred to the Finance Committee of Government representatives at the annual session of the International Labour Conference. The Treasurer and Financial Comptroller confirmed that these matters, considered by the Programme, Financial and Administrative Committee, would be referred by the Governing Body to the Finance Committee of Government Representatives and thence to the Conference itself for final decision.

87. In response to a question raised by the representative of the Government of Sweden, the Treasurer and Financial Comptroller confirmed that the incentive scheme proposals, as currently formulated, allowed rebates for full or partial payments on account of current year contributions; but in view of the statement by Mr. von Holten that the Employers' agreement to the ICAO incentive scheme was conditional upon rebates being awarded only for full payment of current year's contributions, the proposals would be redrafted to ensure that rebates were made only to member States that paid their contributions in full.

88. Subject to the positions taken and the reservations expressed during this discussion, *the Committee recommends that the Governing Body propose to the International Labour Conference for adoption at its 75th Session (June 1988) the introduction of an incentive scheme to encourage the early payment of member States' assessed contributions in the following terms:*

The General Conference of the International Labour Organisation,

Recalling that in accordance with article 10, paragraph 1, of the Financial Regulations, member States' assessed contributions for each calendar year are due and payable on 1 January of that year,

Noting that delays in the payment of assessed contributions by some member States have prejudiced the implementation of the Organisation's programme in a timely and orderly manner and placed those member States which pay their contributions in a timely manner at a disadvantage,

Recalling the concerns expressed by the Conference, the Governing Body and the Director-General with regard to the late payment of assessed contributions,

Agreeing that some form of incentive should be provided to member States that pay their assessed contributions in a timely manner;

1. Decides that an incentive scheme based on the setting aside of interest earned on temporarily surplus regular budget funds in any year shall be introduced as from 1 January 1989 for a two-year trial period.

2. Decides further that during this trial period 40 per cent of interest earned on temporarily surplus regular budget funds in each year shall be paid into the Working Capital Fund and that the remainder shall be set aside to provide a total incentive amount available for distribution to those member States which have paid in full their assessed contributions for the current year by 31 December of that year. The total incentive amount so established in each year will be distributed to eligible member States under an incentive points system based on an "S" curve formula which will take into account the dates and amounts of payments of current year's contributions by member States.

FOR DECISION

5. On the recommendation of the Programme, Financial and Administrative Committee the Governing Body decided on 2 March 1988 to submit the foregoing resolution to the International Labour Conference at its 75th Session (1988), for adoption.

C. FINANCIAL REPORT AND AUDITED FINANCIAL STATEMENTS FOR 1986-87

6. The following is an extract from the first report of the Programme, Financial and Administrative Committee to the Governing Body at its 240th Session (May 1988).

Financial report and audited financial statements

6. The Committee was invited to take note of the Auditor's report and to propose that the Governing Body submit the final account for the 60th financial period (1986-87) to the Conference for consideration and adoption (GB.240/PFA/1/3).

7. A representative of the External Auditor, introducing the Auditor's report on the accounts, drew attention to paragraphs 5 to 7 of the report which recorded the reasons for the External Auditor's decision to qualify his opinion on the financial statements. The Financial Regulations required the External Auditor to report upon any deviations of a material nature in the presentation of the financial statements. These included deviations from generally accepted accounting principles applied on a basis consistent with that of the preceding financial period. This qualification therefore drew to the attention of the Governing Body the effects upon the financial statements of its decision, taken at the 239th Session, concerning receipts of contributions from member States. By this decision, the Governing Body had waived, for the 1986-87 financial period only, the provisions of Financial Rule 3.20(a) to permit some \$9.7 million of arrears of contributions, which were received in January 1988, to be brought to account in 1986-87 instead of in 1988-89. Financial statements II and III, together with their supporting schedules, clearly identified the adjustments resulting from this decision. The effect was that a cash deficit on statement II was shown at a value of some \$9.7 million lower, and the total assets and total liabilities figures on statement III at a value of some \$9.7 million higher than the actual position as at 31 December 1987.

8. The results of the review of programme and project evaluation were set out in paragraphs 11 to 28 of the report. The review included an examination of: the ILO's progress towards programme evaluation; the procedures for monitoring and evaluating multi-bilateral and UNDP technical co-operation projects; the steps taken to ensure that the monitoring and evaluation procedures were followed; and the use made of evaluation information in the planning and design of new projects. The findings fell into three main categories. Firstly, the ILO had made limited progress in introducing evaluation techniques for the Organisation's programme of work set out in the programme and budget document. It was noted that in 1987 the Conference recommended that the ILO should adopt a plan of action to improve the assessment of the impact of both programmes and projects. Secondly, it was noted that procedures existed and operated for the monitoring and evaluation of multi-bilateral and UNDP projects, but it was found that the standards of reporting of the multi-bilateral projects varied and that the ILO's procedures did not formally distinguish

between requirements for internal and independent evaluations. Thirdly, it was noted that the ILO had established an evaluation information database which was used by the technical units, but the records did not include all the UNDP evaluation reports.

9. The overall conclusion of the External Auditor, contained in paragraph 28 of the report, was that although the ILO had yet to produce a plan of action to improve the assessment of the impact of programmes and projects, it had established a framework of procedures for the monitoring and evaluation of technical co-operation projects. In the External Auditor's view, the procedures would be enhanced by:

- firstly, the introduction of standard procedures for monitoring multi-bilateral projects to ensure that all aspects of progress were reviewed. These procedures should recognise the need to meet the wishes of individual donors;
- secondly, the formal adoption of the proposal to follow the UNDP practice of mandatory independent evaluations for large and technically demanding multi-bilateral projects;
- thirdly, the ILO should ensure that all UNDP evaluation reports were included in the ILO evaluation unit's database.

10. Mr. von Holten expressed the Employers' gratitude to the External Auditor for his excellent report. As his representative had just explained, the inclusion in 1986-87 income of arrears of contributions received in January 1988 had led the External Auditor to qualify the financial statements since, in his opinion, they did not fairly represent the financial position of the Organisation as at 31 December 1987, they had not been prepared in accordance with the stated policies, and they were not in accordance with the Financial Regulations. The Employers regretted seeing a qualified audit opinion on the ILO's financial statements; as they had from the beginning been of the same opinion as the External Auditor, they had not taken part in the decision which had led to qualification of the audit report, and would certainly make that clear to the Conference.

11. The Employers' members also welcomed the audit examination on evaluation procedures, which they noted had begun some seven years ago. They supported the recommendations contained in paragraph 28 of the External Auditor's report and looked forward to his future reports on this subject.

12. Mr. Muhr, for the Workers' members, also expressed gratitude for the work of the External Auditor. It was always very valuable in an Organisation such as the ILO to have well-qualified and impartial experts examining the finances of the Organisation. From time to time in the past the Organisation had resorted to unorthodox procedures when it had found itself in difficulties, and the Workers believed that those empowered to approve the Financial Rules should also be able to authorise exceptions to them. The Workers still adhered to that view, notwithstanding the qualifications to the audit report.

13. The Committee took note of the External Auditor's report.

14. *The Committee proposes that the Governing Body submit the final accounts for the 60th financial period (1986-87) to the Conference for consideration and adoption.*

FOR DECISION

7. The Governing Body adopted this proposal on 27 May 1988 and therefore recommends that the Conference adopt the final accounts for 1986-87.

D. PROGRAMME AND BUDGET FOR 1988-89: BUDGET EXCHANGE RATE AND CONSEQUENTIAL ADJUSTMENTS

8. The following is an extract from the first report of the Programme, Financial and Administrative Committee to the Governing Body at its 240th Session (May 1988).

Budget exchange rate and consequential adjustments

20. The Committee had before it a paper (GB.240/PFA/2/8) containing information and a proposal concerning the budget exchange rate and consequential adjustments for the 1988-89 biennium.

21. Mr. von Holten said that the Employers' members had serious misgivings about the financial position of the Organisation and feared that the resources at its disposal would not be sufficient to carry out the programme and budget adopted in 1987. They supported the point for decision in paragraph 9 of the Office paper. The overall financial problems had already been identified at the previous session of the Governing Body in February-March 1988 and it now seemed that more drastic measures might be necessary. There was also a clear need for the ILO to develop priorities and concentrate more in future on those areas that were within its specific competence. This philosophy, as developed in the Director-General's General Report to last year's Conference and in the discussion on the Medium-Term Plan, should guide the Office as it prepared the Programme and Budget for 1990-91.

22. Mr. Muhr expressed the Workers' strong support for the point for decision in paragraph 9 of the paper before the Commit-

tee. Although the position in which the Organisation now found itself resulted from developments upon which the ILO had no influence, it had been fairly clear at the time the budget rate of 1.60 Swiss francs was adopted that that rate would not be an accurate estimate for the whole biennium. Many proposals on risk strategies had been put forward and considered; if the Committee had taken a more open approach to those proposals at the time, the Organisation would not have found itself in its present predicament. He recalled that both the Worker and the Employer members had taken a very positive attitude to the proposals put forward to the Committee, and hence it was only right that the consequences of inaction should be borne in principle by the governments. The next document for consideration by the Committee concerned proposals for a long-term strategy on exchange rates; it was to be hoped that this would be the last time that the Committee would be called upon to consider this kind of problem. But whatever happened over the next few weeks, the Worker members would be ready to support this point for decision in the Committee, in the Governing Body and at the Conference.

23. The representative of the Government of France reluctantly agreed to the revision of the exchange rate from 1.60 to 1.43 Swiss francs to the dollar, but pointed out that this decision would increase the total amount of 1989 contributions for member States by \$26 million. This was an excessive increase. The additional burden for 1989 should be shared so that part of the sum required could be covered by savings on the part of the Office.

24. The representative of the Government of Italy associated himself with the remarks of the preceding speaker.

25. The representative of the Government of Australia recalled that, at the previous session of the Governing Body, his Government had expressed concern about the current budgetary situation and had indicated that it could not support both the \$20 million proposed replenishment of the Working Capital Fund and the revaluation of the budget from 1.60 to 1.43 Swiss francs to the dollar at a cost to member States of approximately \$26 million. He associated himself with the views expressed by the representatives of the Governments of France and Italy, that there should be significant cuts in the budget so as to relieve the burden which had fallen on all member States during this biennium. He did recognise, however, that the proposed revaluation of the exchange rate was a consequence of a collective decision taken by the Programme, Financial and Administrative Committee, which should now assume some responsibility for the position in which the Organisation found itself at present. In conclusion, he strenuously urged all member States to pay their contributions so as to alleviate the difficulties currently facing the Organisation.

26. The representative of the Government of the USSR expressed his concern at the unstable financial position of the Organisation, caused by fluctuations in exchange rates and also by the delay in the payment of contributions by certain governments. All these factors had led to a budgetary deficit and consequently to a considerable increase in contributions which was bound to be of serious concern to member States. For 1989 the Director-General was proposing an increase in the budget of some \$26 million in order to compensate for the drop in the exchange rate of the dollar. This was not the only increase, however. There was also a proposal to replenish the Working Capital Fund by some \$20 million so the total increase in the budget was \$46 million or \$44 million after taking into account a reduction in the programme by almost \$2 million. This was a significant increase and would cause many governments to give serious thought to the measures that should be taken. He urged the Director-General to consider seriously the views already expressed and inform the Committee of the extent to which the Office was willing to share the financial burden for the rest of the 1988-89 biennium. Internal reserves were available and could be used in order to reduce the financial burden on governments, and there was also the possibility for savings which would allow the Organisation to absorb a significant part of the increase in contributions.

27. The representative of the Government of Japan regretted his inability to express the official position of his Government due to the late arrival of the Office paper. In the meantime he agreed in principle with the statement made by the representative of the Government of France.

28. The representative of the Government of Sweden stated his Government's belief that the budgets of international agencies should be unaffected by currency fluctuations and its readiness therefore to pay the additional contribution proposed in paragraph 9. However, the request had come at an unfortunate time, and the Director-General should examine how much of the additional 26 million dollars could be absorbed by the Office without seriously affecting programmes. For example, because of the re-

cruitment freeze, the number of vacancies should be higher than budgeted for, and this could perhaps provide some savings.

29. Although his Government realised that the request was made because the ILO lacked reserves to cover exchange rate losses, his Government would prefer an arrangement whereby payments were made at the end of the biennium rather than the annual recosting which was currently the case.

30. The representative of the Government of Canada stated that his Government was prepared to accept the additional contributions proposed in paragraph 9. The request that had been made for an adjustment to the exchange rate showed the need to base the exchange rate for the budget more closely on the actual rate at the time of the budget's approval. It was possible that exchange rate losses might still occur, but if member States accepted to pay the extra 26 million dollars now, it should be understood that the Organisation should be responsible for absorbing any further exchange rate losses. His Government reserved its position on the provision relating to the increase of \$20 million under Part III of the budget for the replenishment of the Working Capital Fund, as it considered total extra funding of \$46 million to be excessive.

31. The representative of the Government of the Federal Republic of Germany accepted that the adjustment as proposed in paragraph 9 to be made, although this situation gave cause for anxiety. An adjustment would mean an extra burden for some member States, and he therefore suggested, in agreement with the views expressed by the representatives of the Governments of Italy, France, Australia and Canada, that losses arising from foreign exchange fluctuations should, as far as possible, be absorbed by the Office.

32. The representative of the Government of Uruguay expressed concern about the implications of accepting the proposals in paragraph 9 for countries such as Uruguay which were experiencing serious foreign debt problems. The burden should be shared, and the Organisation should find ways of making additional savings to reduce the budget.

33. The representative of the Government of Czechoslovakia, while aware that the ILO's financial difficulties were beyond its control and that it was reasonable to request an adjustment to the exchange rate, called for the Office to share some of the burden of the deficit and to consider all possible reductions that could be made to its budget. If member States bore the entire burden of the deficit this would lead to an unacceptably high increase in contributions.

34. The representative of the Government of Switzerland believed that an adjustment to the exchange rate was necessary and supported the proposal contained in paragraph 9. However, it was also necessary to give renewed thought to measures for reducing the problem of exchange rate losses and maintaining the ILO's finances in a healthier state, which should in particular involve the regular payment by member States of their contributions.

35. The representative of the Government of the United States stated that the recalculation of the exchange rate was unacceptable. While agreeing with the Workers' group that the exchange rate of 1.60 Swiss francs to the dollar was unrealistic, and with the representative of the Government of Canada that the budget rate should have been set at a more accurate rate based on the latest available exchange rate, he reminded the Committee that, nevertheless, the adoption at the 1987 International Labour Conference of a budget set at a realistic level would have been impossible for many member States to support. The exchange rate had been set in the hope that favourable conditions would return and thus make unnecessary any difficult decisions. Favourable conditions had not returned and the financial situation of member States had not improved. His Government, in common with other governments, would be unable to fund the budget increases called for, and could not accept the recalculation of the exchange rate for the entire biennium. Keeping the budget at its present level would entail painful decisions but it was essential to live within the means available and establish programme priorities.

36. The representative of the Government of the United Kingdom reminded the Committee that the total amount of the extra contributions called for was \$46 million: \$26 million to offset the deficit caused by exchange rate losses, and \$20 million to reimburse the Working Capital Fund. This represented a 25 per cent increase in annual subscriptions in dollar terms. While it may be thought that countries like the United Kingdom could afford this extra cost, for many member States this was not the case and the demand for extra contributions would probably exacerbate the problem of non-payment or late payment. Both elements of the package should be reconsidered. In regard to the \$26 million it would seem sensible to examine what savings could be made in administrative or other costs aiming at maximum absorption.

37. The representative of the Government of Venezuela stated that her Government did not support the proposals put forward in paragraph 9, because of its possible repercussions on the future calculation of contributions. The costs of adjustment should be shared between member States and the Organisation. The Latin American countries were making great efforts to pay their contributions despite their foreign debt problems and the Office should likewise make an effort to reduce its costs.

38. The representative of the Government of Argentina associated himself with the comments of the representative of the Government of France who had recommended that the costs deriving from exchange rate losses should be shared between the Office and the member States.

39. The representative of the Government of Brazil associated himself with other speakers who had already expressed deep concern about the proposal in paragraph 9 of the document before the Committee. Many countries were already experiencing difficulties in meeting their hard currency payments. The Office should find concrete means of reducing the budget to show its willingness to contribute to solving the problem of exchange rate fluctuations.

40. The representative of the Government of China indicated that his Government had not been able to study this proposal in depth because of the late distribution of the Office paper. An adjustment to the exchange rate was necessary but as this would increase the burden on member States the Director-General should also examine ways of introducing economy measures. This could be done by streamlining the administration, cutting the number and duration of meetings, and reducing the number of meeting documents. Fluctuating exchange rates were not the sole cause of the financial problems: delays in payment and the failure to pay contributions were also a problem and member States, particularly the major contributors, should undertake to fulfil their obligations in full and in good time.

41. The representative of the Government of India pointed out that the weakening of the currencies of many developing countries, including his own, against the United States dollar had in any case meant an increase in their contributions. However, an adjustment was necessary and his Government, albeit reluctantly, agreed to the proposal in paragraph 9. Nevertheless the Office should seek ways to reduce its expenditure. As far as possible this should be through cuts in administrative costs and should not affect ILO programmes.

42. The representative of the Government of Cuba also associated himself with previous speakers who had suggested that the Office should put forward a proposal which demonstrated its willingness to share the burden of the exchange rate revaluation. Cuts should focus on reducing administrative costs and should only, as a last resort, be made in technical co-operation programmes.

43. The representative of the Government of the German Democratic Republic agreed that an adjustment was necessary but believed that the \$26 million to adjust the exchange rate should be considered in conjunction with the \$20 million proposed as a replenishment for the Working Capital Fund. He also associated himself with earlier speakers who called for a proposal showing how the ILO itself could bear a part of the burden. The programme cuts of \$1.9 million proposed by the Director-General were insufficient and further savings could be made on administrative costs. In addition, Part II of the budget covering unforeseen expenditure should be frozen and transferred into an emergency fund, and any unforeseen costs should be covered by savings made in Part I of the budget.

44. Mr. Muhr, on behalf of the Workers' members, stressed that the method of making financial adjustments by constantly making cuts to the programme had a natural limit. Ten years previously, when the United States of America had withdrawn from the ILO, member States, rather than making up the shortfall in budget contributions, had cut programmes by 22 per cent. These cuts had never been made up when the United States returned. For many different reasons further cuts, which the Worker members had agreed to reluctantly, had been made subsequently, with the result that now, in real terms, the programme level was lower than during the 1970s. At present further cuts were being requested in order to offset exchange rate losses. This was unacceptable, not because the Workers' members did not accept programme cuts but because there had to be a logical basis for these cuts. Government could not ask for cuts in the programme because of exchange rate losses and yet ask for money to be returned if there was a positive change in the exchange rate. Cuts could simply not be made to the programme each time a financial problem arose.

45. The representative of the Government of the Libyan Arab Jamahiriya felt that paragraph 9 of the document under discussion, which called for an increase of \$26 million under Part IV (Effects of exchange rate adjustments) of the approved Programme and Budget for 1988-89, gave cause for considerable concern. It was not that the amount itself was high – if it were requested in order to implement necessary programmes – but it was too high just for the purpose of compensating for exchange rate losses. It was doubtful whether governments which were already unable to pay their contributions as they were presently fixed, would be able to meet these additional expenses. The document under discussion reflected the fact that the Committee and the Governing Body had not been very successful in preparing the budget for the present biennium, having used an unrealistic exchange rate of 1.60 Swiss francs to the dollar.

46. The Organisation was now faced with a need to make up the difference of \$26 million, and might also be faced with a situation where programmes would have to be reduced, although this should be seen as a last resort. On the other hand, reductions in administrative costs should be possible: they could begin with cuts in meetings of the Governing Body and of Industrial Committees; members could make better use of the time available and thereby reduce the number of days, saving a great deal of money and serving the interests of the workers. Reductions in administrative costs, however, should not include freezing recruitment or imposing a fixed ceiling on salaries; the present internal structure was neither just or equitable, and such a freeze would only mean remaining with the present structure for some time. In principle the Committee should discount the possibility of reducing programmes, and aim at achieving maximum savings in administrative costs. Only then should the additional burden on member States be quantified.

47. The representative of the Government of France was prompted to speak again, in response to Mr. Muhr's statement. In fact, this discussion had already taken place in February 1988. His Government was deeply attached to the objectives of the Organisation and this attitude would not change. Having affirmed this year after year, by paying its contribution promptly and in full, his Government hoped that an increase in contributions would not be necessary, whether the reason for it was fluctuating exchange rates, replenishment of the Working Capital Fund, or non-payment of contributions by certain member States. His Government therefore continued to call for a balanced budget through a combination of savings and contributions.

48. However, it should be made clear that "savings" did not imply a reduction of programmes, which would gradually lead to the dismantling of the Organisation's objectives. It was possible to make savings without programme reductions, but this was not the time to enter into details. The representative of the Government of the Libyan Arab Jamahiriya had referred to some measures with which his own Government concurred: it was clearly possible to reduce the length of meetings, with the co-operation of delegates, and considerable savings could be made in administrative costs. A special group could be set up to study these possibilities.

49. Mr. von Holten, speaking for the Employers' members, strongly agreed with the representative of the Government of China on the need for a better payment discipline in the Organisation. If countries could not meet their obligations and make their payments in full, it mattered very little what other measures were taken. The Governing Body had decided to recommend to the Conference that it establish an incentive to prevent the disease from spreading; it might be necessary to supplement this measure by a penalty scheme. It would not doubt be necessary to reduce expenditure considerably. The Director-General himself had pointed out the way towards implementing programme reductions in his report to the June 1987 Session of the International Labour Conference. There was a need to consolidate activities, to eliminate those of low priority and to concentrate on the specific objectives of the ILO in the spirit of the world of today. National institutions had rationalised in recent years and it was right to expect the ILO to accomplish more today, with fewer staff, than in 1978. Considerable economies would be required, a complicated operation which a further delay would only make more difficult; personnel and related costs comprised between 70 and 80 per cent of the budget and this was therefore the area to look at for savings.

50. Responding to the preceding speaker's statement, which implied that, since other organisations had rationalised, it was high time for the ILO to do so, the Director-General pointed out that in fact the ILO had been forced to go through the experience of rationalising its activities when the United States had withdrawn from the Organisation in 1977. This had only been done after the most strenuous efforts, and great sacrifices had been borne by the ILO staff, by governments, and by the workers. The Organisation

was still smaller now than it had been in 1978. However, there was yet room for improvement, as in any public administration, national or international. The Office was ready and willing to help the Governing Body proceed to a study of the considerations necessary for greater productivity, but it should not be implied that the present administration was extravagant. In fact, the Organisation had acquired a reputation over the years for its concern with costs and expenditures.

51. The Director-General stressed that in the social situation of the world today, problems were all too frequently settled on the basis of purely economic decisions and the social aspect was neglected. This was precisely the time when the budget of the Organisation should be increased rather than decreased. For the past ten years, the Organisation had been engaged in budgetary exercises which had eroded its work, and yet, in the present discussion, the prevailing talk was of further savings and economies. While it was true that the Organisation was going through a period of austerity, and while it was true that the Programme, Financial and Administrative Committee needed to supervise the budget, the Committee was also responsible for preserving the quality and content of the programme and its ability to meet the needs of the workers. If the Organisation were to be constantly retarded in its endeavours by an obsession with savings its future could be seriously compromised.

52. The paper under discussion followed a practice established several years ago, when the dollar began to fluctuate, whereby in the first year of the biennium, on the eve of the International Labour Conference, the budget was assessed in view of the prevailing exchange rate. The purpose of the paper under consideration was to help the Committee decide whether the proposed rate of 1.43 Swiss francs to the dollar was adequate. During the course of the discussion several members of the Committee had stated that it was possible to make savings, and it would certainly be necessary to do so with 19 months of the biennium still ahead.

53. In reply to a remark of the representative of the Government of Canada, the Director-General pointed out that the exchange rate of 1.43 was probably optimistic. The Canadian Government had expressed willingness to absorb its share of the \$26 million, it being understood that any additional expenditure beyond that level due to a further depreciation of the dollar would be absorbed by the Office. This was acceptable. At the same time, there appeared to be no way of avoiding the measures set out in paragraph 9 of the document under discussion, which were based on the most optimistic assessment of the difference between the exchange rate approved when the budget was adopted and the actual rate now. But the Organisation had also benefited in the past from exchange rate fluctuations: in 1982-83, for example, \$13.4 million were reimbursed to member States; and in 1984-85 there were savings of \$26.6 million, which the Governing Body decided to use to cover expenses resulting from the subsequent drop of the dollar in the 1986-87 biennium. This meant that altogether \$40 million had been reimbursed to member States in accordance with the Financial Regulations. This showed that there were periods when the Office paid money back to governments,

just as there were other periods when the Office needed to request more; both situations were merely a result of the fluctuation of exchange rates.

54. Commenting further on the budget exchange rate and consequential adjustments, the Director-General said that although the problem of the reimbursement of \$20 million to the Working Capital Fund for part of the 1986-87 deficit was not under discussion, it should be noted that the overall figure of the proposed increase in the budget amounted to \$46 million, \$26 million for the exchange rate and \$20 million for the Working Capital Fund. Although the Office was not responsible for this situation due to the fluctuation of exchange rates, governments were right to feel concerned. For this reason, the Director-General suggested that they look ahead to the next item on the agenda dealing with a long-term strategy on exchange rates. If the Committee would adopt a method, such as that proposed in the document, the Organisation would be protected against any future fluctuations in exchange rates. Furthermore, this would enable a proposal to be put forward for a reduction of the Working Capital Fund by an additional \$5 million, provided the Committee no longer hesitated to take the decision to guard the Organisation against fluctuating exchange rates.

55. In response to those speakers who had appealed to the Office to make every effort to achieve savings, the Director-General said that in November 1988 he would be presenting proposals for adjusting resources and expenses to meet the difficulties foreseen for 1989. At the present stage, however, there was no other solution but to accept the figure of \$26 million quantified in the document, with the assurance that expenses due to any further depreciation in the dollar would be met by the Office.

56. The representative of the Government of Italy suggested that, in the light of the discussion, the point for decision in paragraph 9 should be redrafted.

57. The representative of the Government of the United States affirmed that the decision taken last year to use the exchange rate of 1.60 had been based on very sound reasons. His Government recognised at the time that there was likely to be a proposal to recalculate some portion of the biennium budget, but the maximum that would be acceptable would be to do this for the second half of the biennium. The removal of another \$5 million from the Working Capital Fund was also not a sufficient measure with regard to the Working Capital itself. His Government therefore could not join a consensus which would accept the \$26 million increase proposed in the document.

58. The representative of the Government of the United Kingdom said that his Government maintained its position on the points for decision.

59. The representative of the Government of Venezuela reserved her Government's position on the points for decision in paragraph 9.

60. *The Committee recommends that the Governing Body propose a draft resolution to the International Labour Conference at its forthcoming 75th Session (1988) in the following terms:*

The General Conference of the International Labour Organisation,

Recalling that the rate of exchange between the United States dollar and the Swiss franc (the "budget rate") for the 1988-89 Programme and Budget was fixed at 1.60 Swiss francs for 1 US dollar,

Noting the depreciation of the US dollar in relation to the Swiss franc since that rate was fixed and in particular the adverse trend over the first five months of the 1988-89 biennium,

Considering the consequential need to cover the additional costs that have arisen and are likely to continue to arise during the execution of the programme adopted for 1988-89;

Decides to modify the budget rate for the 1988-89 biennium from 1.60 to 1.43 Swiss francs to the dollar and accordingly to add an amount of \$26.0 million under Part IV (Effects of exchange rate adjustments to the budgets of expenditure and of income for 1988-89, it being understood that any additional costs arising from the value of the dollar being lower than the revised budget rate of 1.43 Swiss francs to the dollar will be met through adjustments within the level of the revised Programme and Budget for 1988-89.

61. In view of the proposal by the Director-General to reduce by a further \$5 million, i.e. to a total of \$10 million, the reimbursement to the Working Capital Fund in 1989 in respect of withdrawals made to finance the excess of budgetary expenditure over income in 1986-87, it will be necessary for the Governing Body to amend its decision taken on this subject at its 239th Session (February-March 1988) (Paragraph 63(b) of document GB.239/8/33).

62. *The Committee accordingly recommends that the Governing Body propose the following measure to the International Labour Conference for adoption at the 75th (June 1988) Session:*

to decide that, as an exceptional measure and in derogation from article 21.2 of the Financial Regulations, the amount due to be added to Part III of the budget (Working Capital Fund) in 1989 in order to reimburse the Fund for withdrawals made to finance the excess of budgetary expenditure over budgetary income in 1986-87 be reduced by \$10 million, thereby reducing by a corresponding amount the additional assessments which would otherwise be made on member States in 1989 for that purpose.

FOR DECISION

9. On the recommendation of its Programme, Financial and Administrative Committee, the Governing Body decided on 27 May 1988 to submit the foregoing resolution to the International Labour Conference at its 75th Session (1988), for adoption.

The final text of the resolution will be incorporated as an appendix to the second report of the Finance Committee of Government representatives.

E. COMPOSITION OF THE ADMINISTRATIVE TRIBUNAL OF THE ILO

10. The following is an extract from the second report of the Programme, Financial and Administrative Committee to the Governing Body at its 239th Session (February-March 1988).

57. The Committee noted that the terms of office of two deputy judges, the Rt. Hon. Sir William Douglas and Mr. Edilbert Razafindralambo, would expire on 14 June 1988. The Director-General proposed that the terms of office of each be extended for a further period of three years, in accordance with the terms of the Statutes of the Tribunal.

FOR DECISION

11. On the recommendation of its Programme, Financial and Administrative Committee, the Governing Body at its 239th (February-March 1988) Session decided to submit the following resolution for adoption by the Conference at its 75th Session (1988):

The General Conference of the International Labour Organisation,

In accordance with Article III of the Statute of the Administrative Tribunal of the International Labour Organisation;

Extends the terms of office of the Rt. Hon. Sir William Douglas (Barbados) and Mr. Edilbert Razafindralambo (Madagascar) as deputy judges of the Tribunal for a further period of three years.

APPENDIX I

[illegible]

APPENDIX II

Item	Title	Approved Budget	Adjustments	Revised Budget
Part I. Ordinary Budget				
<i>A – Policy-Making Organs</i>				
10	International Labour Conference	11 204 420	(340 000)	10 864 420
20	Governing Body	2 204 300	—	2 204 300
30	Major Regional Meetings	1 282 865	—	1 282 865
	Total . . .	14 691 585	(340 000)	14 351 585
<i>B – General Management</i>				
40	General Management	7 060 788	(27 000)	7 033 788
<i>C – Technical Programmes</i>				
50	International Labour Standards and Human Rights	10 405 495	(22 000)	10 383 495
55	Promotion of Equality	3 869 704	(21 000)	3 848 704
60	Employment and Development	12 197 504	(46 000)	12 151 504
70	Training	10 384 505	(34 000)	10 350 505
75	International Centre for Advanced Technical and Vocational Training, Turin	2 800 000	—	2 800 000
80	Industrial Relations and Labour Administration	6 807 499	(22 000)	6 785 499
90	Working Conditions and Environment	11 634 597	(30 000)	11 604 597
100	Sectoral Activities	14 962 316	(30 000)	14 932 316
110	Social Security	4 497 133	(18 000)	4 479 133
115	International Social Security Association	418 800	—	418 800
120	Labour Information and Statistics	12 716 077	(16 000)	12 700 077
130	International Institute for Labour Studies	3 650 000	—	3 650 000
	Total . . .	94 343 630	(239 000)	94 104 630

Item	Title	Approved Budget	Adjustments	Revised Budget
<i>D – Service and Support Activities</i>				
150	Programming and Co-ordination of Technical Co-operation	2 388 866	(14 000)	2 374 866
160	Personnel	10 669 069	(70 000)	10 599 069
165	Personnel Information and Payroll System	862 901	(233 000)	629 901
170	Financial and Central Administrative Services	36 224 629	(396 000)	35 828 629
180	Editorial and Document Services	35 822 834	(197 000)	35 625 834
190	Legal Services	1 881 119	(6 000)	1 875 119
200	Programming and Management	3 744 860	(20 000)	3 724 860
210	Information Systems	8 234 545	(6 000)	8 228 545
	Total . . .	99 828 823	(942 000)	98 886 823
<i>E – Relations</i>				
220	Relations and Meetings	12 547 498	(113 000)	12 434 498
225	Employers' Activities	2 814 541	(5 000)	2 809 541
230	Workers' Activities	8 734 728	(19 000)	8 715 728
235	Public Information	3 834 492	(22 000)	3 812 492
240	Liaison with the United Nations, New York	1 516 384	(8 000)	1 508 384
	Total . . .	29 447 643	(167 000)	29 280 643
<i>F – Regional Services</i>				
250	Field Programmes in Africa	23 058 964	(64 000)	22 994 964
260	Field Programmes in the Americas	20 675 238	(50 000)	20 625 238
270	Field Programmes in Asia and the Pacific	20 947 080	(41 000)	20 906 080
280	Field Programmes in Europe	5 751 298	(16 000)	5 735 298
285	Field Programmes in Arab States	4 091 743	(13 000)	4 078 743
	Total . . .	74 524 323	(184 000)	74 340 323
<i>G – Other Budgetary Provisions</i>				
290	Other Budgetary Provisions	6 045 495	(810)	6 044 685
	Sub-Total . . .	325 942 287	(1 899 810)	324 042 477
	Adjustment for Staff Turnover	(1 989 773)	—	(1 989 773)
	Total of Part I . . .	323 952 514	(1 899 810)	322 052 704
Part II. Unforeseen Expenditure				
295	Unforeseen Expenditure	875 000	—	875 000
Part III. Working Capital Fund				
296	Working Capital Fund	—	15 059 627	15 059 627
Part IV. Effects of Exchange Rate Adjustments				
297	Effects of Exchange Rate Adjustments	—	26 000 000	26 000 000
	Effective Working Budget (Parts I-IV)	324 827 514	39 159 817	363 987 331
Part V. Undistributed Reserve				
298	Undistributed Reserve	32 486	3 916	36 402
	Total (Parts I-V) . . .	324 860 000	39 163 733	364 023 733

APPENDIX III

STATEMENTS SHOWING THE STATUS OF COLLECTION OF ANNUAL CONTRIBUTIONS

I. STATUS OF COLLECTION AS AT 27 MAY 1988 OF CONTRIBUTIONS ASSESSED FOR 1988 (in US dollars)

A. STATES HAVING PAID THEIR CONTRIBUTION IN FULL

State (French alphabetical order)	Percentage of 1988 budgeted income	Amount paid by 27 May 1988 ¹	State (French alphabetical order)	Percentage of 1988 budgeted income	Amount paid by 27 May 1988 ¹
1. Afghanistan	0.01	16 243	24. India	0.35	568 505
2. Germany, Federal Rep. of	8.27	13 432 961	25. Indonesia	0.14	227 402
3. Saudi Arabia	0.97	1 575 571	26. Ireland	0.18	292 374
4. Australia	1.66	2 696 338	27. Jamaica	0.02	32 486
5. Austria	0.74	1 201 982	28. Kuwait	0.29	471 047
6. Bahrain	0.02	32 486	29. Luxembourg	0.05	81 215
7. Barbados	0.01	16 243	30. Malaysia	0.10	162 430
8. Belgium	1.18	1 916 674	31. Malta	0.01	16 243
9. Burma	0.01	16 243	32. Mauritius	0.01	16 243
10. Botswana	0.01	16 243	33. Nepal	0.01	16 243
11. Canada	3.07	4 986 601	34. Niger	0.01	16 243
12. Central African Republic	0.01	16 243	35. Norway	0.54	877 122
13. China	0.79	1 283 197	36. Netherlands	1.74	2 826 282
14. Cyprus	0.02	32 486	37. Portugal	0.18	292 374
15. Denmark	0.72	1 169 496	38. United Kingdom	4.87	7 910 341
16. Egypt	0.07	113 701	39. San Marino	0.01	16 243
17. Spain	2.04	3 313 572	40. Sudan	0.01	16 243
18. Ethiopia	0.01	16 243	41. Sweden	1.25	2 030 375
19. Finland	0.50	812 150	42. Switzerland	1.12	1 819 216
20. France	6.38	10 363 034	43. Thailand	0.09	146 187
21. Greece	0.44	714 692			
22. Hungary	0.22	357 346			
23. Solomon Islands	0.01	16 243			
			Total . . .	38.14	61 950 802

¹ The amounts paid are the net amounts due for 1988 after deducting, where appropriate, the respective shares in the 1982-83 cash surplus.

B. STATES HAVING PAID PART OF THEIR 1988 CONTRIBUTIONS

State (French alphabetical order)	Percentage of 1988 budgeted income	Amount payable for 1988 ¹	Amount paid in 1988	Balance due on 27 May 1988
1. Bahamas	0.01	16 243	13 820	2 423
2. Bangladesh	0.02	32 486	10	32 476
3. Byelorussian SSR	0.34	552 262	520 429	31 833
4. Cameroon	0.01	16 243	10 448	5 795
5. Colombia	0.13	211 159	3 655	207 504
6. Costa Rica	0.02	32 486	4 911	27 575
7. Dominica	0.01	16 243	4 471	11 772
8. Guinea	0.01	15 928	36	15 892
9. Israel	0.22	357 346	84 748	272 598
10. Italy	3.80	6 172 340	5 076 923	1 095 417
11. Kenya	0.01	16 243	7 529	8 714
12. Papua New Guinea	0.01	16 243	501	15 742
13. German Democratic Republic	1.33	2 160 319	960 338	1 199 981
14. Senegal	0.01	16 243	1 193	15 050
15. Czechoslovakia	0.70	1 111 182	624 855	486 327
16. Tunisia	0.03	48 729	35 100	13 629
17. Ukrainian SSR	1.28	2 079 104	1 966 089	113 015
18. USSR	10.21	16 584 103	15 768 981	815 122
Total . . .	18.15	29 454 902	25 084 037	4 370 865

¹ The amounts due are the net amounts due for 1988 after deducting, where appropriate, the respective shares in the 1982-83 cash surplus.

C. STATES HAVING MADE NO PAYMENT TOWARDS THEIR 1988 CONTRIBUTION

State (French alphabetical order)	Percentage of 1988 budgeted income	Amount due on 27 May 1988 ¹	State (French alphabetical order)	Percentage of 1988 budgeted income	Amount due on 27 May 1988 ¹
1. Algeria	0.14	227 402	46. Malawi	0.01	16 243
2. Angola	0.01	16 243	47. Mali	0.01	15 928
3. Antigua and Barbuda	0.01	16 243	48. Morocco	0.05	81 215
4. Argentina	0.62	982 813	49. Mauritania	0.01	16 243
5. Belize	0.01	16 243	50. Mexico	0.89	1 445 627
6. Benin	0.01	15 928	51. Mongolia	0.01	16 243
7. Bolivia	0.01	16 243	52. Mozambique	0.01	16 243
8. Brazil	1.40	2 234 333	53. Namibia	0.01	16 243
9. Bulgaria	0.16	259 888	54. Nicaragua	0.01	16 243
10. Burkina Faso	0.01	15 928	55. Nigeria	0.19	308 617
11. Burundi	0.01	15 928	56. New Zealand	0.24	389 832
12. Cape Verde	0.01	16 243	57. Uganda	0.01	16 243
13. Chile	0.07	113 701	58. Pakistan	0.06	97 458
14. Comoros	0.01	16 243	59. Panama	0.02	32 486
15. Congo	0.01	16 243	60. Paraguay	0.02	32 486
16. Côte d'Ivoire	0.02	32 486	61. Peru	0.07	111 811
17. Cuba	0.09	146 187	62. Philippines	0.10	162 430
18. Djibouti	0.01	16 243	63. Qatar	0.04	64 972
19. Dominican Republic	0.03	48 729	64. Romania	0.19	308 617
20. El Salvador	0.01	15 928	65. Rwanda	0.01	16 243
21. United Arab Emirates	0.18	292 374	66. Saint Lucia	0.01	16 243
22. Ecuador	0.03	48 729	67. Sao Tome and Principe	0.01	16 243
23. United States	25.00	40 607 500	68. Seychelles	0.01	16 243
24. Fiji	0.01	16 243	69. Sierra Leone	0.01	16 243
25. Gabon	0.03	48 729	70. Singapore	0.10	162 430
26. Ghana	0.01	16 243	71. Somalia	0.01	15 928
27. Grenada	0.01	16 243	72. Sri Lanka	0.01	16 243
28. Guatemala	0.02	32 486	73. Suriname	0.01	16 243
29. Guinea-Bissau	0.01	15 928	74. Swaziland	0.01	16 243
30. Equatorial Guinea	0.01	16 243	75. Syrian Arab Republic	0.04	64 972
31. Guyana	0.01	16 243	76. Tanzania, United Republic of	0.01	16 243
32. Haiti	0.01	16 243	77. Chad	0.01	16 243
33. Honduras	0.01	16 243	78. Togo	0.01	16 243
34. Iran, Islamic Rep. of	0.63	1 003 151	79. Trinidad and Tobago	0.04	64 972
35. Iraq	0.12	194 916	80. Turkey	0.34	552 262
36. Iceland	0.03	48 729	81. Uruguay	0.04	64 972
37. Japan	10.86	17 639 898	82. Venezuela	0.60	974 580
38. Jordan	0.01	16 243	83. Yemen	0.01	15 928
39. Democratic Kampuchea	0.01	16 243	84. Democratic Yemen	0.01	16 243
40. Lao, People's Dem. Republic	0.01	16 243	85. Yugoslavia	0.46	747 178
41. Lesotho	0.01	16 243	86. Zaire	0.01	16 243
42. Lebanon	0.01	15 298	87. Zambia	0.01	16 243
43. Liberia	0.01	15 928	88. Zimbabwe	0.02	32 486
44. Libyan Arab Jamahiriya	0.26	422 318			
45. Madagascar	0.01	16 243			
			Total . . .	43.71	70 908 385

¹ The amounts due are the net amounts due for 1988 after deducting, where appropriate, the respective shares in the 1982-83 cash surplus.

II. ARREARS OF CONTRIBUTIONS OUTSTANDING ON 27 MAY 1988

(in US dollars)

A. ARREARS OF CONTRIBUTIONS DUE BY MEMBER STATES WHICH ARE LESS THAN TWO YEARS IN ARREARS

State (French alphabetical order)	Calendar year of assessment	Total arrears due
Antigua and Barbuda	1987	12 282
Argentina	1987	570 281
Benin	1987	5 562
Bolivia ¹	1969	13 585
Brazil	1987	1 718 646
Bulgaria	1987	2 677
Burkina Faso	1986-87	15 131
Burundi	1987	12 657
Cape Verde	1987	12 657
Cuba	1986-87	131 132
El Salvador	1986-87	25 313
United Arab Emirates	1986-87	227 862
Ecuador	1987	11 442
United States	1987	13 120 058
Gabon	1987	28 799
Ghana	1987	310
Grenada	1986-87	21 414
Guatemala	1987	25 247
Equatorial Guinea	1986-87	15 827
Honduras	1987	315
Iran, Islamic Republic of	1986-87	1 192 222
Iraq	1986-87	251 884
Lebanon	1987	5 315
Liberia	1986-87	24 657
Libyan Arab Jamahiriya	1986-87	650 920
Madagascar	1986-87	22 605
Mali	1987	3 313
Morocco	1987	170
Mauritania	1986-87	24 664
Mongolia	1986-87	12 771
Nigeria	1987	155 748
Pakistan	1987	288
Philippines	1987	95 073
Seychelles	1987	12 657
Suriname	1986-87	12 747
Togo	1986-87	15 951
Trinidad and Tobago	1987	20 672
Turkey	1987	310 000
Venezuela	1987	759 420
Yemen	1986-87	13 478
Democratic Yemen	1987	12 657
Zaire	1987	11 766
Zambia	1987	12 657
Total		19 592 832

¹ For footnote, see p. 17.

B. ARREARS OF CONTRIBUTIONS DUE BY MEMBER STATES WHICH ARE TWO YEARS OR MORE IN ARREARS AND WHICH ARE SUBJECT
TO ARTICLE 13. PARAGRAPH 4. OF THE CONSTITUTION ²

State (French alphabetical order)	Calendar year of assessment	Total arrears due	Contributions 1986-87
Comoros ³	1980-87	89 790	25 314
Congo	1985-87	31 957	25 314
Dominican Republic ⁴	1970-76 1985-87	272 983	75 942
Guyana	1983-87	63 126	25 314
Haiti ⁵	1976-78	55 311	25 314
Democratic Kampuchea	1974-87	190 019	25 314
Lao People's Democratic Republic	1985-87	34 337	24 999
Nicaragua	1986-87	25 314	25 314
Paraguay ⁶	1920-37 1956-87	140 038 550 316	37 971
Poland	1980-87	9 039 336	1 708 695
Romania	1981-87	1 519 619	480 966
Saint Lucia ⁷	1980-87	94 535	25 314
Sao Tome and Principe	1985-87	26 006	25 314
Sierra Leone	1979-87	98 908	25 314
Chad ⁸	1976-82 1987	97 687	25 314
Total . . .		12 329 282	

For footnotes, see p. 17.

C. ARREARS OF CONTRIBUTIONS DUE BY STATES
HAVING CEASED TO BE MEMBERS OF THE ILO

State (French alphabetical order)	Calendar year of assessment	Total arrears due
Albania ⁹	1964 1965 1966 1967	14 667 22 421 24 405 15 731
		77 224
Republic of South Africa ⁹ . .	1964 1965 1966	126 193 142 001 30 507
		298 701
Viet Nam ⁹	1982 1983 1984 1985	31 519 37 016 25 475 10 539
		104 549
Total . . .		480 474

For footnote, see p. 17.

¹ *Bolivia*: In accordance with the arrangement approved by the Conference at its 54th Session (1970), Bolivia is called upon: (a) to pay in 1970 its contribution for the year 1970 in full; (b) in subsequent years to pay each current contribution in full in the year for which it is due; (c) to settle the arrears that have accumulated up to and including 31 December 1969, amounting in total to \$159,597, by the payment of 19 equal annual instalments of \$7,980 beginning in 1970 and a final instalment of \$7,977. Bolivia has paid its annuities for 1970 to 1987 inclusive and has made a payment (\$2,372) on account of its 1988 annuity. Bolivia has also paid its contributions for 1970 to 1987 and thus continues to be entitled to vote in accordance with article 32 of the Standing Orders of the Conference.

² The member States included in this table are subject to the provisions of article 13, paragraph 4, of the Constitution of the International Labour Organisation, which reads as follows:

A Member of the Organisation which is in arrears in the payment of its financial contribution to the Organisation shall have no vote in the Conference, in the Governing Body, in any committee, or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years: Provided that the Conference may by a two-thirds majority of the votes cast by the delegates present permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

³ *Comoros*: In accordance with the arrangement approved by the Conference at its 70th Session (1984), the Comoros are called upon: (a) to pay in 1985 their contribution for the year 1985 (\$12,737) in full; (b) in subsequent years to pay their current contribution in full in the year for which it is due; (c) to settle the arrears that will have accumulated up to and including 31 December 1984, amounting to \$56,739, by the payment of nine equal annual instalments of \$5,674 beginning in 1985 and a final instalment of \$5,673. The Comoros have made a payment (\$5,000) on account of their 1985 annuity in 1986. The Conference also decided at its 70th Session (1984), under article 13, paragraph 4, of the Constitution, that the Comoros should be permitted to vote. The Comoros have failed to comply with the terms of their arrangement and have therefore lost their right to vote as from 1 January 1986.

⁴ *Dominican Republic*: In accordance with the arrangement approved by the Conference at its 63rd Session (1977) the Dominican Republic was called upon: (a) to pay its current contribution for the year 1977 in full; (b) in subsequent years to pay its current contribution in full in the year for which it is due; (c) to settle the arrears that have accumulated up to and including 31 December 1976, amounting to \$266,286, by the payment of 19 equal annual instalments of \$13,314 beginning in 1977 and a final instalment of \$13,320. The Dominican Republic has paid its annuities and contributions for 1977 to 1984 inclusive. The Conference at its 65th Session (1979) decided, under article 13, paragraph 4, of the ILO Constitution, that the Dominican Republic should be permitted to vote. The Dominican Republic has failed to comply with the terms of its arrangement in 1985 and has therefore lost its right to vote as from 1 January 1986.

⁵ *Haiti*: In accordance with the arrangement approved by the Conference at its 65th Session (1979) Haiti is called upon: (a) to pay in 1979 its contribution for the year 1979 in full; (b) in subsequent years to pay its current contribution in full in the year for which it is due; (c) to settle the arrears that have accumulated up to and including 31 December 1978, amounting to \$304,215, by the payment of ten equal annual instalments of \$27,656 beginning in 1979 and a final instalment of \$27,655. Haiti has paid its annuities and contributions for 1979 to 1987. The Conference at its 65th Session (1979) decided, under article 13, paragraph 4, of the Constitution, that Haiti should be permitted to vote. Haiti has complied with the terms of its arrangement and thus continues to be entitled to vote under the provisions of article 32 of the Standing Orders of the Conference.

⁶ *Paraguay*: The Conference decided at its 45th Session (1961) that the arrears of contributions due from Paraguay in respect of the ILO and other League of Nations organisations for the period prior to 1939, amounting to \$140,038, should be cancelled, such cancellation to become effective on the payment by Paraguay of all its arrears of contributions in respect of the period since 5 September 1956, the date when Paraguay rejoined the Organisation.

⁷ Date of admission:

Saint Lucia 9 April 1980

⁸ *Chad*: In accordance with the arrangement approved by the Conference at its 69th Session (1983), Chad is called upon: (a) to pay in 1983 its contribution for the year 1983 in full; (b) in subsequent years to pay its current contribution in full in the year for which it is due; (c) to settle the arrears that have accumulated up to and including 31 December 1982, amounting to \$122,107, by the payment of 19 equal annual instalments of \$6,105 beginning in 1984 and a final instalment of \$6,112. The Conference also decided at its 69th Session (1983) that Chad should be permitted to vote in accordance with article 13, paragraph 4, of the Constitution. Chad has paid its annuities and contributions for 1983 to 1986 inclusive. Chad has failed to comply with the terms of its arrangement in 1987 and has therefore lost its right to vote as from 1 January 1988.

⁹ Dates of withdrawal:

Albania 5 August 1967
 Republic of South Africa 11 March 1966
 Viet Nam 1 June 1985

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Addendum to the Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa

Report of the Tripartite Conference on Action against Apartheid

(Harare, Zimbabwe, 3-6 May 1988)

Introduction

1. To give effect to the recommendation of the Committee on Apartheid at the 73rd Session (June 1987) of the International Labour Conference, the Governing Body of the International Labour Office decided at its 238th Session (November 1987) to convene a tripartite conference on action against apartheid in a front-line State. It was subsequently decided to accept the offer the Government of Zimbabwe to hold the meeting in Harare, Zimbabwe, from 3 to 6 May 1988.

2. At its 238th Session, the Governing Body decided that the composition of the conference would be on the same basis as for the tripartite conference held in Lusaka, Zambia, in 1984. The composition was therefore as follows: ten Government members, ten Employers' members and ten Workers' members designated by the Governing Body. In addition, an invitation to be represented by a tripartite delegation was extended to each of the front-line and neighbouring States, namely: Angola, Botswana, Lesotho, Mozambique, Namibia, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe. It was understood that any other government wishing to participate in the meeting would be admitted as an observer and would have the right to speak.

3. Invitations to participate in the meeting were also extended to the Organisation of African Unity, the United Nations Special Committee against Apartheid, the African National Congress of South Africa and the Pan-Africanist Congress of Azania. The Arab Labour Organisation, the Organisation of African Trade Union Unity, the International Confederation of Free Trade Unions, the International Organisation of Employers, the World Confederation of Labour and the World Federation of Trade Unions, participated as observers. Immediately before the opening session of the Conference, a request to participate as an observer was made by the representative of the Palestine Liberation Organisation, and this was agreed to by the Officers of the Tripartite Conference.

4. A list of participants is appended to the present report (Appendix II).

5. In accordance with the recommendation of the Committee on Apartheid at the 73rd Session (June 1987) of the International Labour Conference, the

Governing Body decided that the agenda of the meeting should comprise the following items:

- (a) review of all aspects of action to be taken against apartheid and the continued illegal occupation of Namibia, including sanctions and assistance to the front-line and neighbouring States;
- (b) preparation for the updating of the Declaration concerning the Policy of Apartheid in South Africa.

6. It was understood that the report of the Tripartite Conference on Action Against Apartheid would be submitted, together with the Director-General's Special Report on apartheid, to the Committee on Apartheid which would be set up by the International Labour Conference at its 75th Session in June 1988.

7. The Conference unanimously elected as Chairman Mr. John L. Nkomo, Minister of Labour, Manpower Planning and Social Welfare of Zimbabwe; as Employers' Vice-Chairman Mr. Benildo Hernandez; as Workers' Vice-Chairman Mr. Gerd Muhr; and as Reporter Mr. L. Danielsson. The Conference also set up a Working Party to prepare the updating of the Declaration; it was composed of three Government members (Nicaragua, Pakistan and Zimbabwe); three Employers' members (Mr. Hernandez, Miss Hak and Mr. Sumbwe); and three Workers' members (Mr. Ali Ibrahim, Mr. Svenningsen and Mr. Zimba). It was also decided that the Reporter of the Conference, Mr. Danielsson (Government, Sweden) would act as Chairman of the Working Party.

Opening sitting

8. The Conference was opened by the Secretary-General. Mr. Faisal Abdel-Rahman, Assistant Director-General of the International Labour Office. He expressed gratitude to the Government of Zimbabwe for its generous offer to host the Conference and for the facilities it had placed at its disposal. Both the timing and the venue of the meeting were highly appropriate in view of the importance of the subject-matter both for the ILO and for the worldwide campaign against apartheid, and he conveyed the best wishes of the Director-General of the ILO, Mr. Francis Blanchard, for its success. The work of the Conference would have a vital bearing on the policies and activities of the ILO in its efforts to assist the victims of apartheid both in South Africa and elsewhere. Apartheid was the most persistent and

profound challenge to the ILO's principles of equality, and this had been recognised in 1964 when the International Labour Conference had initially adopted the Declaration. This was still true today, and the ILO had demonstrated the seriousness of the threat posed by apartheid and that system's capacity to wreak social evil and injustice, repression and deprivation. The ILO had followed closely developments in South Africa in its pursuit of the objectives of the Declaration: each year the Director-General had submitted to the International Labour Conference a Special Report, which had shown the grave affront to ILO principles expressed in official policies and action by the South African authorities. In revising the Declaration in 1981, the Conference had placed emphasis on the responsibilities of governments, employers and workers everywhere to help end apartheid and to strengthen training activities and technical co-operation, and since then the Special Report had included information on such activities. The Special Report to be submitted to the Conference in 1988 was now available, and showed how much remained to be done, particularly in the form of concerted action to help Black workers and the independent trade union movement facing increased repression and the continuing restrictions on movement. The ILO had recently learnt that the Congress of South African Trade Unions (COSATU) would, in the coming week, be organising a special congress to prepare a response to the new restrictions imposed on it, and he felt sure that the Conference would wish to send a message of support and encouragement. The need for radical change in South Africa was more urgent than ever, and this was now generally recognised, thanks in part to the ILO's efforts and the contribution of the previous conferences on apartheid in 1984 and 1981. The ILO's technical co-operation activities were conducted in collaboration with other agencies, and in particular the United Nations Special Committee against Apartheid and the Council for Namibia, as well as national liberation movements recognised by the Organisation of African Unity and with international organisations of employers and workers. The programme was funded from the ILO's regular budget, special funds made available by member States and by multi-bilateral arrangements. The programme covered vocational training and rehabilitation, employment development, workers' education, training in management and small enterprise development and in industrial relations and labour administration, as well as advice on migrant labour problems. It was intended to prepare people to play a useful role in a society free of discrimination and to reverse the effect on neighbouring and front-line States of their growing dependency on South Africa. Attention had also been given to Namibia, where apartheid had been applied by South Africa with the ruthlessness of an occupying power. The programme had brought an increase in ILO activities and heightened awareness of the need for sustained action, through international co-operation, to end apartheid. The present Conference reflected that awareness: its findings would form the basis of the revision of the Declaration to be undertaken at the International Labour Conference in June 1988. The ILO would continue to play its full role in efforts to overcome the system of apartheid, and was confident of the support of the international community in that task.

9. The Chairman of the Conference welcomed participants to Zimbabwe and to the Conference. Zimbabwe recognised the international importance of the Conference as part of the world-wide campaign against apartheid. The people of southern Africa, of the front-line States and the liberation movements viewed it as an indication of international solidarity and a determination to meet the challenge posed by the evil system of apartheid. In this connection, he paid tribute to the International Labour Office for its active role in sponsoring and organising the Conference, which included representatives of governments, employers and workers in accordance with the ILO's tripartite structure. The people of South Africa and Namibia had suffered immeasurably from apartheid, but took some solace from the recognition among the entire international community of the evil of the apartheid system. He trusted therefore that all those present at the Conference – governments, employers, workers, representatives of front-line and neighbouring States and liberation movements – would co-operate to achieve a meaningful consensus on the issues before them, which would in turn help bring about meaningful change in South Africa.

Special sitting

10. The Conference held a special sitting on Wednesday, 4 May 1988, when it was honoured by the presence of His Excellency the President of the Republic of Zimbabwe, Mr. Robert Gabriel Mugabe, and members of his Government.

11. The Secretary-General of the Conference, in welcoming Mr. Mugabe, recalled his leadership of the Zimbabwean people's struggle for independence, which finally brought forth fruit on 18 April 1980. Since independence, Zimbabwe's relations with the ILO had been strengthened and one example of this close co-operation was its generous offer to host the present Conference, as well as the forthcoming Seventh African Regional Conference of the ILO in November 1988. On behalf of the ILO he expressed deep gratitude for these kind and generous gestures. Since coming to office Mr. Mugabe had also worked hard to achieve economic and social emancipation and had in fact just announced innovations in social security conferring considerable benefits on workers. The ILO was proud to be involved in such progress, and commended his concern for the lot of the common man. Zimbabwe had now come to occupy a respected position in the international community, thanks to its political courage and determination. It was playing a vital role in regional affairs through the Southern African Development Co-ordination Conference (SADCC) and also in the Non-Aligned Movement, of which Mr. Mugabe was the current President. His address to the special sitting of the International Labour Conference during which he had outlined his Government's policies and expressed the common concern at the situation in South Africa, complimenting the ILO for its work in monitoring the application of its Declaration was remembered by all. Since then, the ILO's activities had expanded to include technical co-operation programmes for Black workers from South Africa. The ILO remained firm in its stance against apartheid and would maintain its efforts to eradicate discrimination and injustice in South Africa.

12. His Excellency the President of the Republic of Zimbabwe, Mr. Robert Mugabe, extended to the Conference participants a warm welcome to Zimbabwe. Everything would be done to ensure the comfort of the participants as they went about their important task. The decision of the ILO to hold the Conference in Harare was a source of great pride not only to Zimbabwe, but to all the peoples and governments of the other front-line States which shared the ILO's profound commitment to social justice and its determination to rid mankind of the inhuman system of apartheid which was an affront to such values. The Conference was being held at a time when the struggle against apartheid was intensifying and the Pretoria regime was launching a thoroughly unholy war both within and outside South Africa. It had recently executed and threatened to execute freedom fighters, regardless of international pleas for mercy, and had conducted mass arrests of innocent people, and practised torture and the detention of children. It had also perpetrated acts of international terrorism, murdering its opponents in other countries. The front-line States continued to suffer destabilisation as a result of South African aggression; the invasion of Angola and bandit activities in Mozambique and Zimbabwe showed that apartheid could not be reformed but must be dismantled completely.

13. The present Conference, bringing together representatives of governments and of employers and workers, offered a valuable opportunity to work against apartheid alongside other progressive organisations in Africa and elsewhere, including the national liberation movements. There was now an ever increasing need to show solidarity with those people who bore the brunt of apartheid in South Africa and Namibia. At numerous international meetings, representatives of the region had expressed dismay that certain nations, themselves victims of Nazism during the Second World War, continued to aid apartheid economically, politically, diplomatically and in military matters. It was the urgent desire of the people of the region that comprehensive and mandatory sanctions should be introduced to curtail the aggression of South Africa and to hasten the end of apartheid.

14. The ILO had shown its commitment to assisting the victims of apartheid, even more so by increasing its activities and developing a concrete plan of action to help train South Africans and Namibians for future work in democratic institutions in their own countries. Apartheid was incompatible with the fundamental principles of the ILO, whose Declaration remained a clear statement that there was no place for a South Africa that practised apartheid in the ILO. The Special Reports submitted to the International Labour Conference annually provided detailed information showing that year after year the basic rights of workers were being violated under apartheid and highlighting the way in which low wages and inadequate working conditions had increased poverty among the Black population; how unemployment had continued to rise among Black workers; how Blacks had been stripped of their citizenship, land rights and access to jobs; how unfair wages, poor educational opportunities, low social security benefits and inadequate housing had remained endemic within the system of apartheid; and also how the lack of, or interference in, trade union rights to organise and bargain collectively in full

freedom, together with physical attacks on trade unionists and trade union premises had become increasingly common. The power of trade unions had been eroded still further by legislative measures, such as the restrictions on COSATU. The updating of the Declaration in 1981 had recognised the growth of the independent trade union movement, to which the ILO had provided assistance alongside that which it gave to national liberation movements and the front-line States. Its tripartite structure was an important feature, for the action taken had not been limited to governments, but had come also from employers and workers. The present Conference would tackle the issues before it with seriousness and imagination. The suffering of the South African people could not be allowed to continue unabated for lack of concerted international action. He was sure that the Conference would result in a strengthening of the means of actions available to the international community in order to bring about the end of apartheid, and he wished the participants success in their endeavours.

15. The representative of the Government of Algeria, speaking on behalf of the Government group, expressed gratitude to Mr. Mugabe for honouring the Conference with his presence. His long experience of the struggle for justice, freedom and peace were a valuable example to all, and the victory of the people of Zimbabwe should be regarded as a prelude to that of South Africa's peoples.

16. The Employers' Vice-Chairman, Mr. Hernandez, stated that the Conference was proud to receive President Mugabe and was deeply grateful to him, his Government and his people for their hospitality and generosity.

17. The Workers' Vice-Chairman, Mr. Muhr, expressed thanks to President Mugabe for visiting the Conference and for his country's generosity and kindness in agreeing to host it. Recalling the recent wave of increased persecution, he emphasised the value of meetings such as the present Conference, which offered an opportunity to assess current ILO action and to update the Declaration. The ILO would be failing to live up to its Constitution and the Declaration of Philadelphia if it did not ensure that all groups involved in its work took real action to bring about its aims. What was needed was a plan for immediate action to protect the newly developed independent Black trade unions from being destroyed by the new wave of repression. The brutal attacks on COSATU and other unions of the previous year had continued unabated, and the right-wing elements of South Africa now obviously felt that the initiative was theirs. This meant that the chances of a peaceful solution were rapidly diminishing, and the role of the trade unions was being reduced to an absolute minimum by the Government, being denied the free right of appeal against acts of persecution and, more ridiculously, the right to mere celebration of public festivals. COSATU was prohibited from speaking out on such issues as sanctions and forced relocation of populations, and in effect free public assembly was forbidden to them. At a previous Conference held in Livingstone in 1981 it had been observed that any solution to the problem of apartheid inevitably involved the political implications of the system. The sheer extent of apartheid legislation

made it impossible for trade unions to defend their members' interests fully without encroaching on issues that extended beyond the problems of the workplace. Now the Labour Relations Amendment Bill promised to undo the achievements of the Black trade unions over the past few years, cutting off external sources of financing and instituting a system of inspection that entailed grave violations of civil rights and heavy penalties for non-compliance. The reporting restrictions had made it impossible for the outside world to witness the daily scenes of violence in South Africa, and at the same time the increased attacks on ANC and other targets had taken their toll of human life both within South Africa and elsewhere, and executions and threats of execution had been used to intimidate opposition. The increasing efforts to destabilise the front-line States was a source of serious concern, and together with the situation in Namibia this made the updating of the Declaration all the more necessary, particularly in view of the appalling conditions in which the Namibian people lived and worked. There also trade unions had been subject to attacks and intimidation, with the usual violations of civil rights and arbitrary arrests. It should be realised, however, that apartheid contained the seeds of its own destruction, and the impetus of the campaign against injustice had to be maintained both in terms of short-term action and long-term strategy. The failure to adopt sanctions was a cause of grave disappointment: what measures had been taken were hardly affecting South Africa, whose present economic problems were due to its monetary policies: between 6 and 8 million Black workers were unemployed, and some 200,000 agricultural workers remained unpaid. Those very same people were demanding sanctions that would bite: the conclusions of the Conference Committee on Apartheid of 1987 contained an important section calling for powerful sanctions concerning gold transactions, bank loans and similar measures, and the revised Declaration could well incorporate these proposals. A bold and courageous stance was needed, not reservations, for no agreement reached at the present Conference would bear fruit if it did not lead to definite action.

Discussion of the items on the agenda of the Conference

18. The Government member of Norway recalled that South Africa had been among the countries which had signed the Declaration of Philadelphia in 1944, thereby subscribing to the principle that "all human beings irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity". In 1964, just before the ILO adopted its Declaration concerning the Policy of Apartheid in South Africa, the South African Government withdrew from the Organisation. This withdrawal was based on that Government's deliberate decision not to pursue the goals of the Declaration. South Africa was not the only country which failed to live according to the principles and objectives of the Declaration. Racism and discrimination existed in his own country and had to be fought at home; but the fundamental difference was that South Africa had established them as its policy. Apartheid was an evil system that completely governed the life of South Africa's popu-

lation with severe consequences for the country's Black majority which was deprived of its basic rights. Economic life and labour conditions in the country were affected and the so-called reforms had not given the Black population the rights ascribed to it by the ILO. This made the ILO's work to abolish apartheid important. It was deplorable that the Declaration had not had the effect hoped for at its adoption and the fundamental principles had not been implemented in South Africa after 24 years. The updated Declaration did not need a lot of revision but a new willingness by governments, workers and employers of the world to take it seriously and implement the Programme of Action. The Government of P. W. Botha had furthered its repression by restricting the activities of 18 peaceful opposition groups, among them COSATU, the country's most important trade union organisation; and by legislation restricting the transfer of funds. Freedom of assembly was important to the Government of Norway which supported international measures for a peaceful change. Mandatory and comprehensive sanctions adopted by the Security Council would be of crucial importance. The Government of Norway deplored the fact that necessary support for such measures had not been obtained. In 1978 the Nordic Ministers of Foreign Affairs adopted a programme of action against apartheid, the objective of which was a democratic South Africa with equal rights for all. Apartheid was a serious source of tension in all southern Africa. A Norwegian law, which entered into force in 1987, banned trade, investments in South Africa and Namibia and loans, credits and guarantees to persons domiciled in those countries; it also prohibited the carriage of crude oil to and from those countries. At the 41st Session of the United Nations General Assembly, Norway initiated a resolution on an oil embargo against South Africa. Norway's ambassador to the United Nations was chairman of an inter-governmental committee to monitor its application. An economic boycott had limited effect but Norway saw no other peaceful means. Norway supported the inclusion of Namibia in the ILO's Declaration and Programme of Action against Apartheid. Norway recognised the importance of helping countries in southern Africa to reduce their economic dependence on South Africa and in 1987 its aid to those countries totalled approximately US\$180 million. It had also contributed US\$10 million to the fund mentioned in the Programme of Action, and provided assistance to the liberation movements to take care of refugees; its contribution, including humanitarian assistance to the PAC and SWAPO amounted to approximately US\$25 million in 1987. Norway would host a conference in Oslo from 22-24 August 1988 in co-operation with the OAU, the UNHCR and the UNDP to examine what the international community could do to combat the South African policy of destabilisation in neighbouring countries. He hoped that the work of the Harare Conference would make a significant contribution to a closer understanding of the measures needed and the action to be taken in order to abolish apartheid in a peaceful way.

19. The observer of the Organisation of African Unity considered that the present Conference was an ideal framework within which to discuss the means of combating the crime of apartheid, and welcomed the presence of members of the Pan African Employers'

Confederation, which, like the Organisation of African Trade Union Unity, had been created at the insistence of the OAU. The presence of the front-line States and the southern African liberation movements lent particular relevance to the Conference, for they faced the harsh everyday realities imposed on their people by the apartheid regime. The OAU was convinced that no true African independence was possible so long as a White minority continued to impose its evil law on the vast majority of the population and to monopolise the country's riches, to the detriment of three-quarters of the population who lived in deprivation. The situation in South Africa and Namibia continued to deteriorate, with mass imprisonment, the massacre of innocent people, illegal sentences passed by courts, deportation to bantustans and the expulsion of migrant workers. The OAU viewed this constant deterioration with grave concern. Its Liberation Committee strived hard to implement the recommendations made by the highest political bodies in Africa. It supported strongly the initiative taken to update the Declaration, and recommended in particular that the ILO should reaffirm vigorously its condemnation of the apartheid regime; that mandatory sanctions should be adopted against South Africa by the Security Council, in accordance with Chapter VII of the United Nations Charter; that it should encompass the principle of armed struggle in South Africa and Namibia and support anti-apartheid organisations in the liberation of South Africa and the achievement of independence for Namibia; that it should demand the establishment of an international tribunal to judge the crimes committed by the apartheid regime and its allies; and that the ILO should affirm the principle of periodically holding a tripartite conference in a front-line State in order to be closer to reality and to provide moral and political support to the South African and Namibian peoples.

20. The Government member of China welcomed the holding of the Conference, which he considered an absolute necessity in view of the deterioration of the situation in South Africa. The fundamental rights of the Black population of that country were being destroyed and this criminal racist policy had evoked an even greater resistance on the part of the South African people. The Namibian people were also struggling for their liberties and their national independence. In their struggle, these people associated their economic aspirations, such as those for increased salaries and improved working conditions, with the acquisition of political rights and this struggle was progressively spreading from the towns to the rural areas. The legitimate struggle of the South African and Namibian peoples and the courage which they had shown in the face of tyranny had afforded them the ever-widening support of the international community. The Government and people of China had always combated racism in all its forms and they strongly condemned the illegal occupation of Namibia. They would continue, as they had always done, to support the struggle of the peoples of Africa and of the front-line States to safeguard their independence and sovereignty. China remained faithful to its policy of maintaining no political, economic or commercial links with South Africa and applied strictly the pertinent resolutions adopted by the UN and the ILO. As far as it was able, China

granted aid and moral and material support to the struggle of the South African and Namibian peoples and to the front-line States and their peoples. The deterioration of the situation in South Africa posed an ever more urgent problem for the international community. All the countries of the world, whether of the north or the south, and all international organisations—whether political, economic, social and cultural—should mobilise to oppose the perverse actions of South Africa and to support the struggle of the peoples of southern Africa. The Chinese Government entirely approved the ILO's decision to revise the Declaration in order to adapt it to the changing situation and to the reality of today. China proposed that emphasis should be placed on the encouragement of all ILO member States to apply the pertinent resolutions of the United Nations and to support the South African people strongly in their struggle against racial discrimination. Above all, the ILO should press the countries which had the most influence on the South African authorities to impose stronger and more effective sanctions in the political and economic spheres in order to bring about the final abolition of the system of apartheid and thereby achieve liberty, dignity and equality between the races of that country. The Declaration should also insist on the necessity of ending the illegal occupation of Namibia and of permitting that country to accede to independence immediately. The ILO must use all its influence and take all the necessary measures to strengthen support for the national liberation movement in order to achieve the withdrawal of the South African authorities from Namibia in accordance with United Nations Security Council Resolution 435. Lastly, it was important to strengthen the moral and material assistance given to the front-line countries which were in the forefront of the struggle against apartheid and suffered from military aggression and economic sabotage instigated by the South African authorities. The ILO and its member States ought therefore to grant to these countries substantial assistance in all fields so as to strengthen their capacity to resist the aggression and political and economic pressures of South Africa. China was entirely in agreement with the suggestion that the title of the annex be changed to "Programme of Action against Apartheid", which it considered more in conformity with the realities of the action undertaken today by the ILO. In conclusion, China was convinced that the Conference would be able, if all were in agreement, not only to carry out the revision of the Declaration, but also to make a valuable contribution to the abolition of apartheid in all its forms.

21. The Workers' Vice-Chairman, speaking in his capacity as a Workers' member and not on behalf of the Workers' group, referred to the policy of the German Trade Union Confederation towards South Africa. The South African regime was waging a war on its own people and had infested the Black suburbs of its cities with a permanent military presence. Neighbouring States were also subject to raids from South Africa by terrorist bands, thereby increasing tension in the region. Aggression was also perpetrated in the front-line States by groups supported by Pretoria which was creating serious problems for their populations. South Africa also practised economic reprisals against the front-line States, taking advantage of its monopoly of the transport infra-

structure and control over industrial development, thereby holding millions of migrant workers as economic hostages in such sectors as mining and agriculture. The regime used all forms of economic pressure against its neighbours and threatened to intensify such measures. The German Trade Union Confederation (DGB), in conjunction with the international free trade union movement, promoted a programme of aid in food, medicine and social projects in all the front-line States. Those States needed assistance through the SADCC to develop their trade and transport infrastructure independently of South Africa. A major programme of assistance was also being conducted to counteract the economic reprisals taken by South Africa and to launch development in new areas. Here trade unions had a major role to play, and SATUCC offered a successful example of co-operation between trade unions in southern Africa. This co-operation should help provide a trade union response to aggression against neighbouring States, and, together with the ICFTU, the DGB supported such efforts and informed its members and the public of SATUCC's efforts. This had the valuable effect of obliging employers to negotiate, through their organisations, with the trade union movement and of offering a political response at the international level to the policies of the South African Government. International trade union solidarity had prevailed through the ICFTU's Programme of Action to support the organisation, education and training of Black trade unionists, and also to bring pressure to bear on parent companies to influence the policies of their subsidiaries in South Africa so as to recognise Black trade unions and to co-operate with them. These two parallel activities needed strengthening and promoting so as to remove the ban on political activity and the receipt of external support by trade unions and opposition groups in South Africa. The Metal Workers' Union of his country had, in co-operation with its fellow organisation in South Africa, compiled a catalogue of minimum standards of labour relations and collective bargaining in the West German metal industry with plants in South Africa. The right to strike and to organise and the right to raise grievances must be upheld. South African and German trade unions must together closely monitor developments in this respect, and their efforts were a valuable example of co-operation at the international level to combat the increased repression practised by the regime. The executive of the DGB had on 1 March adopted a resolution on measures to counteract the apartheid regime's action against trade unions and opposition groups, in which it had stated that the ban on political activity by members of COSATU and the ban on 17 anti-apartheid organisations introduced by South Africa had burnt the last bridge on the road back to peaceful and equal status for the Black majority; the ban on COSATU was an attack on the principle of freedom to form international associations enshrined in international labour Conventions Nos. 87 and 98. COSATU considered that this ban was only a prelude to a total ban on its activities. In its resolution the DGB had also strongly criticised the "public relations tour" of the West German politician Franz Josef Strauss, which was an affront to international efforts to combat the regime. Mr. Strauss had by his tour also contradicted the views of the majority of the German people. Like other trade unions, the DGB had a programme of

public information on apartheid, campaigning through publicity against South Africa. This programme had been developed in co-operation with the ICFTU's Co-ordinating Committee and South African trade unions. Humanitarian aid was also being strengthened and individual trade unions were collaborating more closely with their counterparts in South Africa and in the front-line States on the resolution of conflict and the improvement of living and working conditions. The DGB would also maintain its pressure on the West German Government to remove its opposition to sanctions and to impose full economic, political and cultural isolation on South Africa. So long as South Africa showed no willingness to change its inhuman policies or to surrender its illegal occupation of Namibia, sanctions were essential to uphold human rights and the rights of peoples in those countries. They were a legitimate instrument of international politics, and should be implemented urgently. Trade union sanctions should hit South Africa as hard as possible so as to remove the economic foundation of the apartheid regime. International economic pressure was, however, perhaps the last chance for a non-violent end to apartheid, and the present economic crisis faced by South Africa should make their success all the more likely. The cost of apartheid had become impossible to maintain for Pretoria, and the differences between Whites and Blacks were now of enormous magnitude. The DGB and the ICFTU therefore campaigned strongly in favour of sanctions. German banks and enterprises should withdraw their financial support: rather, they should strive to benefit from the overthrow of the regime.

22. The Government member of Pakistan appreciated the ILO's pioneering role and supported its assistance to the peoples of southern Africa. Pakistan recognised the crucial role of the workers and trade unions in this struggle and would like the Conference to adopt specific proposals to intensify the struggle against apartheid. Significant developments were taking place in South Africa and the sub-region. The repressive policies of the Pretoria regime posed a great threat to regional peace and security. The need to express solidarity had never been greater. Under the state of emergency, Pretoria had embarked on increased repression. The press had been silenced. South Africa had acted against the United Democratic Front, and other organisations. It pursued a policy of armed aggression and destabilisation of the neighbouring States. Similarly, in Namibia there was an intensifying war with SWAPO. There had been aggressions in Maputo, Paris, Brussels and London. This was a cruel and perverse system which must be eradicated. For nearly 40 years Pakistan had maintained a systematic boycott of South Africa. His Government supported international efforts. The imposition of comprehensive sanctions would be most effective. Pakistan called upon the international community to oblige Pretoria to desist from destabilisation, economic blackmail and aggression. As part of Pakistan's long-standing opposition to apartheid, it had supported vocational training programmes and pledged its support to Namibia and the front-line States.

23. An observer of the ICFTU commended the ILO Governing Body for taking steps to organise the Conference in conformity with the recommendations

of the Conference Committee on Apartheid to update the Declaration concerning the Policy of Apartheid in South Africa. The updating was required because of the new strategies of oppression and repression adopted by the apartheid Government. He emphasised the negative consequences of the apartheid system on the front-line States and drew the Committee's attention to the despair, horror and devastation which he observed during a recent ICFTU/SATUCC mission to Mozambique. He referred members to the diverse anti-apartheid activities undertaken by the ICFTU. It had strongly protested to the South African authorities about the barbaric incursion of the South African Defence Force hit squad into Botswana. A message of condolence was sent to the ANC President, Oliver Tambo, in relation to the murder of the ANC representative in Paris. An ICFTU top-level delegation which had visited South Africa in 1986 to show solidarity with the Black workers noted the Black workers' support for sanctions and, in this connection, the ICFTU organised an international conference entitled "Beating apartheid and strengthening the front-line" which requested the ICFTU to set up machinery to promote sanctions monitoring by union organisations in collaboration with the independent Black trade unions of South Africa and SATUCC. This unit had been monitoring disinvestment and withdrawals by multinational enterprises. At the ICFTU Executive Board meeting in December 1987, the Labour Relations Amendment Bill under discussion in South Africa was examined and all its implications for the unions identified. An attempt was made to mobilise the ICFTU members all over the world in solidarity with the Black workers in South Africa. He stressed the need for the ILO, as an organisation that supported trade union rights and freedom of association, to play a crucial role in this field. The ICFTU 14th World Congress adopted a resolution on South Africa which protested against the recent suppression of a number of anti-apartheid organisations including COSATU, by the South African regime. The ICFTU also raised the matter with the European Community. A special study on coal trade with South Africa was prepared which was circulated to all ICFTU affiliates. An international campaign to increase pressure on the multinational enterprises involved in the Mossel Bay and other energy-related projects for South Africa was being organised by the ICFTU. The ICFTU was also seriously concerned about the current press censorship in South Africa and had adopted various measures to disseminate up-to-date information such as that concerning detained trade unionists. With respect to ILO action, he indicated the need for the ILO to put greater emphasis on adequate monitoring of its Declaration and to play a more effective role in the area of information dissemination. The ICFTU also supported the ILO's increased emphasis on Namibia.

24. Mr. Timmer, Workers' member, referred to the efforts made by the ILO against apartheid and the limited impact achieved. The situation had deteriorated, and this had prompted the International Labour Conference to adopt a new Declaration in 1981. The eradication of apartheid was essential for the achievement of peace, stability and security in southern Africa. The South African Government had ignored the various United Nations resolutions

and agreements it had entered into with its neighbours. He stressed the need to isolate the South African regime if apartheid was to be eradicated. In addition, arms and oil embargoes and bans on sporting contacts, imports of South African coal and agricultural produce, exports of technology, granting of loans and investments and air and sea links should be implemented. He urged the United Nations Security Council to impose comprehensive and mandatory sanctions in relation to Chapter VII of the United Nations Charter. The governments, employers' and workers' organisations of countries which maintained links with South Africa had a major responsibility. The trade unions in Hungary had always expressed considerable solidarity with the unions in South Africa and had resolved to provide support to the people fighting the apartheid system in the front-line States.

25. The observer of Kuwait drew the Conference's attention to the contribution Kuwait had made towards the cost of the Conference. He referred, inter alia, to the serious impact of apartheid, the increase in violence and the lack of progress made to eradicate apartheid in spite of the various resolutions and other measures adopted. He appealed for every attempt to be made to end the obnoxious system. Increased pressure should be placed on multinationals and others with investments in South Africa. He referred to the changes recently adopted by the South African Government as minor and cosmetic and urged the adoption of effective measures and the establishment of fundamental human rights. He condemned the relations between South Africa and Israel.

26. The observer of Australia noted that South Africa was on the brink of a tragedy which could be avoided and pointed to the factors that had contributed to this situation. He confirmed that apartheid was at the root of the increasing violence and misery in South Africa, the obstruction of Namibia's independence and the destabilisation of the front-line States. He drew attention to various dimensions of the current situation in South Africa including the state of emergency and draconian measures against freedom of association and public expression. He condemned the restrictions and attacks on the trade union movement and described the Government's latest measures of repression as a move to strangle non-violent self-expression by the Black majority and to prevent the Black workers from defending their industrial rights. He confirmed his Government's support for the attempts being made by the trade unions, churches and others to oppose the new restrictions. He paid tribute to the current efforts by the various races in South Africa to challenge the racist Government's policies and to struggle for fundamental change. Although, as a matter of principle, the Australian Government did not condone or resort to violence, it fully understood the frustration and bitterness felt by the people and hence the measures adopted by them. He underlined the crucial role that could be played by very strong international pressure, and deplored the fact that change in South Africa had been slow. He acknowledged the important role played by the United Nations, especially the Security Council, but stressed that it was inadequate and that much remained to be done. He also acknowledged the role played by the ILO and reiter-

ated Australia's support of the ILO Declaration concerning the policy of apartheid in South Africa and the conclusions of the Conference Committee on Apartheid. It was, however, the Australian Government's view that calls for mandatory sanctions were not within the ILO's mandate but that of the Security Council. Australia supported the imposition of comprehensive and mandatory economic sanctions against South Africa and had itself adopted a number of measures, some of which were covered in the ILO Programme of Action against Apartheid. He indicated that apartheid was a "philosophy" which was completely alien to Australia's way of life and the multicultural society it was building. He informed the Conference about the specific sanctions including the ban on sports and air links as well as wider measures taken with its partners in the Commonwealth which were currently reflected in Australia's law and policy. He stressed that for sanctions to be effective they had to be adopted by all countries.

27. The observer of the United Nations Special Committee against Apartheid stated that the timing of the Conference could not be over-stressed owing to the current restrictions and rapid deterioration of the situation in South Africa. The Special Committee was seriously concerned about the apartheid regime's attempts to undermine the already fragile industrial relations system in the country. He observed that if the restrictions inherent in the Labour Relations Amendment Bill were adopted, they would constitute a frontal attack on the Black labour movement, freedom of association, the right to withhold one's labour and to safe and healthy working conditions which were essential elements of an industrial relations system based on international labour standards. South Africa continued to act with impunity since it could count on the support of some Western States. He emphasised that strong action was needed and that sanctions and support for the front-line States constituted integral crucial elements in the package of international action against apartheid. He drew attention to the co-operation between the ILO and the Special Committee over the years and recent efforts made by the latter at the United Nations to streamline its resolutions submitted to the 42nd Session of the General Assembly which contributed towards obtaining greater support, especially from the Western group, than in previous years. Regarding the updating of the ILO Declaration and the appended Programme of Action, he noted that these responded to the changing situation in South Africa and the international community's concern about it. The Programme of Action reflected what could be achieved and the effective role that could be played by the ILO's tripartite constituents. Since there was no existing monitoring mechanism, he commended the call in the Programme of Action for government action through the United Nations to establish a special monitoring unit. He observed that the mandatory arms embargo should be easy to apply and mentioned some cases of violations. Regarding the oil embargo, he commended the role played by the Inter-Governmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa and by the trade unions in exposing violations. He also expressed the Special Committee's concern about sanctions evasion and the ambivalence of recent disinvestments by transnational corpora-

tions in South Africa. He referred to the recent report by the United Nations Centre on Transnational Corporations which showed, inter alia, that in most cases the disinvestment adopted by the transnational corporations had not brought a complete end to business ties. The South African economy still had unrestricted access to products of the transnational corporations and to international technology; and it was doubtful if the confidence of the business community in South Africa had been affected by disinvestment. This indicated the urgent need to strengthen measures already adopted. He commended the ILO for taking the lead among organisations of the United Nations system in examining, through the Special Working Group on Banking Facilities of the Governing Body, alternatives to banks which were clearly identified with the apartheid regime, and encouraged the ILO to follow through with its initiative to devise a suitable alternative to such banking arrangements.

28. The observer of the Government of Ethiopia emphasised that the purpose of the Conference was to further efforts to restore respect for human rights, freedom and human dignity in South Africa, since the racist regime had contravened the Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Racial Discrimination. Ruthless repression of the Black majority was systematic in South Africa, and involved arrest without trial, harassment and torture. In labour matters, there was interference in the internal affairs of trade unions, falling wages and standards of welfare, rising unemployment and increasing numbers of Blacks living below the poverty level and suffering from hunger and malnutrition. Infant mortality was much higher among Black people, and the situation was worsening; South Africa did not effectively prevent child labour, which was permitted after the age of seven years but was often unpaid. The unequal distribution of resources between the Black and White populations was also reflected in the quality of Black education, which was associated with high failure rate and curricula not geared to employment possibilities. Credit was due to the Director-General of the ILO for his Special Report each year to the International Labour Conference, which this year showed that again there had been no change in the situation of the Blacks in South Africa. The ILO's action in assisting the liberation movements had been useful, and particularly the work of the Conference Committee on Apartheid, the Governing Body Committee on Discrimination and the ILO's work to disseminate information. Apartheid would, however, have disappeared long ago through the efforts of the Black resistance and the international community were it not for the support the South African regime received from certain States which placed their economic and strategic interests above the respect for human rights in accordance with the Charter of the United Nations. In her own country, the Government and the trade unions upheld the principle of the equality of all peoples and races, and maintained no relations whatsoever with the South African Government. It had recently increased the assistance it provided to the Black population and had trained some ten thousand liberation fighters and provided scholarships to Black students. Trade unions had raised the awareness among their members of the situation

in South Africa, and had pledged to increase their material and financial assistance to the liberation movements. Members of the ILO had to go beyond statements of solidarity with oppressed people of South Africa; comprehensive and mandatory sanctions were essential to bring about the end of apartheid, and governments, together with employers' and workers' organisations, should take effective measures, to apply such sanctions. Co-ordinated tripartite efforts were needed in this respect. As regards the updating of the Declaration, Namibia should be included in the scope of the Declaration, and the idea of using the term "Programme of Action" should be supported. The monitoring system should be strengthened and pressure brought to bear on member States which did not apply the provisions of the Declaration. More serious measures should be taken against those States which failed to observe the Declaration.

29. The Employers' Vice-Chairman drew attention to the fact that the agenda referred to all action to be taken against apartheid. Employers in all countries, aware of the situation in South Africa, were receptive to all proposals to strengthen the Declaration and to reinforce action against apartheid. Previous speakers had been accurate in their descriptions of the situation in South Africa, and the Employers were ready to support the updating of the Declaration so as to improve its application in South Africa and elsewhere and thereby to promote the defence of human rights. Apartheid presented a major challenge to the international community, which should be met with commitment and determination. The working paper had referred to action by employers' organisation against apartheid, but had not stated clearly some major ventures, such as the fruitful co-operation between the Zambia Federation of Employers, their Norwegian counterparts and NORAD in a project providing various forms of training for refugees in Zambia, involving six seminars organised in collaboration with the United Nations High Commissioner for Refugees on small enterprise development and management training. NORAD had recently agreed to finance the second phase of the project. The Employers would propose at a later stage amendments to the draft updated Declaration and the Programme of Action. In particular, the fourth paragraph of the Preamble should refer to South Africa's failure to promote the objectives of the ILO, and paragraph 4 should refer to the maintenance rather than the establishment of the permanent Committee on Apartheid at the Annual Conference, which had already been established and had been in existence for some time. The road to freedom was hard, and patience and fortitude were needed to complete the journey. The host country, Zimbabwe, was a shining example of the reconciliation between different races that was possible and offered a valuable demonstration of how men of different colours could mix in harmony and co-operate for their mutual benefit. Some Employer members of the Governing Body present at the Conference wished, however, to draw attention to the provisional list of participants, which listed two organisations that were not mentioned in paragraph 2 of the background paper. They would raise this matter at the appropriate time with the secretariat or in the Governing Body of the ILO.

30. At the fourth sitting, on Wednesday, 4 May 1988, it was recalled that the day marked the tenth anniversary of the tragic massacre at Kassinga in Angola, where on 4 May 1978 South African armed forces had attacked unarmed Namibian refugees, resulting in the death of some 700 Namibians, most of them women and children. Several organisations, including the World Council of Churches, were organising solemn functions to commemorate the massacre, and it was appropriate that the present conference should also pay tribute to the memory of the victims. The Conference observed one minute's silence in tribute to the memory of the victims of the Kassinga massacre.

31. The Government member of Botswana proposed that the speech of President Robert G. Mugabe be considered as one of the basic documents of the Conference and be annexed to the report.

32. The Employers' member of Botswana accepted this proposal while pointing out that this speech should be regarded as a basic document of the Conference. The Conference adopted this proposal and the text of the address by the President of Zimbabwe at the special plenary sitting is appended to this report (Annex I).

33. The Government member of the United Nations Council for Namibia stated that the presence of a Namibian Government delegation, which he had the honour to lead, would, in its capacity as the legal administrative authority of Namibia, permit the pre-occupations of the victims of colonial occupation and apartheid to be voiced in the Conference. Colonial occupation and apartheid were separate issues. Despite the ending of South Africa's mandate on Namibia in 1966 and the creation of the United Nations Council for Namibia in May 1967, the adoption of Resolution 264 (69) by the Security Council on 20 March 1969, and the opinion of the International Court of Justice of June 1971 confirming the illegality of the South African presence in Namibia, South Africa remained in control of the country. The failure of the international community to oppose South Africa in unequivocal terms was extremely disheartening. Resolution 435/78 of the Security Council, despite the extensive preparations, had met with obstacles to its application. In the same way, when the United Nations Security Council had wanted to impose mandatory sanctions under the terms of Chapter VII of the United Nations Charter, certain countries had opposed them. It was possible that there were employers and workers who, in good faith, were unaware of the real situation of Namibia and whose determination was for this reason lessened. However, the struggle was being carried out by the Namibian people under the direction of SWAPO on many fronts, and employers' and workers' organisations should help to overcome the opposition of certain governments. The will of the Pretoria regime to apply the system of apartheid in Namibia was a logical consequence of its will to annex Namibia. When South Africa refused to sign the trusteeship agreements in 1945 and stopped submitting annual reports on its mandate in 1949, it had no other aim than to take control of the country, which it achieved in 1968 and 1969 when it divided the country into 10 ethnic groups called Bantustans, reserving an eleventh zone for the Whites. In support of these affirma-

tions, the Special Report of the Director-General in 1988 had denounced the brutal laws imposed on the employment of Namibian workers by the White colonial regime, their archaic conditions of work and the racial discrimination which they had suffered for generations in the social and labour field., It referred to the discrimination which prevailed in that country between Whites and Blacks in the field of education and training, discrimination which the budget of 1986-87 only perpetuated. The action so far recommended was insufficient, and he requested all governments as well as all employers' and workers' organisations to take concrete action to encourage the independence of Namibia so that at the next meeting they would hear not the voice of a member of the United Nations Council for Namibia, but the voice of a representative of the free Namibian people.

34. The Government member of Sweden felt that the meeting was an indication of the support of world opinion for the people of southern Africa in their struggle for the total elimination of apartheid, a system which was a negation of all that was decent and humane and violated every principle and purpose of the Declaration of Philadelphia and the Constitution of the ILO. The present situation in South Africa and in Namibia made it imperative for international society to intensify its pressure on the South African regime in order to end apartheid. The ILO's role in this context was vital, since an important aspect of the policy of apartheid concerned the labour market and labour legislation. The Swedish Government fully supported ILO activities in this field and called upon the ILO and other international organisations to increase their assistance to the oppressed people within South Africa and Namibia and to support the front-line States. Regarding the updating of the Declaration of the Policy concerning Apartheid in South Africa, he agreed with the Government member of Norway that there was little need to make drastic changes in the text. Efforts should rather be concentrated on ensuring the implementation of the Programme of Action, and the situation of Namibia should be further highlighted in the Declaration. His delegation would propose some editorial changes to the Declaration at a later stage. Given the serious threat to international peace and security which apartheid constituted, his Government, together with other Nordic countries, had worked consistently for the adoption by the Security Council of the United Nations of mandatory sanctions against South Africa as a way of achieving the abolition of apartheid by peaceful means, and effectively putting pressure on the South African regime to change its racist and aggressive policies. Broad international support for this kind of action would be a clear signal to South Africa that the world community as a whole did not accept its apartheid policy. Government action, through the United Nations, should focus its efforts, first, on the adoption of binding sanctions in areas such as trade, investments, air traffic and nuclear technology; secondly, on the termination of South Africa's illegal occupation of Namibia and for the protection of Namibia's natural resources against illegal exploitations; thirdly, on an effective oil embargo against South Africa, including an oil transport embargo. Information on sanctions applied by Governments should also be distributed widely. Pending

mandatory sanctions by the Security Council, Sweden and the other Nordic countries had taken unilateral measures to restrict their economic and other relations with South Africa. Such measures included bans on investments in, or trade with, South Africa and Namibia, and other countries should adopt similar measures. Assistance to South Africa's neighbouring countries and to the opponents and victims of apartheid must be increased to reduce their dependence on South Africa, and employers' organisations and trade unions, as well as the ILO itself, had an important role to play in this respect. His Government was currently directing almost half of its total bilateral assistance towards southern Africa and would continue to take its share of responsibility in this respect. It was therefore encouraging to note the regional co-operation between the front-line States, which was one of the most efficient forces for the achievement of peace and democracy in southern Africa. The international community had a duty to play in establishing a stable and peaceful southern Africa; all members of the Conference had a duty to work out a clear and strong updated Declaration and Programme of Action. Outside the Conference room there was a moral duty to continue to express solidarity with the oppressed masses in South Africa and Namibia, the victims of the crime of apartheid.

35. The Government member of the USSR observed that the relatively small degree of amendment required to the Declaration showed that the situation in South Africa had hardly changed. If anything, it had worsened, Pretoria continued to ignore international public opinion as expressed in decisions and resolutions of the United Nations, and had increased its repression in the form of bans on trade union activity and on the work of democratic organisations such as UDF and COSATU and maintained its policy of destabilising front-line States and its illegal occupation of Namibia. Apartheid had, however, progressed from a merely subregional issue to one of global proportions which constituted a major obstacle to international peace and security. It was an affront to the modern civilised world. It was therefore the duty of all the civilised world to do all it could to bring about a just political system in South Africa, and this meant more than mere rhetoric: the role of the United Nations must be strengthened and its potential utilised to the full so as to ensure the full implementation of its decisions on apartheid, and in particular of Security Council Resolution No. 435 on Namibia and No. 602 on South African aggression against Angola. In addition comprehensive and mandatory sanctions must be implemented immediately, in accordance with Chapter VII of the Charter of the United Nations. Full observance must also be secured of decisions and resolutions of the ILO and the OAU and other international organisations concerning the withholding of support from the racist regime of South Africa and the denial of military, political, economic and other links, as well as the observance of the embargo on arms dealings and on all forms of co-operation with South Africa in the production and development of nuclear and other weapons of mass destruction. The amendments to the Declaration covered these points. Major attention should be given in the Declaration to assistance to the front-line States, which had suffered immeasurable damage: his own Government already provided assistance,

having contributed 100 million dollars to the AFRI-CA Fund and co-operating with SADCC and the preferential trade area. It was hoped that the Conference would give fresh impetus to the ILO's anti-apartheid activities in pursuit of the goal of a just resolution of South Africa's political problems, and peace and stability for the peoples and nations of southern Africa.

36. The Government member of Nicaragua stated that his country was convinced of the need to destroy the forces which attacked, exploited and oppressed the region of southern Africa whose peoples were only defending their right to liberty, democracy and peace. The history of the peoples of southern Africa reflected many heroic gestures against foreign domination and the effects of discrimination and racial segregation. The existence of the apartheid regime, which was kept alive thanks to the historic collaboration it received from powerful allies which supposedly promoted and defended democracy and human rights, constituted a nucleus which generated tension in southern Africa and which represented the greatest danger for international peace and security in the region. The peoples of Central America and of southern Africa were victims of the same enemy, which used all forms of aggression, including economic destabilisation, to attack the sovereignty of those nations. The stubbornness of the United States had obstructed efforts to achieve peace in Central America. The same stubbornness on the part of that Government was evident in southern Africa in its policies designed to defend the interests of the White minority to the detriment of the rights and interests of the Black majority. The double standards inherent in the policy of "destructive engagement" meant that the Government of the United States opposed the application of mandatory sanctions against the racist regime of South Africa, while in Central America its illegal economic embargo against Nicaragua continued. Peace and apartheid were irreconcilable, and the Government of Nicaragua therefore supported totally the call for mandatory sanctions against the Pretoria regime. This was a peaceful mechanism by which the international community could help the peoples of southern Africa to eradicate apartheid and promote genuine democracy in the region. He supported the Programme of Action adopted in July 1986 by the International Conference for the Immediate Independence of Namibia, which called on the United States and the United Kingdom, permanent members of the Security Council which until now had prevented the Council from acting effectively, to reconsider their position in the light of the grave situation in southern Africa and approve the imposition of full and mandatory sanctions, which were the most efficient peaceful means of obliging South Africa to put an end to its illegal occupation of Namibia. His country would always be at the side of the peoples of southern Africa in their just fight to eradicate apartheid, and was convinced that the conscience of humanity had no greater shame than the existence of the inhuman racist regime in South Africa.

37. The observer of the Islamic Republic of Iran considered that of all the problems and difficulties encountered today by the oppressed nations of the world, apartheid and the racist policy of oppression

were certainly the most terrible. As soon as foreign investors had decided to exploit the natural resources of certain regions and the cheap labour they found there, the parties in power in those countries allied themselves to those investors to protect the investments and the profit they made from them. These parties in power, thanks to their economic and military means, had eliminated all threats to these investments. One had only to consider the regions of the world where political tension existed to find a confirmation of this policy. Any tendency to independence on the part of the oppressed countries was opposed by those colonial powers and arrogant regimes. The regime of South Africa was among those which protected these imperialist structures and oppressed those movements which desired independence and justice. This was the case in its intervention in Namibia and its aggression on front-line States. In the face of these criminal measures, international organisations and certain countries had condemned the South African regime and adopted resolutions and measures to combat the regime. They had also tried, by means of training and retraining, to help the victims of apartheid to fight racial oppression. It was important today to re-examine the effect of these measures so as to judge their effectiveness and to be able to strike directly at the heart of the economic strength of the South African regime. Since the Lusaka Conference, the policy of apartheid had not only been pursued but had been strengthened. The struggle against apartheid in all its forms must remain a priority, as must economic aid to the front-line countries and liberation movements. The Islamic Republic of Iran was fighting at the side of the liberation movements and front-line States, and had broken off all political, economic, commercial and cultural links with South Africa and had asked those who bought petrol from Iran to undertake not to sell it to the racist regime of South Africa. On the other hand, his country wished to expand its relations with certain neighbouring countries of South Africa, and in particular with the United Republic of Tanzania, Zimbabwe, Mozambique and, more recently, Angola. The triumph of the Islamic revolution in Iran and the nine years of resistance by his country to the imperialist incursions in the Gulf region had shown that racist and authoritarian regimes were unable to halt the just struggle of oppressed peoples for the establishment of social justice and national independence.

38. The observer of the Sudan supported the revolutionary leadership as represented by the ANC and PAC in South Africa and all those in the region of South Africa who had been facing the many forms of oppression by the South African regime. His Government supported action undertaken by SWAPO, and called for the implementation of the 1978 Declaration. He hailed the tenacity and integrity of the struggle of the South African and Namibian people, drawing attention to the important role played by trade unions in South Africa. The Government of Sudan had long ago decided to boycott the regime totally and it called upon other peace-loving regimes to strive to abolish apartheid, which was a monstrous evil practised by an abhorrent regime which maintained dubious relations with other countries of oppression, including Israel. In this connection he hailed the uprising of the Palestinian people under

the PLO in an attempt to obtain their legitimate rights in Palestine.

39. The Government representative of the United Republic of Tanzania described apartheid as the most systematic form of institutional discrimination, human oppression and exploitation. It meant the denial to Black people of their fundamental human rights and liberties, their subjection to many repressive laws and regulations and their exclusion from political life. Apartheid should therefore be eliminated. He referred to the attempts made by the international community, including wide-ranging measures adopted by bodies in the United Nations system, to induce South Africa to change its racist policies. The Paris Declaration on Sanctions against South Africa constituted a framework for effective international action geared to the elimination of apartheid. He also pointed to the United Nations' efforts aimed at providing political, moral and material support to the oppressed people of South Africa, and various countries' condemnation of the "bantustanisation" policy. The South African regime's response had been the adoption of harsher and more discriminatory measures. Apartheid continued to exist because of the support obtained by the South African Government from the world powers who maintained close ties with it and supplied it with arms, and he appealed to them to change their ways. Apartheid enabled the international monopolists to reap high profits by providing them with cheap labour, and it was for this reason that the countries of these monopolists continued to defy the various United Nations resolutions and world public opinion. He referred to several repressive measures in South Africa and acts of aggression against neighbouring States which required a serious review of the progress made in the search for a workable solution to the apartheid problem. Since peaceful measures had failed, armed struggle was the only means left to end apartheid. He appealed to the international community to intensify its opposition to apartheid, and to Africa to resort to armed struggle and economic pressure. He acknowledged the effective role that could be played by the trade unions. He commended the Nordic countries for adopting a programme of action against apartheid which should be emulated by all peace-loving people of the world. He was convinced that the ILO Tripartite Conference would provide new strength for the struggle to eliminate apartheid.

40. Speaking as the Chairman of the Pan-African Employers' Confederation, Mr. Georget, Employers' member, thanked Zimbabwe for hosting the conference despite its own financial difficulties. Zimbabwe had had to struggle for its independence and had been able to achieve national unity, and was now a classic example of how a State could achieve unity despite economic difficulties and racial differences. In selecting the participants for the Conference, the Governing Body had demonstrated that apartheid was not a matter which concerned only Africans, but one that involved the whole international community. In this regard, he stressed the unitary aspect of Africa within which governments, employers and workers formed one family. Their common objective remained the struggle against injustice not only in Africa where it was directed in particular against the apartheid regime, but also in other parts of the world

where injustice and violations of freedom existed. The Pan-African Employers' Confederation joined hands with workers to work towards the development of Africa and the protection of the rights of all concerned. Finally, he thanked the secretariat for the excellent background paper and for the material arrangements made in collaboration with officials of the host country to ensure that the Conference achieved the success it hoped for.

41. The Government member of Nigeria considered that the presence at the Conference of people from different parts of the world reflected the fact that apartheid was an international issue which posed the greatest threat to international peace and security. An effective solution should, therefore, be found by all. South Africa had given notice of withdrawal from the ILO in 1964, and apartheid was an obvious violation of the Declaration of Philadelphia; 24 years later the South African regime still maintained its obnoxious policy of apartheid. Referring to the various forms of oppression suffered by Black workers in South Africa and the Government's acts of aggression against neighbouring countries, he drew attention to South Africa's continued illegal occupation of Namibia, the worsening unemployment, abject poverty, the lamentable industrial relations and poor education suffered by the workers in that country. He informed the Conference of a number of measures undertaken by Nigeria against the apartheid regime of South Africa, which included the provision of both material and moral support. It had created a Southern African Relief Fund, which provided scholarships in the 1986/87 academic year to Black South African and Namibian students to study in Nigeria. He expressed concern about the issue of migrant labour in South Africa and the South African Government's threats to repatriate such labour. To meet this challenge, he urged the ILO to step up its assistance to the migrant supplier countries to develop contingency employment plans to absorb the repatriated migrant labour and appealed for assistance to the front-line States to reduce their dependence on South Africa. Furthermore, the international community should not relent in its efforts to impose comprehensive and mandatory sanctions on South Africa and to stop investment in, and various forms of trade with, that country. He expressed support for the draft updated Declaration concerning the Policy of Apartheid in South Africa as well as its appended Programme of Action.

42. The observer of the Palestine Liberation Organisation referred, *inter alia*, to the PLO's full understanding of the suffering of the South African people since the Palestinians were also experiencing similar treatment. He pointed to the grave impact of South Africa's aggression on the front-line States, and to the famine, destruction of food crops and infrastructure in Mozambique and the dangerous situation in Angola. Greater assistance was needed for the front-line States, and the national liberation movements. The situation in Namibia could be solved only through international support for the people of Namibia, led by SWAPO, to strengthen their capacity to free their country from South African occupation. He compared the situation in South Africa and Namibia to that in the occupied Arab territories where international charters, conventions, laws and treaties had been ignored for more than

twenty years. He drew the Conference's attention to the resolutions adopted by the United Nations and the Security Council since 1947 and also called for the defence of, and respect for, human rights and the laws and other regulations of international organisations such as the United Nations, the ILO and the Non-Aligned Movement. He drew attention to the current uprising in the occupied Arab territories and called for the withdrawal of the invading force and the adoption by the international community of a strong position in favour of oppressed people all over the world.

43. The observer of the Organisation of African Trade Union Unity (OATUU) drew attention to several activities undertaken by his organisation against apartheid. These included information dissemination on the true nature of apartheid, the countries and multinational corporations sustaining the apartheid regime and the economic sabotage and destabilisation of the front-line States practised by the racist government. Following OATUU's exposure of the activities of the Hans Seidel Foundation of the Federal Republic of Germany in Namibia, the OAU Labour Commission at its session in April 1988 had called upon African States to sever all links with this organisation. OATUU also emphasised educational activities, including the provision of educational information on the atrocities of the apartheid system in their workers' education programme. Pressure was exerted on governments to adopt comprehensive mandatory sanctions, and unions were urged to undertake industrial action against multinational corporations operating in South Africa and Namibia which refused to recognise the Black trade unions. It also provided solidarity support including protests about detentions, imprisonment, hangings and other repressive measures meted out to trade unionists by the racist regime and campaigns against white emigration to South Africa and Namibia. OATUU had also appealed to all its affiliates and other unions to dedicate May Day in 1988 to the fight against apartheid and to undertake fund-raising activities to assist the national liberation movements (NLMs) and the independent trade unions in South Africa and Namibia. OATUU also gave financial and other material support to the independent Black trade unions inside South Africa and Namibia and to the national liberation movements. A recent joint OATUU/ILO seminar on international labour standards and trade union action against apartheid, held in Harare, had called for the unity of trade unions within South Africa to ensure unity of action against apartheid. OATUU was ready to provide any assistance requested by the parties concerned to ensure the achievement of this unity. OATUU had also planned joint seminars with the UN Special Committee against Apartheid and indicated their willingness to involve also the ILO. OATUU supported the updating of the ILO Declaration concerning the Policy of Apartheid in South Africa and proposed that the name of the International Labour Conference Committee on Apartheid should be changed to "Committee Against Apartheid". He appealed to governments, employers' and workers' organisations and the ILO to withdraw their funds from banks maintaining links with the apartheid regime. He urged the ILO to implement the request in paragraph 5(g) of the background paper to organise a pledging confer-

ence to generate additional resources for its anti-apartheid programme of activities, including its assistance to front-line States and national liberation movements. In addition, he called upon the ILO to increase its technical and financial assistance to the Black trade unions in South Africa and Namibia and to SACTU, ATUC and SATUCC, especially in the fields of workers' education, co-operatives, vocational training, migrant workers and assistance to women victims of apartheid. He expressed OATUU's support for the recommendations of the ILO Governing Body's tripartite evaluation mission on technical co-operation projects of the ILO's anti-apartheid programme, and called for such an evaluation mission to be undertaken regularly. In addition, he urged the ILO to employ more African experts in these projects owing to their sensitive nature. He commended the Nordic countries for imposing sanctions against South Africa and condemned the countries that had increased their trade with the racist regime, appealing to the later to stop such action. OATUU remained convinced that sanctions were an effective measure against the apartheid Government, and Namibia should be included in all action against apartheid mentioned in the updated Declaration.

44. Mr. Wang, Workers' member, stated that the holding of the present Conference reflected the increasing concern of the international community at the daily worsening situation in South Africa under the apartheid regime. It again reaffirmed the ILO's determination to continue its anti-apartheid activities. Since the adoption of the Declaration in 1964, more than 20 years had passed, and South Africa had still not renounced its policy of apartheid. The South African authorities continued to repress the people of that country, they had refused to free Nelson Mandela and other political prisoners, and since the proclamation of the state of emergency in June 1986 hundreds of thousands of people had been arrested without trial. A number of democratic organisations had been outlawed, their leaders arrested or forced into exile. The activities of the independent Black organisation were restricted and many trade unionists had been kidnapped, tortured or assassinated. At the same time, despite United Nations resolutions, the South African authorities had continued their illegal occupation of Namibia and launched attacks from that country against other southern African countries. This showed that apartheid was a violation of basic human rights, of the principles of the Declaration of Philadelphia and of international labour standards. Effective concrete action was needed in a number of areas so as to end the apartheid regime, which the South African authorities would never willingly revoke. Greater pressure should first be brought to bear on Pretoria to force them to repeal apartheid. The ILO's constituents should respond to the appeal made in July 1987 by the SADC and impose on South Africa the comprehensive and mandatory sanctions requested. Solidarity should then be reinforced and assistance intensified to the South African people in its struggle. The international community should use all available means to help Black workers and trade unions in South Africa, as well as national liberation movements recognised by the OAU. Assistance should also be increased to the Namibian people and to the national liberation movement which represented them in their struggle

against apartheid for national independence, and all available means should be used to secure the application of Security Council Resolution No. 435 concerning the independence of Namibia. Assistance should also be increased to the front-line and neighbouring States, particularly in the economic sphere, so as to enhance their capacity to combat the racist regime. Finally, the ILO should reinforce the monitoring of the application of the Declaration and of the Programme of Action. The necessary expenditure must be earmarked in the regular budget for action against apartheid, especially in the field of technical co-operation, and extra-budgetary resources should be secured as necessary. He hoped that account would be taken of these proposals in the updating of the Declaration, and he supported the amendment to the title of its Annex to read "Programme of Action against Apartheid"

45. The Government member of Algeria stated that the Conference marked the continuation of efforts begun in Livingstone and Lusaka and was therefore part of the ILO's continuing contribution to the activities of the international community to put an end to the system of apartheid, which was based on a denial of basic human rights, constant aggression and destabilisation throughout southern Africa. He strongly associated himself with those who had condemned apartheid. The Conference should focus in particular on the conditions for the intensification of activities against apartheid in all fields, the strengthening of support for national liberation movements and for independent trade unions and the strengthening of the economies of the front-line States so as to reduce their dependence on South Africa. This was all the more essential in view of the experience of recent years, which had demonstrated the determination of the racist regime to ignore the repeated appeals of the international community for the abrogation of apartheid and the independence of Namibia. Such international action was a duty of solidarity with the peoples of South Africa and Namibia and the front-line States, which gave them active support, with backing from the OAU and the non-aligned movement. For this reason the latter had reaffirmed the need for comprehensive and mandatory sanctions against South Africa and had set up the AFRICA Fund to enhance the economic potential of the front-line States, to which Algeria had made a concrete contribution. His country fully recognised the importance of the ILO's role in the fight for equality and dignity, as well as the need to update the Declaration and to adopt a real Programme of Action. In this respect the ILO's capacity to mobilise greater resources for the national liberation movements and front-line States held particular importance for the implementation of technical assistance programmes adapted to the priorities of those countries. The action of the present Conference was part of the efforts of the international community to promote peace, justice and security. The prevailing situation in South Africa inevitably called to mind that suffered by Palestinian workers in the occupied territories, which also called for sustained efforts of solidarity.

46. The representative of the Government of Zambia stressed that apartheid was an abhorrent system, and he condemned it as a major insult to civilisation and a flagrant violation of human rights

and of the principles of the ILO. Apartheid was daily becoming more repressive and violent, and the current state of emergency in South Africa made possible the suppression of trade union rights and of basic human rights. The murder of Dulcie September, the attack on Professor Sachs in Mozambique and the murder of innocent children in Angola, Botswana and Mozambique were proof of the inhumanity of apartheid. The front-line States had also suffered from South African attacks intended to destabilise them. The front-line States considered that apartheid could not be reformed but had to be eliminated to ensure lasting peace in the region, and they called on the international community to support the liberation movements in South Africa and Namibia. In this respect expressions of solidarity were not enough, and only concerted action by governments, employers and workers could put an end to this abhorrent system. In this connection he thanked the Nordic countries for providing considerable material support to the struggle against apartheid. The present Conference had one objective—the elimination of apartheid—and this called for concrete efforts by the international community as a whole.

47. The observer of the Arab Labour Organisation expressed deep regret at the deterioration in the situation of Black workers in South Africa and Namibia due to the determination of the South African authorities to continue the apartheid regime. The main task of the Conference was to adopt a Programme of Action to strengthen the struggle against apartheid. The Pretoria regime had already been denounced in the 1964 Declaration, but this had not prevented the South African authorities from pursuing their apartheid policies, for they were helped by certain countries which placed their interests above social values and international principles. The Arab Labour Organisation would have preferred the draft document submitted to the Conference to include a paragraph denouncing relations between South Africa and certain Western governments in vital areas. The Arab people, victims of Israeli occupation, were among those who best understood the sufferings of the South African and Namibian peoples, and this was reflected in their solidarity with the African people, against the racist regime. It was absolutely necessary to develop a realistic and ambitious Programme of Action to restore the confidence of the peoples of South Africa and Namibia, who faced despair on account of the ineffectiveness of international action intended to guarantee fundamental human rights.

48. The observer of the World Federation of Trade Unions stated that the subject of apartheid had been on the agenda of a great many international meetings over the past 25 years, and the situation in South Africa was getting worse. Apartheid was a crime against humanity which seriously threatened international peace and security. Pretoria continued to scoff at international opinion and to suppress the Black majority by all means at its disposal, including terrorist acts in other countries. There was thus an urgent need for effective measures to hasten the end of this inhumane system, particularly in view of the recent intensification of oppression marked by the ban on COSATU's activities and the raids on Mozambique. It was disheartening to note the continued failure by many transnational corporations to with-

hold financial, economic, technological and even military support from South Africa. Words were not enough in the struggle against apartheid, and he therefore supported earlier suggestions that member States should be further encouraged to take concrete measures against South Africa.

49. The observer of the National Council of Trade Unions of South Africa, speaking by agreement with the Officers of the Conference, drew attention to the recent increase in Pretoria's oppression, and in particular its attack in the free trade union movement. The Labour Relations Amendment Bill, if enacted, would increase this pressure even further. NACTU had organised meetings with COSATU to protest against Government action and had launched a major offensive against the new Bill on the shop floor, as well as resolving to oppose the forthcoming municipal elections which were aimed at undermining the workers' revolution. NACTU had lodged a formal complaint with the ILO calling for the Organisation to undertake a fact-finding commission on South Africa to bring to the attention of the international community the erosion of civil and labour liberties. The recent wave of increased oppression had, however, failed so far to achieve its objective, and had in fact had the effect of raising awareness of the political and labour scene and strengthening the unity of Black opposition groups. The authorities had issued faked pamphlets purporting to present the views of NACTU and COSATU attacking each other in an attempt to divide the labour movement. NACTU had since 1982, when it was still known as CUSA, fought for May Day to be treated as a holiday. On its inauguration NACTU had launched a campaign to unite all the mass democratic organisations. In pursuit of unity NACTU had visited the PAC in the United Republic of Tanzania in August 1987 and the ANC in Harare in May 1988. The harassment and detention of trade union leaders had brought the labour movement even closer to student, youth, church, political and community organisations which organised the much publicised rent boycotts and the boycotts of White businesses in White areas. NACTU's commitment to full and mandatory sanctions against South Africa had intensified. NACTU appealed to the ILO to fight organisations which sought to undermine NACTU and other organisations fighting a legitimate battle against apartheid by often distorting the history of the liberation struggle, thereby generating a partisan approach to assistance. Individuals and organisations were involved in the campaign of lies and disinformation in the international arena. NACTU asked the ILO to set itself achievable objectives within reasonable time-frames so as to strengthen the international campaign against the crime of apartheid.

50. The observer of the Congress of South African Trade Unions, speaking by agreement with the Officers of the Conference, stressed that apartheid was not an academic question. The Black people of South Africa and COSATU were committed to a course of determined struggle against injustice and looked to the international community for active concrete support: they did not ask other nations to bear their burden, for that was impossible, but they asked them to honour what was surely a moral obligation to ensure that South Africa abided by universally accepted rules of human decency and became a

worthy member of the international community. Apartheid and peace could not exist side by side: the Black people of South Africa wanted peace for their people. Just what exactly they should do to achieve it was a difficult question to answer given the complexities of the problem, but they were determined to accept no compromise, for to do so would be to gamble with the destiny of their people. They therefore looked to other nations for solidarity with their struggle for their basic human rights.

51. The observer of the African National Congress observed that the Black people of South Africa were now suffering an unprecedented wave of oppression, and this situation offered an opportunity for the international community to show its willingness to respond promptly to hasten the downfall of the criminal apartheid regime. The recent ban on the UDF and other democratic organisations was intended to silence the democratic opposition: strikes were largely illegal, and mass political activity in all its forms was banned. Prospects were hence rather bleak, but ultimately the racist regime was bound to fail, for oppression only strengthened resistance and determination. The present Conference had before it the task of identifying concrete measures to respond to the legalised terrorism conducted by the regime of P.W. Botha against his country's own people and against the people of Namibia. A clear programme of action, based on mandatory sanctions and involving a call for concrete action would be welcome. Such a programme should include an appeal to the international labour movement to refuse to handle goods, ships or aircraft bound to or from South Africa. The programme should also categorise the Pretoria regime as illegitimate, unentitled to international recognition. The ANC relied on such support as that forthcoming from the Conference to help its campaign for the rights of the people it represented, and wished it success in its endeavours.

52. The observer of the Pan-Africanist Congress of Azania, referring to the recent escalation of oppression by the apartheid regime, emphasised that apartheid could not be reformed, but must be destroyed, and that the struggle had to be waged on many fronts. The role of NACTU and COSATU was in this respect crucial. He called on the international community to appeal for clemency in the case of the Sharpeville Six, who were still under sentence of death. Messages of solidarity should be sent to the South African Black Municipality Allied Workers' Union (SABMAWU), the organisation to which the only woman among the Six belonged—Theresa Ramahemola. He also called for the release of Moses Mayekiso, currently awaiting trial with his colleagues, trade unionists, for accusations of treason. Unity was an article of faith for the Black movement in South Africa. In this respect he congratulated NACTU for its sterling efforts to maintain unity among the many opponents of apartheid. The PAC held that all forms of struggle must be encouraged, foremost among them being the armed struggle. In the international arena the PAC continued to campaign for the complete isolation of the Pretoria regime and the imposition of comprehensive and mandatory sanctions. However, international action could only complement efforts within South Africa itself against racism by those directly affected. In this respect the introduction of issues deriving from the

East-West opposition into the apartheid debate were extremely unhelpful. The PAC supported unreservedly the efforts of the Secretary-General of the OATUU in his call for unity among all organisations fighting apartheid. He called on all those who loved freedom to support those fighting apartheid and to refrain from sectarian approaches. Finally, the considerable degree of foreign, Western investment in South Africa could not pass without comment: such investment sustained the apartheid system and contributed to the increasing economic dependence of front-line and neighbouring States on South Africa, which were in certain respects the economic hostages of the apartheid regime. He therefore appealed to the ILO and the international community in general to grant them material and other support, as they were now the targets of aggression and destabilisation policies practised by South Africa.

53. The Workers' member of Namibia stated that the Conference was taking place at a crucial stage in the struggle for national liberation in Namibia. The situation was deteriorating daily, with reinforcement of repression in many brutal forms, including murder and arbitrary arrest. Namibia had been turned into a huge military camp, with over one thousand troops committing atrocities against the Namibian people. The workers of Namibia were harassed and intimidated: a score of trade union officials had been arrested, including Jason Angula, SWAPO Secretary for Labour inside Namibia, who had been arrested under section 6 of the Terrorist Act of South Africa and had been held incommunicado since October 1987, possibly in Osire jail, a centre well known for the torture of prisoners. The regime had often used subversion to break up rallies organised by the trade unions and to force the participants into confrontation: Immanuel Shifidi, a veteran worker, had been killed towards the end of 1986. The racist regime was threatening to take draconian action against the workers' organisations and SWAPO and even the progressive media, as was evident from the speech by P.W. Botha during his visit to Windhoek on 9 April 1988, when he announced that South Africa would take firm action against organisations advocating the support of violence and against newspapers printing articles about "terrorism". These remarks were meant to prepare public opinion in Namibia for the formal banning of SWAPO, genuine trade unions under the umbrella of NUNW, and progressive newspapers and publications such as the *Namibian* and the *Namibian Worker*. Apartheid was evil and had to be completely demolished: it could not and should not be reformed, for it kept the peoples of South Africa and Namibia under the bondage of oppression and humiliation politically, culturally and economically. The international community should redouble its efforts to contribute effectively and concretely to the practical elimination of apartheid. It was almost ten years since the adoption of United Nations Security Council Resolution No. 435 which called for free and fair elections under the supervision and control of the United Nations. The racist regime of Pretoria defied with impunity the decisions and resolutions of the United Nations and other international forums, and the NUNW hoped that the international community would take steps to secure respect for those decisions. He supported the recommendation that the updated Declaration should also

apply to Namibia, for apartheid laws were applied with the same intensity and damaging effects in Namibia. The NUNW thanked the ILO for the technical assistance it had rendered so far, and looked forward to a real increase in such assistance.

54. The Workers' member of Mozambique expressed his conviction that the Conference would strengthen the cause of the ILO and the firm resolution of its member States to pursue vigorously the application of concrete measures to eliminate apartheid in South Africa and Namibia. The regime of apartheid had been declared a crime against humanity: terrible atrocities were being committed against the peoples of South Africa and Namibia and against bordering States: the apartheid regime continued its policy of destabilisation, particularly in Mozambique and Angola, where peace was prevented by South Africa, whose atrocities there were well known and had resulted in more than four-and-a-half million displaced persons, the murder of thousands of civilians and wanton destruction of economic and social infrastructure. Once again, the population was being forced to take up arms. Mozambique was in urgent need of material and financial aid to reconstruct its schools, hospitals, villages, water supplies, roads and railways, which had been destroyed. It needed medicines and food aid, tools for agriculture, seeds and fertilisers, clothes and tents for the displaced persons who had lost everything. The Conference should provide encouragement to the people and workers of Mozambique in their struggle to put an end to terrorism and to rebuild their country in a climate of peace and stability. He fully supported the draft updated Declaration and the Programme of Action against Apartheid, but the Declaration should be accompanied by concrete action by the parties concerned, and governments, employers and workers. The Governing Body of the ILO should endeavour to translate the Declaration into practical action, which was the only hope of eliminating once and for all the hateful regime of apartheid.

55. The Workers' member of the United Republic of Tanzania stated that apartheid was a diabolical form of racial supremacy and only comparable to Nazism and slavery in the sufferings of mankind, hence the concern in the international community at the inhuman system practised by the racist Pretoria regime in both South Africa and occupied Namibia. ILO action against apartheid, based on its Declaration of 1964, was an expression of the international community's abhorrence at that inimical system. However, any action by the ILO towards the dismantling of apartheid would need total co-operation and acceptance by all Governments to apply comprehensive and mandatory sanctions, arms and oil embargoes, with positive financial, material and moral support to the liberation movements and to popular movements and trade union organisations in South Africa and Namibia. It was heartening to see that racial coexistence had been possible in other African countries, and particularly in Zimbabwe. He appealed to those countries still supporting the Pretoria regime to join hands in the process of dismantling apartheid and to support those struggling against it. While he recognised the ILO's commendable technical co-operation in the field of workers' education for trade unions in South Africa and Namibia, that programme should be updated to take

into account the harmonisation of trade union growth through education and training in South Africa and Namibia. This action should include those trade unions operating outside the country and should be conducted in conjunction with the trade union organisations in these front-line States and through the co-ordination of these activities within the framework of the ILO, OATUU and SATUCC.

56. Mr. Baker, Workers' member, referred to the clear support for sanctions against South Africa expressed by the two large South African trade union confederations. In the United States the trade union organisations had supported draft legislation in favour of sanctions, and it had been adopted despite the veto of President Reagan. However, the application of that legislation was meeting with problems and the American trade unions were attempting to strengthen the monitoring and enforcement of the Comprehensive Anti-Apartheid Act of 1988 and supported the adoption of additional sanctions legislation in 1988. The United States were not alone in confronting such difficulties, and in other countries attempts were also being made to avoid legally adopted sanctions by importing or exporting products from or to South Africa indirectly or through clandestine arrangements. Some countries not only did not impose sanctions, but even took advantage of other countries' sanctions to increase their trade and economic relations with South Africa. Those countries should be exposed and condemned, and the Governments of those countries must control the activities of their multinational enterprises relating to South Africa. The small number of replies received to the ILO questionnaire concerning the application of the Declaration, and the fact that many of the replies received did not give the desired information about commercial relations with South Africa was disheartening. The monitoring system should therefore be strengthened. On the other hand he welcomed the increased attention given to Namibia: the world should be aware of the brutality of the South African system in that country. In conclusion, he expressed his deep admiration for the courage of the trade unionists in South Africa and Namibia who persisted in their struggle despite the obvious danger. Their very existence was a daily challenge to apartheid. The Black free trade union movement in South Africa played a key role in the struggle against apartheid.

57. It was essential to make new commitment to action rather than mere words against apartheid. Mr. Laurijssen, Workers' member, stressed that the situation of the Black population under the rule of apartheid in South Africa had by no means improved over the last 12 months and that the political scene remained extremely tense. Social unrest had reached new peaks in 1987, as exemplified by the unprecedented number of strikes, and there was no indication of a long-term solution in the immediate future. In Pretoria there appeared to be confidence that the Government was well in control. The economy, which in 1985 was sliding uncontrollably downwards, was now showing signs of recovery. International disapproval failed to carry any significant economic impact or real political persuasion. The regime continued therefore to govern and destabilise the front-line States and its recent victory in the all-White parliamentary election further contributed to this

self-confidence. The regime was, however, concerned about the trade union movement, which it had not succeeded in crippling in spite of oppression. On the contrary the independent Black trade unions had grown in strength and become more disciplined and assertive. In July 1987 the regime had issued a public warning to the trade unions to the effect that it was watching "efforts to politicise issues in the labour field and would not hesitate to adopt counter-measures". A current Bill to amend the Labour Relations Act sought to curb further the rights and activities of trade unions. The new amendments contained a biased revised definition of the concept of unfair labour practices and proposed to erode even more the already thin protective layer offered to Black workers by the law. Another serious matter was Pretoria's information blackout aimed at suppressing reports of the ever increasing violence in South Africa. Press censorship had been considerably tightened in December 1986 to include a ban on reporting on what the regime described as subversive acts, including boycotts, illegal strikes and detainees. Controls were further tightened in August 1987 and unions were served with Department of Information press guide-lines. Certain newspapers had had to face closure or accept censorship, and Black journalists have remained major targets of repression. In spite of these policies of systematic repression and intimidation, 1987 had been one of the most turbulent periods of social and industrial unrest in South Africa: the miners' strike had involved 340,000 workers and lasted for three weeks, but it had taken a heavy toll: ten Black miners were killed and dozens injured, while some 35,000 miners were dismissed from their jobs for having participated in the strike. The strike had changed the face of labour relations in South Africa and the union had demonstrated that it was a force to be contended with in its planned campaigns for 1988. The revolt of Black South African workers against starvation wages and intolerable working and living conditions had been the cause of innumerable other labour disputes. Here again the workers' courage to stand up against the system was met with excessive reprisals and displays of power against the strikers and their trade unions. The harsh repression against Black workers and trade unions who stood up for their rights and for social justice at the workplace and in society in general was not restricted to South Africa's own territory. The situation in Namibia in this regard was perhaps less publicised but was equally dramatic. On 26 July 1987, four thousand miners had laid down their tools. They suffered the same repression, but often it was even harsher. Scorning international laws, South Africa continued its illegal occupation of Namibia, where the security forces of Pretoria continued to instil terror. The Miners Union of Namibia (MUN) was one of the prime targets of this repression. At the root of this conflict was the deep-seated discontent of the Black miners arising from their appalling working conditions. An ICFTU delegation visit to Namibia in November 1987 had witnessed the oppression of its people and the intimidation faced by workers: they could be fired on any pretext, enjoyed few rights and were kept dependent on their employers for their basic needs. The hardship, suffering and exploitation in both South Africa and Namibia would only come to an end with the unconditional abolition of the apartheid system. The international trade union

movement strongly and actively supported the view of the Black trade unions in South Africa that this could only be achieved if verbal and symbolic support and sympathy from the international community was accompanied by effective, comprehensive and mandatory sanctions against the racist regime of apartheid. The ICFTU welcomed and thanked the Conference for the contribution it would make towards the common objective of abolishing apartheid and establishing social justice and dignity in South Africa and Namibia.

58. The Government member of Zimbabwe, having expressed his gratitude to the ILO for the measures it had taken against apartheid in all its forms, stated that his country was gratified by the condemnation which the apartheid regime encountered in the world. His Government had been fighting for eight years in this cause, and he appreciated the fact that the Conference, in examining the action to be taken and working to update the Declaration against apartheid, was proceeding in the same direction. The apostles of apartheid, which was condemned on all sides, were acting more desperately than ever to stem this flow of liberty, and it was all the more urgent that verbal condemnations should be translated into action. The ILO had the means to act and it had a crucial role to play in this field. Zimbabwe had not ceased to raise its voice among the powerful of the world. President Mugabe had created a solidarity fund to which all had contributed. Zimbabwe had also shown its opposition by hosting numerous conferences on apartheid to which all the victims of that regime had been invited. Within the framework of such organisations as SADCC and the OAU, Zimbabwe had maintained its efforts to reduce its dependence on South Africa and to assist the liberation movements. Turning to the background paper submitted to the Conference, he considered that organisations of employers and workers had the capacity to make a strong impact through the Programme of Action. Joint action on their part would demonstrate the determination of ILO members. The ILO could provide valuable assistance, particularly in the fields of manpower planning and training, and its action ought to be intensified so as to aid South African workers to fill the gaps which had been imposed on their education and training systems. The ILO enjoyed great international prestige, and within the Organisation were men and women of worth whose words gave hope to the oppressed people. These men and women must hold the torch of liberty and equality even higher so that the people knew that they were not alone in their struggle. His country as a front-line State was also the subject of aggression, destabilisation measures and various forms of pressure. It needed help in order to resist. Without that help it would continue to suffer human and material losses, and this vulnerability would only delay the day when its peoples and its Government would be able to devote their resources and energy to increasing the well-being of their workers throughout the country.

59. The Workers' member of Zimbabwe stated that the conference participants were joined by a common goal, the removal of apartheid from South Africa and Namibia. The apartheid regime was never idle, and would be trying to counter the work of the

Conference. The current situation required every peace-loving country to adopt a front-line stance, as the front-line States themselves had been turned into a battlefield by South African aggression. The situation in South Africa demanded the extensive use of the international media to publicise daily events there throughout the world and thereby make the atrocities of apartheid known to all the world. The Zimbabwe Congress of Trade Unions called upon the international community to impose mandatory economic sanctions against South Africa, and to sever all connections with the apartheid regime. Lastly, he called upon those who failed to condemn apartheid to do so immediately, for silence on the issue was a crime not only against the people of South Africa but against humanity as a whole. President Botha's Government must be told that yesterday's attitudes were no longer tenable. Zimbabwe, the youngest republic in Africa, born out of a bitter struggle against colonialists, was a clear testimony that one day a free and independent continent of Africa was possible and apartheid would be part of history. The ZCTU would abide by the conclusions of the Conference.

60. The Employers' member of Zimbabwe emphasised the need for concrete measures to hasten the end of apartheid and joined the previous speakers in calling for the intensification of action by employers' organisations, especially those in Africa, and also by the ILO. He was convinced that Employers should take a strong stand on these matters and was satisfied that, if the ILO continued to support management training programmes for Black entrepreneurs in South Africa and in exile, this would contribute considerably to the process whereby apartheid would be ended.

Conclusion

61. The Working Party appointed by the Conference met in three sittings on the penultimate day of the Conference for the purpose of drafting conclusions to be placed before the Conference for adoption as part of its report.

62. In addressing itself to the task which it had been given, the Working Party based itself on the draft which had been annexed to the background paper prepared for the Conference, which contained a revised text for the updating of the Declaration taking into account the conclusions arrived at by the Committee on Apartheid of the International Labour Conference at its 73rd Session in June 1987 and by the Committee on Discrimination of the Governing Body of the ILO at its 239th Session in February-March 1988.

63. Careful consideration was given to each paragraph of the text and to a number of amendments proposed by members of the Working Party during the course of its deliberations as well as those which had been submitted to it by other participants in the conference.

64. The updated draft entitled *Declaration concerning Action Against Apartheid in South Africa and Namibia* and the *Programme of Action against Apartheid*, which forms an integral part thereof, was approved by the Working Party at its third and final sitting.

65. The Working Party also considered the text of a draft cable to be sent by the Chairman of the Conference on its behalf to the State President of the Republic of South Africa urging the South African Government not to proceed with the Labour Relations Amendment Bill, and recommended that the cable be despatched. The text of the cable is contained in Appendix III.

66. At its closing sitting, the Conference unanimously adopted the draft text of its report, subject to a number of editorial corrections. It also adopted unanimously the draft updated *Declaration concern-*

ing Action against Apartheid in South Africa and Namibia and the *Programme of Action against Apartheid* annexed to it. The text of the proposed Declaration and Programme of Action is attached to this report.

Harare, 6 May 1988

(Signed) J. L. NKOMO
Chairman

L. DANIELSSON
Rapporteur

Proposed Declaration concerning Action against Apartheid in South Africa and Namibia¹

The General Conference of the International Labour Organisation,

Recalling the *Declaration concerning the Policy of Apartheid in South Africa* unanimously adopted by the Conference on 8 July 1964 and the *updated Declaration adopted by the Conference on 18 June 1981*,

Considering that all Members of the ILO have by the Declaration of Philadelphia embodied in the Constitution as a statement of the aims and purposes of the Organisation, solemnly affirmed that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity",

Considering that according to its Constitution the ILO exists for the promotion of the objectives set forth in the Preamble thereto and in the Declaration of Philadelphia,

Considering that the Government of South Africa, having *refused to promote* the objectives set forth in the Preamble to the Constitution and in the Declaration of Philadelphia, adopted and is practising the inhuman policy of apartheid, which is wholly incompatible with the aims and principles of the Declaration of Philadelphia, thus creating an alarming situation, further aggravated by the extension of the apartheid system into Namibia through the illegal occupation of that territory by South Africa, incurred the condemnation of the International Labour Conference and withdrew from the Organisation by virtue of a communication dated 11 March 1964,

Considering that according to the Declaration of Philadelphia the principles set forth therein are fully applicable to all peoples everywhere and their implementation is a matter of concern to the whole world,

Considering that apartheid has been declared a crime against humanity by the *General Assembly of the United Nations* and that the Security Council, since its resolution 182 (1963), adopted unanimously on 4 December 1963, has affirmed the conviction that the situation in South Africa is seriously disturbing international peace and security,

Considering that the apartheid system in South Africa is the root cause of conflict in southern Africa as a whole and that the independence of Namibia, the freedom of the South African people and the peace and security in the region can only be attained through the elimination of apartheid,

Considering the programme for the elimination of apartheid in labour matters in South Africa adopted in 1964 and *all subsequent measures to give effect to the ILO's determination to eradicate apartheid, including the annual Special Reports of the Director-General on apartheid in South Africa and the expansion of the activities of the International Labour Office in this field,*

Considering especially the Report of the International Tripartite Meeting on Action against Apartheid held at Livingstone in May 1981, which recognised that the solution to the problem of apartheid must take into account the political implications of that system and went on to recommend specific action for the elimination of apartheid,

¹ The additions made to this text as adopted by the Tripartite Conference on Action against Apartheid, in Harare, Zimbabwe, 3-6 May 1988, are in italics.

Considering also the reports of the Tripartite Conference on Action against Apartheid held in Lusaka in May 1984 and in Harare in May 1988,

Noting that the conclusions of these meetings were subsequently adopted by the International Labour Conference,

Sharing the growing concern of the international community at the deterioration of the situation in South Africa and Namibia under apartheid and the need for action thereon, as shown in the Programme of Action adopted at the United Nations General Assembly and in subsequent resolutions and instruments adopted by that Assembly (including the Convention on the Suppression and Punishment of the Crime of Apartheid) as well as the resolutions of the Security Council,

Reaffirming in addition the need to co-operate with all organisations in the campaign to eliminate apartheid, in particular the United Nations, the Organisation of African Unity and international and regional organisations of workers and employers,

Considering that developments which have taken place since the adoption of its Declaration and Programme for the Elimination of Apartheid in 1964 have demonstrated that apartheid continues to deprive the Black population of employment and training, full enjoyment of freedom of association and the right to organise, and equality of opportunity and treatment in the field of labour, while recent events have shown that through the "Bantustan" policy and the use of repressive measures the South African Government still acts in a manner which violates international labour standards and which therefore requires urgent action by the international community to secure social justice, peace and freedom for all the peoples of South Africa and Namibia,

Reaffirming its determination to continue to fulfil its responsibility to promote and take its part in securing the freedom and dignity of the peoples of South Africa and Namibia and to fight the policy of apartheid practised by the Government of South Africa,

Faithful to its role as spokesman of the social conscience of mankind and affirming once again its conviction that a government which deliberately practises apartheid is unworthy of the community of nations,

Considering that only urgent and determined action by the international community, in particular the imposition of comprehensive and mandatory sanctions by the United Nations Security Council as the most effective and appropriate measure under the present circumstances, will bring the Government of South Africa to abandon its disastrous policy and to co-operate with employers' and workers' organisations in placing the relations between the various elements of the population of South Africa, and the relations between the people of South Africa and the rest of the world, on the basis of the equality of man, justice for all, good neighbourliness and mutual respect;

1. Solemnly reaffirms its fidelity to the fundamental principle of the Declaration of Philadelphia, according to which "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity".

2. Emphatically reaffirms its condemnation of the degrading, criminal and inhuman racial policies of the Government of South Africa and their extension to Namibia, which policies are a violation of fundamental human rights and thus incompatible with the aims and purposes of the ILO.

3. Strongly reaffirms its determination to pursue its action until respect for the freedom and dignity of all human beings, irrespective of race, is fully assured in South Africa and Namibia and until, to this end, the following objectives have been attained:

- the total and final elimination of the policy of apartheid in South Africa and Namibia;
- the repeal of all legislative, administrative and other measures which are a violation of the principle of the equality and dignity of man and a direct negation of the inherent rights and freedoms of the peoples of South Africa and Namibia;
- the establishment and consistent pursuit of a policy of equal opportunity and treatment for all, in employment and occupation, irrespective of race, creed or sex.

4. Urges the Committee on Action against Apartheid of the International Labour Conference to continue to monitor with increased vigour action against apartheid.

5. (a) Confirms the Director-General's mandate to monitor and follow the situation in South Africa and Namibia in respect of labour and social matters, and to submit every year for consideration by the Conference Committee on Apartheid a Special Report on the subject; to this effect, to request governments, employers, and workers' organisations to provide information, in such form as the Governing Body may determine, on the action taken against apartheid in accordance with recommendations contained in the *Programme of Action against Apartheid*, including information on failure to take action and on the active promotion of relations which strengthen the apartheid system;

(b) Invites the Governing Body's Committee on Discrimination to *continue* to consider the information described in subparagraph (a) above, and to submit a report to the Conference Committee on *Action against Apartheid*.

6. Invites the Governing Body and the Director-General to take the necessary steps:

(a) to increase the ILO's educational activities and technical assistance to the liberation movements, the Black workers and their independent trade unions *as well as the Black entrepreneurs and their organisations* in South Africa and Namibia in their fight against apartheid, in close co-operation with the Organisation of African Unity, the Special Committee against Apartheid, the Commission on Human Rights of the United Nations, and the *United Nations Council for Namibia*, the international and African workers' and employers' organisations and the front-line States and those States in the neighbourhood of South Africa which are seriously affected by the aggressive actions of South Africa, in particular by:

- (i) an increase in the resources made available from the ILO regular budget, and from external sources on a bilateral or multilateral basis, for enlarging the ILO's capacity to combat apartheid and to provide assistance to its victims;
- (ii) the establishment of a voluntary fund for the workers of South Africa and Namibia to which contributions should be made regularly by ILO member States as well as by employers' and workers' organisations;
- (iii) the broadening of the scope of ILO assistance to liberation movements from southern Africa recognised by the Organisation of African Unity, in particular by the use of its technical services in the fields of vocational and management training, labour administration, occupational safety and health, rural development, workers' education, co-operative development, equality of treatment for women workers and advice on the elimination of discriminatory labour legislation;
- (iv) the establishment of a training institute for South Africa, designed more specifically for the promotion of manpower training and development;
- (v) assistance to the *front-line and neighbouring* States providing facilities for refugees from South Africa and Namibia at institutions of their own through the provision of equipment, expertise and fellowships;
- (vi) the creation of training facilities and employment opportunities for refugees in their countries of refuge in such a way that their skills will be of immediate use and also of assistance to their countries or origin upon their return;
- (vii) co-operation with the governments of the States in the immediate neighbourhood of South Africa, *including the regional organisations, the Southern African Development Co-ordination Conference and the Southern African Labour Commission*, in devising and implementing policies which will enable them to reduce their dependence on South Africa, and in particular the supply of migrant labour to South Africa;
- (viii) *providing the front-line and neighbouring States with assistance for infra-structural development to enhance their capacity for withstanding the effects of any retaliatory economic action by the apartheid regime and to develop human skills for the effective management of their national economies*;
- (ix) assistance in the establishment of long-term solutions to problems involving migrant labour including public works programmes and other labour-intensive forms of job creation; the provision, over the short term, of assistance to migrant workers through advice on negotiations concerning their terms and conditions of employment, and through enabling migrant workers to be more fully informed of their rights;
- (x) the expansion of the programme of the information on apartheid in labour matters and other questions of direct concern to the workers of southern Africa;

- (b) to use existing ILO procedures, including those of the Committee on Discrimination of the Governing Body, to attain the objectives assigned to the ILO under its Programme for the Elimination of Apartheid;
- (c) to encourage and extend financial support to workers' and employers' organisations in their programme of action against apartheid so that they can exert the maximum pressure for the implementation of various recommendations falling within their sphere of competence.

7. Renews its urgent appeal to governments, employers and workers of member States of the ILO to combine their efforts and put into application all appropriate measures to lead South Africa to heed the call of humanity and renounce its shameful policy of apartheid. In this respect, the basic guide-line should be the *Programme of Action against Apartheid* which is *annexed* to this updated Declaration.

8. Reaffirms its resolve to co-operate with the United Nations in seeking and guaranteeing freedom and dignity, economic security and equal opportunity for all the peoples of South Africa and Namibia and in particular with the United Nations Special Committee against Apartheid and the Council for Namibia and its desire to co-operate with the Organisation of African Unity in all fields related to the elimination of apartheid.

9. Requests the Governing Body and the Director-General to take the necessary steps to organise systematic consultations with a view to reinforcing ILO co-operation with the Organisation of African Unity, and with the United Nations, including its Special Committee against Apartheid, its Council for Namibia and its Commission on Human Rights, as well as with the other specialised agencies of the United Nations system and non-governmental organisations associated with them in order to intensify and co-ordinate all activities whose ultimate objective is to eliminate apartheid totally in all its facets at a more accelerated pace than hitherto.

ANNEX

Programme of Action against Apartheid

The General Conference of the International Labour Organisation, considering it appropriate to give effect to the updated Declaration concerning Action Against Apartheid in South Africa adopted by the International Labour Conference in 1988, following the updated Declaration adopted by the Conference in 1981 and the initial Declaration adopted unanimously by the Conference in 1964,

Urging determined action by the international community to bring the Government of South Africa to abandon its disastrous policy of apartheid,

Taking into account the report of the Tripartite Meeting of Members of the Governing Body on Apartheid in May 1980, the Report of the International Tripartite Meeting on Action against Apartheid held at Livingstone in 1981 and the conclusions of the Tripartite Conferences on Action against Apartheid held in Lusaka in 1984 and in Harare in 1988,

Further taking into account the resolutions adopted by the two International Trade Union Conferences against Apartheid in 1973 and 1977, and the Declaration adopted by the International Conference of Trade Unions on Sanctions and Other Actions against the Apartheid Regime in South Africa held in 1983,

Recalling also the ILO Programme for the Elimination of Apartheid in Labour Matters in the Republic of South Africa, which had been adopted in 1964, as well as subsequent measures undertaken by the ILO, in its determination to eradicate apartheid in the field of labour, including the Special Reports of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa and Namibia, a wider range of educational and promotional activities carried out by the International Labour Office in this field and the extension of technical assistance within its field of competence to the peoples of South Africa and Namibia and the national liberation movements and front-line and neighbouring States,

Reflecting on and sharing the growing concern of the international community at the deterioration of the situation in South Africa and Namibia under apartheid and calling for action thereon, as shown in the Programmes of Action adopted by the United Nations General Assembly and the Security Council,

Reaffirming the need to co-operate with all organisations in the campaign to eliminate apartheid, in particular the United Nations, the Organisation of African Unity and international and regional organisations of workers and employers,

Noting that it has become necessary to revise the Programme of Action of the ILO and its Members in the light of the failure by the Government of South Africa since 1981 to abandon its policy of apartheid, its intensified aggression in southern Africa including Namibia, its intransigence in the face of international pressure and the further polarisation of Blacks and Whites in South Africa resulting from the introduction of a new Constitution in 1984 which was further aggravated by the 1987 Whites-only election;

Recommends the following action:

I. Government action through the United Nations

To take the measures necessary to give effect to the Programme of Action against Apartheid adopted by the United Nations General Assembly as well as the resolutions subsequently adopted by that body and other relevant United Nations bodies, in particular:

- (a) To adopt comprehensive and mandatory sanctions against South Africa, in accordance with Chapter VII of the United Nations Charter.
- (b) To establish a special monitoring unit, in co-operation with the International Maritime Organisation, Lloyds Register, the Shipping Research Bureau and other relevant organisations, to ensure that sanctions are strictly applied and to expose sanctions busters.
- (c) To co-operate by all possible means in the implementation of United Nations resolution 435 for the independence of Namibia.

II. Government action

1. To sever political, military, cultural, sporting and diplomatic relations with the South African Government, in so far as such relations with South Africa are maintained.

2. To stop trade and commercial relations with and to prohibit new public and private investment in South Africa, as well as the export of nuclear and other technology to the South African Government, parastatals and private enterprise in South Africa. In addition, to prohibit loans, trade credits and gold exchanges by banks to and with South Africa. Furthermore, to prohibit collaboration with South Africa in the operation of the international gold market in particular to prevent the operation of the South African marketing company, the International Gold Corporation (INTERGOLD).

3. To adopt, through the appropriate government authorities, including regional and local authorities, stringent divestment/disinvestment measures, to prevent any new investments, and to withdraw all public funds from banks maintaining commercial relations with South Africa as well as to deny contracts for the provision of goods and services to all firms and enterprises having commercial relations with South Africa.

4. To deny the use of facilities intended to circumvent sanctions applied against South Africa.

5. To discourage emigration of their nationals and the promotion of tourism to South Africa, by such means as banning advertising and cutting air and sea links with South Africa.

6. To withhold recognition of Bantustans, deny the establishment of representative offices and the entry of representatives of Bantustans into their territories, to prohibit new investments in and to demand the withdrawal of existing investment from these areas.

7. To increase economic support, including development assistance and the development of alternative trade patterns, to those African countries which are forced through their geographical and economic situation to maintain links with South Africa, with particular emphasis on independent African States enclaved within South Africa and those in the immediate neighbourhood of South Africa.

8. To give material and moral support to the liberation movements, to the independent Black trade union movement and to popular movements struggling for the elimination of apartheid and the establishment of a non-racial democratic system and majority rule with respect for human rights and fundamental freedoms in South Africa and Namibia.

9. To lift all impediments preventing trade unions from participating in solidarity action with the workers engaged in the anti-apartheid struggle.

10. *To encourage in line with the basic principles of the Constitution of the ILO initiatives which could lead to the elimination of apartheid and the achievement of durable peace in southern Africa.*

11. *To tighten the licensing procedures for the export and re-export of arms and related material as defined in Security Council Resolution 418 so as to ensure that none of it reaches South Africa and Namibia in violation of the United Nations Security Council decisions and resolutions.*

III. Action by employers' organisations

1. To ensure that their members do not maintain trade, commercial or financial relations with South Africa and that economic and financial institutions do not extend loans to South Africa or collaborate with the apartheid regime in any way.

2. To disinvest from South Africa and to transfer these investments to other African countries, especially the front-line and SADC States. In so doing, employers should ensure that early consultations are held with the appropriate union representing the Black workers in the enterprise on the conditions and terms of disinvestment. Such action should not circumvent the call for disinvestment by transferring the operation of their companies to local South African management whilst still maintaining the same commercial links.

3. To disinvest from and to cease all co-operation with the so-called Bantustans.

4. To refuse to co-operate with the South African authorities in the implementation of apartheid legislation, and to make a firm commitment to the abolition of apartheid.

5. To urge banks and other financial institutions to refrain from making loans or providing credit for trade with South Africa and to urge governments to prohibit the activities of the International Gold Corporation (INTERGOLD) in their countries.

6. To provide technical and financial support for small business development and management training programmes for victims of apartheid in exile in the front-line and neighbouring States, *and organise subregional seminars for employers in such States for this purpose as well as sensitise employers about the plight of the victims of apartheid.*

IV. Action by trade unions the world over

1. To exert maximum pressure on their respective governments for the adoption and the implementation of comprehensive and mandatory sanctions against South Africa by the United Nations Security Council, in accordance with Chapter VII of the United Nations Charter.

2. To place maximum pressure, including industrial action, on companies which do not recognise the independent Black trade union movement and act in contradiction with internationally recognised labour standards.

3. To increase mobilisation of workers and the public through information campaigns with a view to exerting the strongest possible pressure on their respective governments to adopt comprehensive sanctions against and to sever their links with South Africa, and on companies with interests in South Africa to oblige them to withdraw from that country.

4. To develop extensive education activities to ensure that workers are informed of sanctions measures in their own countries so that they can participate at all levels in the monitoring of such actions and be prepared for industrial action in cases of sanctions busting.

5. To organise consumer *and other* boycotts in order to promote sanctions against South Africa.

6. To give financial, *material and* moral support to the Black independent trade union movement inside South Africa *and Namibia*, including assistance in organising campaigns and educational programmes and legal and relief assistance to imprisoned and restricted trade unionists and their families, as well as organising solidarity action in support of the Black workers and their unions.

7. To organise campaigns to ensure that trade union members do not emigrate to South Africa *or Namibia* and to withdraw trade union membership cards as a sanction against such emigrants, to ban advertisements for jobs in South Africa *and Namibia* and exert pressure for the closure of South African recruitment offices abroad.

8. To withdraw all trade union funds from any company or investment scheme with interests in South Africa *or Namibia*, and to ensure that no pension funds are invested in such companies, banks or schemes.

9. To exercise the strongest possible pressure on banks and financial institutions *to recall their existing loans to South Africa and to prevent the provision of new loans and trade credits to South Africa and Namibia*, as well as gold exchanges to and with South Africa. In addition, trade unions should organise campaigns appealing to their members to close their accounts with such banks.

10. To take all measures aimed at further isolating the South African regime and to support anti-apartheid activities.

11. To ensure trade union representation in delegations to the United Nations and the specialised agencies to press for the fullest implementation of the Programme of Action against Apartheid.

12. To co-ordinate trade union action against apartheid in accordance with the Declaration adopted by the International Conference of Trade Unions on Sanctions and Other Actions against the Apartheid Regime, held in Geneva in 1983.

V. ILO action

1. To give further impetus to the implementation of the Declaration concerning *Action against Apartheid* and the Programme of Action, with specific reference to operative paragraph 6 of the Declaration and to *the following paragraphs of this section*.

2. To increase entrepreneurial and management training and to encourage small business development programmes for the victims of apartheid in exile in neighbouring States *and displaced persons* as a means of creating self-employment for those deprived people and prepare them for business management responsibilities in a non-racial democratic South Africa and in an independent democratic Namibia.

3. To increase activities in the fields of *workers' education*, vocational training, assistance to migrant workers, improvements in infrastructures and in other fields of benefit to workers of southern Africa.

4. To ensure a wider dissemination of public information throughout all member States by all possible means, *including the ILO publications*, about atrocities being perpetrated by the apartheid South African regime within South Africa and Namibia, as well as in front-line and neighbouring States, as a means of countering the news blackout imposed by the South African Government under its oppressive emergency measures and overcoming the silence of the mass media.

5. To address renewed appeals to the UNDP, international financial institutions and all multi-bilateral and bilateral donors to provide additional resources for the above-mentioned activities.

6. To request ILO constituents to provide a precise, itemised report on the Declaration, on each paragraph of the Programme of Action annexed to it and on the conclusions adopted at each session of the Conference.

VI. Other action

1. The Conference calls upon governments, employers' and workers' organisations and the ILO to continue and reinforce the campaign for the release of all trade unionists and political prisoners in South Africa and Namibia. In this connection the Conference deplores and denounces *all measures* which deny and violate civil and trade union rights in South Africa.

2. The Conference calls upon governments, employers' and workers' organisations, non-governmental bodies and individuals to make every possible contribution to the Action for Resisting Invasion, Colonisation and Apartheid (AFRICA) Fund, as well as to make contributions in order to ensure the early realisation of the objectives of the Solidarity Fund for Southern Africa.

APPENDICES

APPENDIX I

Speech by His Excellency the President of the Republic of Zimbabwe, Mr. R.G. Mugabe, at the Special Sitting of the Tripartite Conference on Action Against Apartheid, on 4 May 1988

It is a great pleasure for me to welcome to this Conference and to Harare the participants from various parts of

the world and the liberation movements. You may rest assured that my Party, Government and the people of Zimbabwe will do everything in their power to make you feel at home as you go about your important task.

That the International Labour Organisation has chosen to convene its Tripartite Conference on Action against Apartheid in Zimbabwe can only be a source of gratifica-

tion and pride, not only for all Zimbabweans but also for the peoples and Governments of the other front-line States, who share with the ILO a deep conviction in the overriding values of social justice and a determination to rid mankind of the abhorrent apartheid system whose existence is an affront to those values.

This Conference is being held at a time when the struggle to eliminate apartheid is intensifying and the racist regime is launching a total unholy war inside and outside South Africa. Recently, the racist regime has executed or threatened to execute freedom fighters regardless of international pleas to spare their lives. There have been mass arrests of innocent people under the repressive emergency regulations; and the world has also witnessed the torture and massive detention of children inside South Africa. The regime has also embarked on international terrorism as demonstrated by the recent murder of Comrade September in France; the car-bomb attack on Professor Sachs in Mozambique and the murder of innocent and defenceless Botswana citizens and South African refugees in the Republic of Botswana.

The front-line States are continuously experiencing the racist tyranny of destabilisation of their democracies. The unprovoked invasion of Angola, bandit activities in Mozambique and Zimbabwe and constant threats to Zambia demonstrate that apartheid cannot be reformed but must be dismantled completely.

Mr. Chairman, I understand that this Tripartite Conference on Action Against Apartheid brings together representatives of the ILO's constituent governments, employers, and workers' organisations. It thus provides a golden opportunity for all of these to act vigorously together against apartheid alongside other progressive organisations from Africa and elsewhere, including, naturally, the national liberation movements—SWAPO of Namibia, and the African National Congress and the Pan-Africanist Congress both of South Africa. Moreover, this Conference is convened at a time when there is an ever greater need and reason to show solidarity with those of our brothers and sisters who bear the brunt of apartheid in South Africa and Namibia, and with the gallant forces of the national liberation movements who are leading the struggle against apartheid.

Mr. Chairman, it is important to remind this Conference that, at numerous international meetings, we in this region have expressed our indignation and dismay at the fact that certain nations, including former victims of fascist and Nazi aggression, during World War II, continue to aid and abet apartheid economically, politically, diplomatically and militarily. Our earnest desire is that the international community take urgent action in the form of the application of comprehensive and mandatory economic and other sanctions aimed at curtailing the wanton destruction being carried out by South Africa, and also at contributing to the ultimate elimination of the cancer of apartheid.

Mr. Chairman, based on its programmes, it is evident that the ILO is on the side of the victims of apartheid. We believe that the ILO could be assisted to be even more responsive to the challenge of eradicating apartheid and evolving a definite plan under which the ILO could contribute to the training of the South Africans and Namibians in preparing them to build new and democratic institutions in their countries.

Mr. Chairman, over a period of many years now, the ILO has shown quite clearly that apartheid is not compatible with the fundamental precepts on which the Organisation is based. It is nearly 25 years since the ILO's *Declaration concerning the Policy of Apartheid in the Republic of South Africa* was adopted by the International Labour Conference. That statement of principle, adopted in 1964, was and remains a clear indication that there can be no place for a South Africa which practises apartheid in the ILO.

A valuable element in the entire strategy for combating apartheid also resulted from the Report issued annually by the Director-General of the ILO which provides detailed information on the situation regarding labour under apartheid. It has shown, year after year, the many ways in which the basic entitlements and liberties of workers have been violated under apartheid. The Report has been clear, among other things, about the following:

- the way in which apartheid, through low wages and indefensible working conditions, has led to the immiseration of the Black population in South Africa and Namibia;
- the growth in unemployment among Blacks which has continued unchecked, while the cynical application of various apartheid regulations have deprived the Black majority simultaneously of their citizenship, their rightful entitlement to land and access to adequate job opportunities;
- the sustained inequalities in wages, in educational opportunity, in social security benefits and in housing which have remained endemic within the system applied to Black workers; and
- the absence of, or interference with, fundamental trade union rights to organise and to bargain collectively in full freedom, to say nothing of the physical attacks on trade union leaders and premises which have featured much more frequently in more recent reports on these matters.

All this, and much more, has been carefully documented by the ILO against a background of diminishing political rights under the so-called State of Emergency. Apart from the detention and imprisonment of anti-apartheid activists under that "Emergency", legislative measures have also been taken to break the power of the independent trade union movement which has developed in strength and determination over the years. Restrictions have, for example, been placed on the largest trade union federation, COSATU. These seek to limit its role and effectiveness as a force for change in South Africa.

The growth of the independent trade union movement was recognised when the ILO's Declaration was brought up to date in 1981. That updated Declaration introduced a basis for support from the ILO to these trade unions, and also established the foundations for a new range of ILO activities designed to provide various forms of technical assistance to the national liberation movements and the front-line States.

The ILO has also been able to address wider issues relating to the means of action which can be deployed against apartheid. In doing so, its tripartite character has been a feature of very great importance, for the action in question has not been confined to governments, but also to the employers' and workers' organisations which are such an important and invaluable part of its unique structure.

As we see it, the purpose of this Conference is twofold. Firstly, it should conduct a comprehensive review of all aspects of action to be taken against apartheid and the continued illegal occupation of Namibia, including sanctions and assistance to the front-line and other neighbouring States. Secondly, it should prepare for the updating, by the International Labour Conference next month, of the Declaration concerning the Policy of Apartheid in South Africa.

These two tasks, I trust, will be tackled with the necessary imagination and seriousness at this Conference. The suffering, pain and agony of the people of South Africa and Namibia and, indeed, of southern Africa as a whole cannot be allowed to continue unabated due to lack of concerted international action against the monster that is apartheid.

I am sure that your deliberations at this Conference will result in the sustaining and strengthening of the means of action available within the international community in order to bring an end to apartheid.

I wish you all the success in your endeavours. Thank you.

**List of participants
Liste des participants
Lista de participantes**

*Members appointed by the Governing Body
Membres désignés par le Conseil d'administration
Miembros designados por el Consejo de Administración*

Government members:

Membres gouvernementaux:

Miembros gubernamentales:

Algeria/Algérie/Argelia

Nabi, M., M., ministre du Travail et des Affaires sociales.
Allovane, M. L., M.
Hadid, R., M., sous-directeur au ministère des Affaires étrangères.
Tessa, M., M., chargé d'études et de synthèses au ministère du Travail et des Affaires sociales.
Delmi, B., M., conseiller à la mission permanente d'Algérie à Genève.

China/Chine

Li, Boyong, Mr., Vice-Minister of Labour and Personnel.
J., Peiding, Mr., Counsellor, Chinese Embassy in Harare.
Zhang, Wei, Mr., Deputy Director, Bureau of Foreign Affairs, Ministry of Labour and Personnel.
Zhang, Beihong, Mrs., Ministry of Labour and Personnel.

Nicaragua

Campbell, F., Sr., Embajador de Nicaragua en Harare.
Gazol, J. J., Sr., Embajada de Nicaragua en Harare.

Nigeria/Nigéria

Williams, F. O., Mr., Director, Employment Services Department, Federal Ministry of Employment, Labour and Productivity.
Okunola, O. A., Mr., Third Secretary, Ministry of External Affairs.
Osio, A. P. E., Mr., Embassy of Nigeria in Harare.

Norway/Norvège/Noruega

Vollebaek, K., Mr., Head of Division, Ministry of Foreign Affairs.

Pakistan/Pakistán

Siddiqui, T., Mr., Ambassador of Pakistan in Harare.
Sharfuddin, S., Mr.

Sweden/Suède/Suecia

Jonzon, B., Mr., Deputy Assistant Under-Secretary, Ministry of Labour.
Danielsson, L., Mr., First Secretary, Permanent Mission of Sweden, Geneva.

USSR/URSS

Korneyev, V., Mr., Deputy Head, Africa Department, USSR Ministry of Foreign Affairs.

Employers' members:

Membres employeurs:

Miembros empleadores:

Georget, H., Mr., (Niger) Chairman, Pan-African Employers' Confederation; membre du bureau du Syndicat national des petites et moyennes entreprises et industries du Niger.

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Healy, T. P. A., Mr., (United Kingdom) Head, Policy Planning and Member Services, Employment Affairs Directorate, Confederation of British Industry.

Hernandez, B., Mr., (Philippines) Member, Board of Directors, Employers' Confederation of the Philippines.

Hoff, E., Mr., (Norway) Director, International Office, Norwegian Employers' Federation.

Lagasse, R., Mr., (Belgium) Secretary-General, International Organisation of Employers.

Lounis-Khodja, M., Mr., (Algeria) Deputy Treasurer-General, Pan-African Employers' Confederation; président-directeur général de la Société des entreprises Lounis-Khodja. (To replace Mr. Saïd.)

Owuor, T., Mr., (Kenya) Executive Director, Federation of Kenya Employers; Secretary-General, Pan-African Employers' Confederation.

Sumbwe, F., Mr., (Zambia) Executive Director, Zambia Federation of Employers.

Williams, J., Mr., (Barbados) Executive Director, Barbados Employers' Confederation.

Workers' members:

Membres travailleurs:

Miembros trabajadores:

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Baker, J., Mr., (United States) European Representative of the AFL-CIO.

Laurijssen, E., Mr., Assistant Director, ICFTU, Geneva Office.

Mabumo, E. N., Mr., (Mozambique) Organisation of Mozambique Workers.

Muhr, G., Mr., (Federal Republic of Germany) Vice-Chairman, ILO Governing Body; Vice-President, German Confederation of Trade Unions.

Accompanied by:/Accompagné de:/Acompañado de:

Hasemayer, K. H., Mr., representative of the Friedrich Ebert Stiftung in Zimbabwe.

Sunmonu, H., Mr., Secretary-General, Organisation of African Trade Union Unity.

Svenningsen, J., Mr., (Denmark) International Adviser, Danish Federation of Trade Unions.

Timmer, J., Mr., (Hungary) President, Trade Union Council of Budapest.

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Wang, Jiachong, Mr., (China) Vice-Chairman, All-China Federation of Trade Unions.

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Xu, Xiaoqian, Mr., Committee on International Affairs, All-China Federation of Trade Unions.

Zimba, N., Mr., (Zambia) Secretary-General, Zambian Congress of Trade Unions.

Front-line and neighbouring States

Etats de première ligne et Etats voisins

Estados de primera línea y Estados vecinos

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Government delegate:

Délégué gouvernemental:

Delegado gubernamental:

Mogami, C. G., Mr., Permanent Secretary for Labour and Home Affairs.

Accompanied by:/Accompagné de:/Acompañado de:
Chakalisa, M., Mr., Principal Labour Officer.

Employers' delegate:
Délégué des employeurs:
Delegado de los empleadores:
Matenge, G. W., Mr.

Workers' delegate:
Délégué des travailleurs:
Delegado de los trabajadores:
Marambo, G., Mr.

Lesotho

Government delegate:
Délégué gouvernemental:
Delegado gubernamental:
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Mozambique

Government delegate:
Délégué gouvernemental:
Delegado gubernamental:
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Namibia/Namibie

Government delegates:
Délégués gouvernementaux:
Delegados gubernamentales:
Niyungeko, J., Mr., Ambassador, UN Council for Namibia.

Clark, B. A., Mr., Regional Representative, Office of the Council for Namibia, Lusaka.
Nauyala, K., Mr. (SWAPO).

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Ya-Otto, J., Mr., National Union of Namibian Workers.

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Ittula, K., Mrs.

United Republic of Tanzania/République-Unie de Tanzanie/Répubblica Unida de Tanzania

Government delegate:
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Delegado gubernamental:
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Shikely, A. Y., Mr., Labour Officer.

Employers' delegate:
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Delegado de los empleadores:
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Workers' delegate:
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Delegado de los trabajadores:
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Delegado gubernamental:
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Zimbabwe

Government delegate:
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Delegado gubernamental:

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Munjanganja, E., Dr., Deputy Secretary, Ministry of Labour, Manpower Planning and Social Welfare.
Kadzura, Mr.

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Delegado de los empleadores:

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Delegado de los trabajadores:

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Mudzengerere, N., Mr., Zimbabwe Congress of Trade Unions.

Nedziwe, I., Ms., Acting Secretary-General, Zimbabwe Congress of Trade Unions.

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Accompanied by:/Accompagné de:/Acompañado de:
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Australia/Australie

Alexander, L. L., Mr., First Secretary, Australian High Commission, Harare.

Bangladesh

Rahman, M., Mr.

Brazil/Brésil/Brasil

Brito de Azevedo, B., Sr.

Cuba

Oliva Guerra, S., Sr.

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Democratic Yemen/Yémen démocratique/Yemen Democrático

Ghaleb Abdulla, M., Mr.

Ethiopia/Ethiopie/Etiopía

Gutema, A., Ms.

Finland/Finland/Finlandia

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German Democratic Republic/République démocratique allemande/República Democrática Alemana

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Bueckmann, U., Mr.

Greece/Grèce/Grecia

Skouroliakos, D., Mr., Ambassador of Greece in Harare.

India/Inde

Ganai, S., Mr.

Indonesia/Indonésie

Soegarda, W., Mr.

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

Tayarani Yousef-Abadi, M. A., Mr., Deputy Minister of Labour for Cultural and Parliamentary Affairs.

Accompanied by:/Accompagné de:/Acompañado de:
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Gharagozlow, A., Mr., Adviser
Mousavi, M., Mr., Adviser.

Iraq

Issam, M., Mr., Ambassador of Iraq In Harare.

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Italy/Italie/Italia

Tróise, T., Mr., Ambassador of Italy in Harare.

Kenya

Ngaithe, L., Mr.

Kuwait/Koweït

Al-Othman, S., Mr., Counsellor, Permanent Mission of Kuwait in Geneva.

Peru/Pérou/Perú

Couturier, H., Sr., Embajador del Perú en Harare.

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Portugal

Faria e Maya, A., M., premier secrétaire à l'ambassade du Portugal à Harare.

Spain/Espagne/España

Salazar Palma, M., Sr., secretario de la Embajada de España en Harare.

Sudan/Soudan/Sudán

Yousif, E., Mr.

Accompanied by:/Accompagné de:/Acompañado de:
Kabelrafig, M. Mr.
Sharfi, A., Mr.

United States/Etats-Unis/Estados Unidos

Almeida, P. M., Mr.

Accompanied by:/Accompagné de:/Acompañado de:
Flynn-Burans, C., Ms.
Manning, M., Mr.

Yugoslavia/Yougoslavie

Dzuverovic, O., Mrs.

Representatives of official international organisations and liberation movements

Représentants des organisations internationales officielles et des mouvements de libération

Representantes de organizaciones internacionales oficiales y de movimientos de liberación

United Nations/Nations Unies/Naciones Unidas

Special Committee against Apartheid:

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Comité Especial contra el Apartheid:

Joshi, H., Mr.

Accompanied by:/Accompagné de:/Acompañado de:

Santana, A., Ms., Political Affairs Officer.

Organisation of African Unity:

Organisation de l'unité africaine:

Organización de la Unidad Africana:

Wege Nzomwita, V., Mr.

Arab Labour Organisation:

Organisation arabe du travail:

Organización Arabe del Trabajo:

El Telawi, A., M., chef de la délégation permanente à Genève.

African National Congress (ANC) – (South Africa):

Congrès national africain (CNA) – (Afrique du Sud):

Congreso Nacional Africano (CNA) – (Sudáfrica):

Nkadimeng, J., Mr., Member of the National Executive Committee and General Secretary of the South African Congress of Trade Unions (SACTU).

Pemba, A., Mr., Head, Department of International Affairs, SACTU.

Shope, M., Mr.

Maphoto, I., Mr.

Mathews, K., Mr.

Shiba, J., Mr.

Pan-Africanist Congress of Azania:

Congrès panafricain d'Azanie:

Congreso Panafricano de Azania:

Ntloedibe, E., Mr., Labour Co-ordinator.

Palestine Liberation Organisation:

Organisation de libération de la Palestine:

Organización de Liberación de la Palestina:

Halimeh, A., Mr.

Chaban, A., Mr.

Representatives of non-governmental international organisations

Représentants d'organisations internationales non gouvernementales

Representantes de organizaciones internacionales no gubernamentales

International Confederation of Free Trade Unions:

Confédération internationale des syndicats libres:

Confederación de Organizaciones Sindicales Libres:

Kailembo, A., Mr., Head, Africa Desk, ICFTU Secretariat.

Accompanied by:/Accompagné de:/Acompañado de:

O'Farrell, P., Mr., AFL-CIO.

International Organisation of Employers:

Organisation internationale des employeurs:

Organización Internacional de Empleadores:

Dejardin, J., M., assistant du Secrétaire général, Genève.

Organisation of African Trade Union Unity:
Organisation de l'unité syndicale africaine:
Organización para la Unidad Sindical Africana:

Diop, D., Mr.
Sikazwe, R., Mr.
Chihana, C., Mr.
Mabé, S., Mr.
Mndaweni, J. T., Mr.
Mika, T., Mr.
Ntloedibe, M. E., Mr.
Mufamadi, F. S., Mr.
Mantashe, G., Mr.

World Federation of Trade Unions:
Fédération syndicale mondiale:
Federación Sindical Mundial:

Botvinov, A. I., Mr., Head of Section, All-Union Central
Council of Trade Unions, USSR.

APPENDIX III

Text of the cable sent to the State President of the Republic of South Africa, Mr. P. W. Botha

THE INTERNATIONAL TRIPARTITE CONFERENCE ON ACTION AGAINST APARTHEID, CONVENED BY THE INTERNATIONAL LABOUR ORGANISATION AND CONSISTING OF REPRESENTATIVES OF GOVERNMENTS, EMPLOYERS' AND WORKERS' ORGANISATIONS REPRESENTING ALL REGIONS OF THE WORLD, MEETING IN HARARE FROM 3 TO 6 MAY 1988, STRONGLY URGES YOUR GOVERNMENT NOT TO PURSUE THE ADOPTION OF THE PROPOSED AMENDMENT TO THE LABOUR RELATIONS ACT WHICH, IF IMPLEMENTED, WOULD SEVERELY INTERFERE WITH THE NORMAL AND INTERNATIONALLY RECOGNISED FUNCTIONING OF TRADE UNIONS AND WOULD BE IN FLAGRANT VIOLATION OF BASIC INTERNATIONAL LABOUR STANDARDS SUCH AS ILO CONVENTION No. 87 ON FREEDOM OF ASSOCIATION AND THE RIGHT TO ORGANISE.

J. L. NKOMO,
*Chairman, ILO Tripartite Conference on Action
against Apartheid*

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Report submitted by the Governing Body to the Conference for the year 1987-88

1. The present report on the work of the Governing Body is submitted to the Conference in accordance with article 14(1) of the Standing Orders of the Governing Body. It covers the period since the last ordinary session of the Conference (June 1987), i.e. the Governing Body's 237th (June 1987), 238th (November 1987) and 239th (February-March 1988) Sessions, but not the pre-Conference sittings of its 240th Session (May-June 1988). An account of those sittings will be given to the Conference by the Chairman of the Governing Body when he introduces the present report. The information provided below is a summarised account of the work of the Governing Body, stressing the more important decisions. Detailed information can be found in the minutes and documents relating to the different sessions.

A. MATTERS RELATING TO THE GOVERNING BODY

2. Following the June 1987 Governing Body elections, the Governing Body at its 237th Session elected its Officers for 1987-88 as follows: Chairman: Mr. M.V. Russomano (Brazil); Employers' Vice-Chairman: Mr. J.-J. Oechslin (France); Workers' Vice-Chairman: Mr. G. Muhr (Federal Republic of Germany).

3. In accordance with article 22 of the Standing Orders of the Governing Body, the Chairman of the Governing Body (Mr. Russomano) was ex officio Chairman of the Programme, Financial and Administrative Committee. The other Governing Body committees elected their officers as follows:

Allocations Committee

Chairman: Mr. Wang Jianbang (China)

Committee on Standing Orders and the Application of Conventions and Recommendations

Chairman: Mr. Elmiger (Switzerland)

Employers' Vice-Chairman: Miss Hak (Netherlands)

Workers' Vice-Chairman: Mr. Svenningsen (Denmark)

Industrial Activities Committee

Chairman: Mr. Hertel (German Democratic Republic)

Employers' Vice-Chairman: Mr. Lindner (Federal Republic of Germany)

Workers' Vice-Chairman: Mr. Morton (United Kingdom)

International Organisations Committee

*Chairman*¹: Mr. Riccheri (Argentina)

Employers' Vice-Chairman: Mr. Tata (India)

Workers' Vice-Chairman: Mr. Blondel (France)

Committee on Operational Programmes

Chairman: Mr. Nkurlu (United Republic of Tanzania)

Employers' Vice-Chairman: Mr. Nasr (Lebanon)

Workers' Vice-Chairman: Mr. Diop (Senegal)

Committee on Discrimination

Chairman: Mr. Danielsson (Sweden)

Employers' Vice-Chairman: Mr. Sumbwe (Zambia)

Workers' Vice-Chairman: Mr. Mercier (Canada)

Committee on Multinational Enterprises

Chairman: Mr. Poulter (Australia)

Employers' Vice-Chairman: Miss Hak (Netherlands)

Workers' Vice-Chairman: Mr. Baker (United States)

Committee on Employment

Chairman: Mr. Hakkou (Morocco)

Employers' Vice-Chairman: Mr. Katz (United States)

Workers' Vice-Chairman: Mr. Crean (Australia)

4. Following the departure of Mr. Riccheri (Government member, Argentina), Chairman of the International Organisations Committee, the Committee at the 239th Session elected Mr. Galer (Government member, Argentina) as its Chairman.

5. The Governing Body decided at its 237th Session to extend the term of office of Professor Roberto Ago as Chairman of the Committee on Freedom of Association until the expiry of the term of office of the present Governing Body (1990).

6. During the period under review the Governing Body took note of a number of changes in its composition and in that of its committees and various bodies.

¹ See paragraph 4 below.

B. MATTERS RELATING TO THE INTERNATIONAL LABOUR CONFERENCE

I. Ordinary sessions of the Conference

1. Date, place and agenda of the 76th Session (1989) of the Conference

7. At its 238th Session the Governing Body had before it proposals concerning the date, place and agenda of the 76th Session (1989) of the Conference.

Date and place

8. The Governing Body decided that the 76th Session (1989) of the Conference should open on Wednesday, 7 June 1989 and that the session should be held in Geneva.

Agenda

9. The Governing Body chose two new technical items for discussion by the Conference in 1989. It noted that as a result of this decision, and having regard to the standing items that would necessarily be before the Conference and the item likely to be carried forward for second discussion from the 75th Session (1988), the agenda of the 76th Session (1989) would be as follows:

Standing items

- Reports of the Governing Body and the Director-General
- Programme and budget proposals and other financial questions
- Information and reports on the application of Conventions and Recommendations

Items placed on the agenda by the Conference of the Governing Body

- Partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107) (*second discussion*)
- Night work (*first discussion*)
- Safety in the use of chemicals at work (*first discussion*)

10. The Governing Body also noted that the Conference would, in addition, have before it a special report on the application of the Declaration concerning the policy of apartheid in South Africa.

2. Action on the resolutions adopted by the Conference at its 73rd Session (June 1987)¹

11. At its 73rd Session (June 1987), the Conference adopted resolutions calling for action by the Governing Body on the following subjects: the International Year of Shelter for the Homeless and the role of the ILO; the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); measures against drug and alcohol abuse in working and social life; the role of the ILO in technical co-operation. At its 238th Session, the Governing Body, having taken note of the information provided by the

Office concerning ongoing or planned action in the areas concerned, requested the Director-General to take appropriate measures to give effect to the requests made in the resolutions. An account of the action taken on the resolution concerning the role of the ILO in technical co-operation is given below in paragraph 68.

II. Maritime session

Action on the resolutions adopted by the Conference at its 74th (Maritime) Session (24 September-9 October 1987)

12. At its 74th (Maritime) Session the Conference adopted resolutions on the following subjects: the health of seafarers with particular reference to AIDS; the co-ordination of welfare activities for seafarers; social and welfare services for seafarers' families; the recruitment of seafarers and the regulation of fee-charging employment agencies; conditions of employment for seafarers; attacks on merchant shipping; the application of international labour Conventions and Recommendations and the more widespread ratification of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147); and the expediting of legal proceedings in cases of abandonment of seafarers and in the sale of arrested vessels. At its 239th Session, the Governing Body, having taken note of the information provided by the Office concerning ongoing or planned action in the areas concerned, requested the Director-General to take appropriate measures to give effect to the requests made in the resolutions.

C. INTERNATIONAL LABOUR STANDARDS

1. Application of Conventions and Recommendations

(a) Choice of Conventions and Recommendations on which reports should be required in 1989 and 1990 under article 19 of the Constitution

13. The Governing Body decided at its 238th Session to request governments to submit reports under article 19 of the Constitution on the following instruments:

in 1989: the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147) and the Merchant Shipping (Improvement of Standards) Recommendation, 1976 (No. 155);

in 1990: the Paid Educational Leave Convention (No. 140) and Recommendation (No. 148), 1974; and the Human Resources Development Convention (No. 142) and Recommendation (No. 150), 1975.

(b) Forms for reports on the application of ratified Conventions (article 22 of the Constitution)

14. At its 239th Session the Governing Body decided that the Committee on Standing Orders and the Application of Conventions and Recommendations should meet at the Governing Body's 240th Session (May-June 1988) to approve the report forms for the Conventions adopted by the Conference at its 74th (Maritime) Session.

¹ See also ILO: Report of the Director-General, International Labour Conference, 75th Session, 1988, Appendices.

2. Freedom of association

15. At its 238th and 239th Sessions (November 1987 and February-March 1988) the Governing Body examined the three reports submitted by the Committee on Freedom of Association and approved definitive or interim conclusions in 45 cases.

16. In the introductory paragraphs of its reports, the Committee on Freedom of Association drew special attention to the fact that in a certain number of cases the governments concerned had not submitted replies, despite the time which had elapsed since the presentation of the complaints and despite the seriousness of the complainants' allegations. In some of these cases, relating to Haiti, Morocco, Nepal, Pakistan, Paraguay and Peru, as the Committee had not received substantial replies from the governments concerned, it finally had to examine the complaints presented, in accordance with its procedural rules. In this regard, the Committee emphasised the importance of prompt, detailed and complete replies from the governments concerned, as this was in their own interest, since in any event, beyond a certain time-limit, the Committee would proceed to examine the case, even in the absence of a reply on their part.

17. At its sessions in November 1987 and February-March 1988 the Committee on Freedom of Association examined, in addition to the cases under consideration, 23 cases for which the governments concerned had kept it informed of the effect which had been given to the Committee's recommendations. This procedure is of particular significance since it enables the Committee on Freedom of Association to draw up a balance sheet of its actions and quite often to note the positive outcome of cases of which it had been seized. It was thus that the Committee took note with interest of the reinstatement of trade union members who had been dismissed and the release of trade union leaders in Burkina Faso and Tunisia.

3. Special constitutional procedures

Representations made under article 24 of the Constitution

18. At its 238th and 239th Sessions the Governing Body approved the decision of the Committee on Freedom of Association to defer its examination, pending receipt of the detailed observations referred to by the Government of Turkey, of the representation submitted by the General Confederation of Norwegian Trade Unions under article 24 of the ILO Constitution alleging non-observance by Turkey of the Right of Association (Agriculture) Convention, 1921 (No. 11) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), as well as a number of other complaints submitted by various international trade union organisations alleging violation of freedom of association in Turkey (Cases Nos. 997, 999 and 1029).

19. At its 238th Session the Governing Body approved the report of the Committee set up to examine the representation made by Japanese trade unions under article 24 of the ILO Constitution alleging non-observance by Japan of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96). It also declared the closure of the proce-

cedure initiated following the submission of the representation.

20. At its 238th Session the Governing Body approved the report and conclusions of the committee set up to examine the representation, made by the State Federation of Associations of Employees and Workers of the State Administration under article 24 of the ILO Constitution, alleging non-observance by Spain of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117). It declared closed the procedure initiated before the Governing Body as a result of the representation.

21. At its 238th Session the Governing Body approved the report and conclusions of the committee set up to examine the representation made by the Hellenic Airline Pilots Association (HALPA) under article 24 of the ILO Constitution alleging non-observance by Greece of the Forced Labour Convention, 1930 (No. 29) and the Abolition of Forced Labour Convention, 1957 (No. 105). It also declared closed the procedure initiated as a result of the submission of the representation.

22. The Governing Body examined at its 238th Session a report of the Officers of the Governing Body, which dealt with a representation submitted in connection with the expulsion of foreign workers by the Libyan Arab Jamahiriya. It decided that the representation procedure should resume its course, in accordance with article 24 of the Constitution, and set up a tripartite committee to examine the representation made against the Libyan Arab Jamahiriya.

23. At the same session the Governing Body decided to postpone, to a forthcoming session, its consideration of a report of the Officers of the Governing Body concerning a representation, submitted by the Ontario Secondary School Teachers' Federation under article 24 of the ILO Constitution, alleging non-observance by the Government of the USSR of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and of the Employment Policy Convention, 1964 (No. 112).

24. At its 239th Session the Governing Body declared receivable a representation submitted by the Trade Union Confederation of Workers' Commissions under article 24 of the ILO Constitution, alleging non-observance by Spain of the Minimum Wage Fixing Convention, 1970 (No. 131), and set up a tripartite committee to examine it.

Complaint submitted under article 26 of the Constitution

25. The Governing Body at its 238th Session requested its Committee on Freedom of Association to examine a complaint concerning the observance by Nicaragua of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), made by Employers' delegates to the 73rd Session of the Conference (June 1987) under article 26 of the Constitution. At its 239th Session the Governing Body approved the interim conclusions of its Committee on Freedom of Association concern-

ing this complaint, which it examined in conjunction with a number of other complaints alleging violation of freedom of association submitted by various trade union organisations and by the International Organisation of Employers (Cases Nos. 1129, 1298, 1344, 1351 and 1372). the Governing Body approved in particular the decision of the Committee on Freedom of Association to examine at its 240th Session in May-June 1988 the advisability of setting up a Commission of Inquiry to examine the complaint, made by Employers' delegates under article 26 of the ILO Constitution, on the basis of any information supplied by the Government and of the comments by the Committee of Experts on the Application of Conventions and Recommendations concerning the application of Conventions Nos. 87 and 98 by Nicaragua.

D. DISCRIMINATION

26. Giving effect to the Conclusions of the Committee on Apartheid at the 73rd (June 1987) Session of the Conference, the Governing Body decided at its 238th Session to include the question of the updating of the 1981 Declaration on Apartheid in the agenda of the present session of the Conference, and to convene a Tripartite Conference on Action against Apartheid to examine the questions recommended by the Committee on Apartheid. In accordance with the decisions taken by the Governing Body at its 239th Session, this conference was held in Harare from 3 to 6 May 1988, and its report is submitted to the present session of the International Labour Conference.

27. At its 238th Session the Governing Body also examined the continued application of the 1981 Declaration on Apartheid, particularly in the field of the operational activities that are described in the report of its Committee on Discrimination and in the Director-General's Special Report on the application of the Declaration that is submitted to the present session of the Conference. It also examined all the ILO's other activities on discrimination in matters of employment and occupation, again examining in detail the ILO Plan of Action on equality of opportunity and treatment for men and women in employment, particularly in relation to the preparation of the Medium-Term Plan for 1990-95. It was understood that this question would be examined again after the adoption of the Plan.

28. At its 239th Session the Governing Body held an exchange of views, during its consideration of the report of its Committee on Discrimination, on the measures envisaged by the Director-General with regard to the situation in the Arab territories occupied by Israel. The Governing Body expressed the general wish that the Director-General should take due account of the views expressed, in particular as regards the arrangements for, and composition of, the ILO mission to the occupied territories.

E. STANDING ORDERS QUESTIONS

29. At its 239th Session the Governing Body considered the problems resulting from the appointment, as regular members of Conference committees, of government, employers' and workers'

representatives who, as a result of the application of either article 13, paragraph 4 (arrears in the payment of contributions) or article 4, paragraph 2 (incomplete delegations) of the Constitution, no longer enjoy the right to vote.

30. Pending further consideration of a proposal to amend article 56, paragraph 1 of the Conference Standing Orders in order to provide that representatives not enjoying the right to vote may be appointed only as deputy members of Conference committees, the Governing Body decided that the practice, introduced in the Government group at the 73rd Session (June 1987) of the Conference, of requesting Government delegates and advisers not to apply for regular membership of any committee if they are not, at the time in question, entitled to vote, should be continued, and that, in so far as may nevertheless be necessary, the weighting coefficients in committees should be calculated on the basis of the number of regular Government members entitled to vote. This proposed change will be brought to the attention of the Conference through its Selection Committee.

F. WORKING PARTY ON CONSTITUTIONAL AMENDMENTS CONCERNING CONFERENCE DELEGATIONS

31. At its 237th Session the Governing Body reconstituted the Working Party, which is now composed as follows:

Government members: Cuba, Malaysia, Thailand, USSR, United States, Venezuela

Substitute: Sri Lanka

Employers' members: Mr. Brillinger, Mr. Georget, Miss Hak, Mr. Lindner, Mr. Nasr

Substitutes: Mr. von Holten, Mr. Said, Mr. Tsujino

Workers' members: Mr. Ali Ibrahim, Mr. Baldasini, Mr. Muhr, Mr. Mukherjee

Substitutes: Mr. Adiko, Mr. Mercier, Mr. Svenningsen, Mr. Timmer

32. The Working Party met during the 238th Session of the Governing Body under the chairmanship of Mr. Nik Mohamed Amin (Government member, Malaysia), and again during the 239th Session under the chairmanship of Mr. Heredia Pérez (Government member, Cuba).

33. Under the mandate assigned to it, the Working Party was called upon to continue to examine two linked matters: the financing of Conference delegations and the right to vote of incomplete delegations. Despite extensive discussions at both its meetings, the Working Party was unable to reach agreement on the various issues involved, and accordingly at its 239th Session the Governing Body decided, on the recommendation of the Working Party, that the work of the Working Party should be suspended until the 241st Session (November 1988) of the Governing Body and requested the Director-General in the meantime to use his good offices to undertake consultations on the basis of the views expressed in the Working Party and other relevant information, first with members of the Working Party and also, in so far as he considered it useful, on a broader basis, with a view to arriving at a conclusion. The Governing Body also decided that the Office should submit a

report to the Working Party at its November 1988 Session, in which it would report on the results of the Director-General's consultations, evaluate all the available information and, if appropriate in the light of the consultations, put forward specific proposals for the consideration of the Working Party.

G. PROGRAMME, FINANCIAL AND ADMINISTRATION MATTERS

1. *Programme and financial matters*

34. One of the Governing Body's principal tasks during the period under review was to consider the ILO Medium-Term Plan for the period 1990-1995.¹ The Plan was considered at the 239th Session, six sittings of the Programme, Financial and Administrative Committee being devoted to the discussion. In his reply to the discussion, the Director-General stated that full account would be taken of the views of the Committee in the preparation of the Programme and budget proposals for 1990-91. The Governing Body discussed and took note of the programme, Financial and Administrative Committee's report on its consideration of the Plan.² That report, together with the Plan itself, is contained in a supplement to the Report of the Director-General to the present session of the Conference.

35. The Governing Body continued its endeavours to resolve the various difficulties faced by the Organisation as a result of factors which disrupt the implementation of the approved programme of activities. Particular attention was paid to the problems created by wide fluctuations in exchange rates and by the late payment by member States of their assessed contributions. The question of the exchange rate for the 1988-89 biennium was addressed by the Director-General in a paper submitted to the 240th Session, discussion of which will be reported verbally to the Conference by the Chairman of the Governing Body. At the 238th and 239th Sessions the Programme, Financial and Administrative Committee held extensive discussions on the late payment of contributions, which led to the Governing Body's decision at the latter session to propose a draft resolution to the Conference at its present session to introduce, for a two-year trial period beginning on 1 January 1989, an incentive scheme to encourage the early payment of member States' assessed contributions.³

36. During the consideration of the Programme and Budget for the biennium 1988-89 by the Finance Committee of Government Representatives at the 73rd Session (June 1987) of the Conference, the Director-General undertook to endeavour to find the means of reducing the budgetary burden by a further \$6.9 million, but with the minimum possible disruption of programmes. Proposals to this effect were submitted to the 239th Session of the Governing Body. In accordance with a recommendation by its Programme, Financial and Administrative Committee, the Governing Body decided to submit a draft

resolution to the Conference at its present session to endorse programme reductions of \$1.9 million for the 1988-89 biennium, and to reduce the amount which under normal statutory conditions would have to be reimbursed to the Working Capital Fund in 1989 by \$5 million.³

37. At its 237th Session the Governing Body approved supplementary expenditure for 1986-87 of \$15,000 to cover the cost of a tripartite Governing Body delegation to the Second UNIDO Consultation on the Training of Industrial Manpower (Paris, September 1987), to be financed by savings in Part I of the budget for that biennium.

38. The Governing Body continued to monitor the position of the regular budget accounts and the Working Capital Fund. It noted at its 238th Session that, as of 15 October 1987, 65 member States had paid their contributions in full for 1987, compared to 62 at the same date in 1986. Budgetary income to 15 October 1987 for the 1986-87 biennium as a whole totalled \$229,717,942, whereas budgetary expenditure, including the effect of exchange rate adjustments of \$46,080,180, amounted to \$243,009,453, thus exceeding budgetary income by \$13,291,511. The overall budgetary results for 1986-87 were noted by the Governing Body at its 239th Session, budgetary expenditure of \$291,266,335 then exceeding budgetary income of \$266,206,708 by \$25,059,627. In the light of this adverse situation and in order to limit the additional assessment on member States in 1989 in respect of the 1986-87 cash deficit, the Governing Body, as a one-time measure, waived the provisions of Financial Rule 3.20(a) so as to permit arrears of contribution for 1987 and earlier years received from 1 to 31 January 1988, amounting to \$9,701,921, to be brought to account in 1987.

39. Also at its 239th Session the Governing Body noted that by 31 January 1988 some \$28,113,141 had been received in respect of 1988 regular budget contributions, representing 17.3 per cent of the contributions assessed on member States for that year, 19 member States having paid their contributions in full - the same number as in 1987 at the same date.

40. The Governing Body at its 238th Session noted the report on the 45th Session of the Board of the International Centre for Advanced Technical and Vocational Training (Turin). It endorsed the programme, approved the 1988 and 1989 budgets for, and accepted contributions and gifts to the International Institute for Labour Studies; and it approved the 1988-89 expenditure and income budgets for the Joint ILO/International Social Security Association (ILO/ISSA) Account and for the extra-budgetary accounts of the International Occupational Safety and Health Information Centre (CIS) and the Inter-American Vocational Training Research and Documentation Centre (CINTERFOR).

41. At its 238th Session the Governing Body reviewed the question of the financing of a tripartite conference proposed for May 1988 to review action against apartheid, and decided that the cost, estimated at \$340,000, be financed in the first instance by voluntary and extra-budgetary contributions, and in the second instance by savings in Part I of the budget for 1988-89 or, failing that, be charged to Part II (Unforeseen expenditure).

¹ GB.239/PFA/3/1.

² GB.239/8/35.

³ ILO: *Information concerning the Programme and Budget for 1988-89 and other financial and administrative questions*, Report II, International Labour Conference, 75th Session, 1988.

42. At its 238th and 239th Sessions the Governing Body, in addition to the \$340,000 mentioned above, approved unforeseen expenditure for 1988-89 totalling \$1,435,000, as follows: \$435,000 to cover the cost of a variety of staff entitlements deriving from decisions of the International Civil Service Commission; \$270,000 to cover the cost of giving effect in the ILO to decisions of the United Nations General Assembly concerning staff assessment rates, gross and net salary scales and separation payments for the Professional and higher categories, and education grant; \$650,000 to meet the cost of the ILO's share of increased contribution rates to the Staff Health Insurance Fund; \$60,000 to cover the ILO's share of amended rates of pension contribution resulting from interim measures adopted by the General Assembly for stabilising certain pensions payable in local currency; and \$20,000 to meet the cost of a Governing Body delegation to the Fourth Session of the Joint Committee on the Public Service. Except for the last two items, which were to be financed from savings in Part I of the budget – and in the case of the \$20,000, failing that, charged to Part II (Unforeseen expenditure) – these decisions were taken on the understanding that the related expenditure would be financed in the first instance from savings in Part I and that, should that subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the 1988-89 biennium.

43. At its 238th Session, in accordance with a request made by the Conference Committee on Apartheid at the 73rd Session (June 1987) of the Conference,¹ the Programme, Financial and Administrative Committee of the Governing Body established a tripartite working group whose terms of reference were to assist the Director-General to find alternative banking facilities for the ILO.² The Committee on Apartheid called for a progress report to be submitted to it at the 75th Session (1988) of the International Labour Conference on action taken by the Governing Body on this subject. At its 239th Session the Governing Body noted that the Special Working Group on Banking Facilities in the ILO had met and presented a series of conclusions in the form of a report³ which had been noted by its Programme, Financial and Administrative Committee. The Governing Body further noted that the Special Working Group would be meeting to consider additional information, which was to be provided by the Director-General, during the course of its 240th Session.

44. At its 239th Session the Governing Body had before it a recommendation by its Allocations Committee concerning the assessment of Poland's contribution to the budget of the ILO for 1988 and 1989, and decided to propose an appropriate draft resolution to the Conference for adoption at its present session.⁴

45. At its 238th Session the Governing Body took note of the annual report of the United Nations Joint

Inspection Unit (JIU) on its activities for the period July 1986 to June 1987, together with a report of the JIU on field representation of organisations of the United Nations system: structure and co-ordination. Finally, at its 239th Session, it authorised financing from the Building and Accommodation Fund for the re-waterproofing of the roofs of the headquarters building as and when such work became necessary.

2. Administrative matters

46. At its 238th Session the Governing Body took note of amendments to the Staff Regulations approved by the Director-General, under the authority delegated to him by the Governing Body, which related to a change in the periodicity of performance appraisals. It also noted the amendments approved by the Director-General in accordance with article 14.7 of the Staff Regulations concerning incentives for language proficiency for General Service category officials in Geneva and the special assignment allowance (financial incentive) payable to officials serving in designated duty stations, which gave effect to decisions of the International Civil Service Commission (ICSC) with regard to rates of allowance and benefits and conditions of entitlement. The Governing Body was also informed at that session that the Director-General had amended the Staff Regulations, under the authority conferred on him by the Governing Body at its 236th Session, to introduce new gross and net salary scales and new rates of staff assessment and separation payments for the Professional and higher categories in order to give effect to decisions taken by the General Assembly on the basis of recommendations of the ICSC. The Governing Body also examined the thirteenth annual report of the ICSC, and especially the conclusions and recommendations that were of salient interest to the ILO, namely, the margin between United Nations remuneration and United States civil service remuneration, separation payments, staff assessment of the Professional and higher categories, post adjustment questions, assignment allowance, education grant, the recommendations of the "Group of Eighteen", job classification and other personnel policy matters. The Governing Body took note of the decisions of the ICSC with respect to the scale of separation payments, the revision of the rental subsidy scheme, and the improvement of the assignment allowance, and deferred to its next session action on the recommendations of the ICSC.

47. At its 239th Session the Governing Body reviewed the decisions of the United Nations General Assembly on these recommendations and authorised the Director-General to amend the Staff Regulations in order to give effect in the ILO to the decisions concerning a further modification of staff assessment rates in order to increase the revenue of the United Nations Tax Equalisation Fund, revised gross and net salary scales and separation payments for the Professional and higher categories, and revised entitlements under the education grant for the reimbursement of boarding costs. The Governing Body at the same session also authorised the Director-General to implement, with effect from 1 April 1988, the revised salary scale for General Service category staff in Geneva and any revised rates of allowances established according to ICSC methodology.

¹ International Labour Conference, 73rd Session, Geneva, June 1987, *Provisional Record* No. 20, Conclusions of the Committee on Apartheid.

² GB.238/PFA/7/3.

³ GB.239/PFA/5/20.

⁴ ILO: *Information concerning the Programme and Budget for 1988-89 and other financial and administrative questions*, Report II, International Labour Conference, 75th Session, 1988.

48. The Governing Body was informed at its 238th Session that following an evaluation of the personal promotion system, the Director-General had concluded that by and large the objectives of the scheme had been met, as personal promotions had been granted to long-serving officials whose careers had been blocked through no fault of their own; he therefore intended to extend the trial period for a further two years with some improvements in the assessment procedure. The Governing Body also took note of two exceptions which the Director-General had made in accordance with Article 14.6 of the Staff Regulations concerning non-resident allowances and rental subsidies.

49. During its 238th Session the Governing Body examined the conclusions and recommendations of the Board of the United Nations Joint Staff Pension Fund (UNJSPB), noting with satisfaction that the long-term real return on the Fund's investments had improved. At its 239th Session, the Governing Body took note of the decision of the United Nations General Assembly, based on a recommendation by the UNJSPB that the Governing Body had supported earlier, to adopt interim measures establishing "floor" ratios between the initial local currency pensions and the United States dollar pensions. These interim measures would remain in force until 1990, when a comprehensive review of pensionable remuneration and of pensions would be undertaken by the ICSC and the UNJSPB. The Governing Body was also informed of the decisions of the United Nations General Assembly concerning the composition of the Pension Board. It authorised the Director-General to increase the rate of pension contributions to be made by the Organisation in two stages, to 14.8 per cent (7.4 for staff members) on 1 July 1988 and to 15.0 per cent (7.5 per cent for staff members) on 1 July 1989, as approved by the United Nations General Assembly. The Governing Body also requested the Director-General, through his representatives on the UNJSPB, to participate fully in studies requested of the Board by the United Nations General Assembly, with a view to guaranteeing the Fund's long-term financial viability while ensuring adequate old-age protection for ILO officials. Finally, it took note of the report of the Administrative Board of the ILO Staff Pensions Fund.

50. The Governing Body also noted at its 239th Session that, since the beginning of 1987, the financial situation of the ILO-ITU Staff Health Insurance Fund had deteriorated due to escalating medical costs, the stagnation and in some cases reduction of net salaries upon which the contributions were assessed, the sharp fall in the value of the dollar against the Swiss franc and the premature retirement of a substantial number of long-serving officials anxious not to face further erosion of their pension entitlements. The Governing Body noted the Director-General's intention to submit long-term proposals on the future operation and funding of the Staff Health Insurance Fund to it at its November 1988 Session and approved, as an immediate measure with effect from 1 March 1988, an increase in the ILO's share of the contribution rates from 2.0 to 2.3 per cent.

51. With respect to the progressive harmonisation and further development of the Statutes and Rules of the Administrative Tribunals of the ILO and the

United Nations, the Governing Body agreed at its 238th Session to reconstitute the tripartite Working Party it had established at its 231st Session to undertake a preliminary examination of proposed amendments to the Statute of the Administrative Tribunal of the ILO. At its 239th Session it noted that the United Nations General Assembly had adopted a resolution requesting the Secretary-General to arrange for consultations between interested member States with the purpose of examining the proposals for the amendment of the Statutes, to invite the Director-General of the ILO to be present at such consultations, to report to the General Assembly at its 43rd Session on the outcome of such consultations and to present proposals designed to enable the Assembly to conclude its consideration of this question at that session. Accordingly, a representative of the Director-General will attend consultations to the extent feasible and a report will be submitted to the tripartite Working Party at the Governing Body's November 1988 session. The Governing Body decided in addition to submit a resolution concerning the composition of the Tribunal to the International Labour Conference at its present session.

52. Finally, at its 239th Session the Governing Body examined and took note of the statistical information submitted annually on the composition and structure of the ILO staff.

H. EMPLOYMENT

53. The Committee on Employment of the Governing Body held its first substantive meeting during the Governing Body's 238th Session. The Committee held an extensive exchange of views on an Office paper entitled: "Overview of the employment situation in the world". On the Committee's recommendation, the Governing Body subsequently authorised the Director-General to publish the paper under his own responsibility after taking account of the views expressed during the discussion and of the comments submitted in writing by members of the Committee.

54. The Committee also held a brief discussion at that session on an Office paper containing a "review and assessment of the activities of the ILO in the field of employment".

55. At its 239th Session the Governing Body examined the report of the High-Level Meeting on Employment and Structural Adjustment, held in Geneva from 23-25 November 1987. The numerous speakers who took part in the discussion of that report emphasised the significance of the conclusions adopted by the High-Level Meeting and the need for them to be followed by concrete action. The Governing Body took note of various measures taken or contemplated by the Director-General to follow up on the meeting, including regional seminars and meetings, advisory missions and technical co-operation projects requested by a number of countries, as well as the steps taken by the Director-General to secure the co-operation of other international organisations in these activities.

56. The Governing Body also requested the Director-General to circulate the report of the meeting to member States and to the international and non-governmental organisations concerned, and to take

into account the conclusions of the meeting in implementing the Programme and Budget for 1988-89, in future revisions of the Medium-Term Plan, 1990-95, and in developing ILO technical co-operation activities in the future. Finally, it decided that its Committee on Employment should in November 1988 have before it a detailed paper on the action to be taken on the conclusions of the High-Level Meeting.

57. The agenda of the Committee at its next meeting will also include the following items: training, retraining and labour mobility; options for future employment growth; and follow-up on the general discussion concerning rural employment promotion held at the present session of the International Labour Conference.

I. SECTORAL ACTIVITIES

58. At its 238th Session the Governing Body agreed to defer to November 1989 the consideration of arrangements for the seventh general review of the membership of Industrial and analogous Committees. Consideration of these arrangements was proposed for that date as all thirteen of the committees would, by the end of the 1988-89 biennium, have held one session with the existing membership, a requirement generally agreed to at the time of the sixth general review. The deferral was intended to enable the Governing Body to consider, at its 240th Session, a background paper concerning a number of requests received by the Office for the creation of additional standing committees.

59. At its 238th Session the Governing Body also authorised the Director-General to communicate the texts adopted by the Eleventh Session of the Building, Civil Engineering and Public Works Committee (April 1987), and by the Joint Meeting on Employment and Working Conditions in Water, Gas and Electricity Supply Services (May 1987) to governments, requesting them to communicate the texts to the employers' and workers' organisations concerned, and to the international organisations of employers and workers concerned. It also requested him to take the necessary action with a view to giving effect to the requests contained in those texts. The Governing Body also took note at its 238th Session of the report of the Eleventh Ordinary Session of the Intergovernmental Committee of the Rome Convention (July 1987) and requested the Director-General to ensure that the memorandum for the promotion of the Rome Convention was disseminated to all the governments and employers' and workers' circles concerned. In addition, the Governing Body invited the Director-General to bear in mind the advisability of resuming the work undertaken by the Office for the elaboration of international labour standards for the protection of performers, by providing for the convening of a meeting of experts.

60. The Governing Body also agreed at its 238th Session on the composition of the Fourth Session of the Joint Committee on the Public Service (to be held in December 1988), together with a reserve list of countries drawn up on a regional basis.

J. MULTINATIONAL ENTERPRISES

61. At its 238th Session the Governing Body adopted the revised report form (questionnaire) to be used in the fourth survey on the effect given to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, covering the years 1985-88. In accordance with earlier decisions of the Governing Body, the questionnaire was streamlined and new questions added on occupational safety and health and export processing zones. The questionnaire was distributed in March 1988 and replies are due by 28 February 1989. The Governing Body also took note of several replies to the third survey that were received too late to be included in the summary presented to the Governing Body at its 234th Session (November 1986).

62. The Governing Body also considered an item brought forward from its 234th Session, endorsing an addendum to be inserted in the Tripartite Declaration listing relevant new instruments introduced since the Declaration was adopted in 1977. As at previous sessions, the Governing Body took note of reports on promotional activities undertaken by the Office, completed studies, progress in current research and developments concerning multinationals in other organisations.

63. At its 239th Session the Governing Body's Committee on Multinational Enterprises considered a draft reply to a request for interpretation of the Declaration prior to its adoption by the Governing Body, as foreseen in the interpretation procedure. The request arose following the abrupt closure of the Belgian subsidiary of a multinational enterprise and the collective discharge of its workers. This interpretation of the Declaration, the second such interpretation, was adopted by the Governing Body on 1 March 1988.

K. RELATIONS WITH OTHER INTERNATIONAL ORGANISATIONS

64. At its 238th and 239th Sessions the Governing Body continued to review relations with other international organisations within and outside the United Nations system.

65. The Governing Body considered the latest developments in the United Nations system of interest to the ILO, including the financial difficulties of the system, the establishment of a Special Commission of the Economic and Social Council to review the intergovernmental structure in the economic and social fields, and the action taken by the General Assembly with regard to Acquired Immune Deficiency Syndrome (AIDS). The Governing Body also considered the action taken by the first and second regular sessions of ECOSOC in 1987, the International Conference on Disarmament and Development (New York, August-September 1987, to which the ILO had submitted a study), and the Second UNIDO Consultation on the Training of Industrial Manpower (Paris, September 1987), in which the ILO had played a major role. The Governing Body noted with satisfaction the declaration and recommendations of the International Conference on Drug Abuse and Illicit Trafficking (Vienna, June 1987), and instructed

the Director-General to continue to give special attention to drug abuse control activities within this framework. It also authorised him to approve on behalf of the ILO the FAO/ILO/IMO Document for Guidance on Fishermen's Training and Certification. The Governing Body took note of the report of the Tenth Session of the Joint ILO/WHO Committee on Occupational Health, and authorised the Director-General to distribute the report to the ILO's constituents as well as to interested institutions and services. It also invited him to take account of the proposals made by the Joint Committee when planning the future programme of work of the Office.

66. The Governing Body considered and took note of the action of interest to the ILO taken by the 42nd Session of the United Nations General Assembly, the Inter-regional Consultation on Developmental Social Welfare Policies and Programmes (Vienna, September 1987), the Tenth Session of the United Nations Commission on Human Settlements, which had held a special sitting to commemorate the International Year of Shelter for the Homeless (1987), and the Second General Conference of UNIDO. The Governing Body was also informed of ILO activities in relation to the 40th anniversary of the Universal Declaration of Human Rights and in support of the WHO's Global Programme on AIDS. In addition, the Governing Body reviewed follow-up to UNEP's World Industry Conference on Environmental Management, held in 1984, and the situation concerning the adoption of an additional Protocol to the European Social Charter.

67. At its 239th Session the Governing Body also considered extensively the results of the two 1987 sessions of the Open-Ended Working Group of the United Nations General Assembly, which is elaborating the draft International Convention on the Protection of the Rights of All Migrant Workers and Their Families. The Governing Body took note of the partial results of the elaboration of the Convention; expressed its conviction that appropriate arrangements should be made for effective participation by the Governing Body in the procedures concerning its application; and requested the Director-General to communicate the Office paper on this subject, together with the relevant parts of the report of the Governing Body's International Organisations Committee, to the Secretary-General of the United Nations, and, through him, to the Open-Ended Working Group.

L. TECHNICAL CO-OPERATION

68. At its 238th Session the Governing Body carried out its annual review of ILO operational activities during the previous year (1986), including tripartite participation. It noted that the increase in expenditure that had occurred in 1985 had continued in 1986, and that expenditure had in fact been some 17.8 per cent higher than in 1985. The greatest increase in 1986 had occurred in Africa (23.3 per cent higher than in 1985). Among the major technical programmes, that for sectoral activities registered the highest increase (28.8 per cent), followed by employment and development (21.8 per cent). Increases also occurred in the employers' and workers' activities programmes. ILO activities in the least de-

veloped countries (LDCs) continued to grow: in 1986 nearly \$37 million were spent on operational activities in the LDCs, almost \$29 million being devoted to Africa alone. The corresponding figures for 1985 were \$29.5 million and \$21.8 million respectively. This growth came at a time when resources available for the LDCs had not been increasing at the expected pace. The Governing Body took note of the measures taken to enhance the overall cost-effectiveness of the programme and of the results of deliberate efforts to reduce the expert component share in overall expenditure: in 1986 experts had accounted for 41.6 per cent of total expenditure.

69. At its 238th Session the Governing Body examined the third progress report on the implementation of the Programme of Action for Africa, a review initiated following the adoption by the International Labour Conference at its 71st Session (June 1985) of a resolution concerning the most urgent problems of Africa, and in particular food security. Considerable progress was noted in promoting the objectives expressed in the ILO Programme of Action appended to the resolution. This was largely due to Office-wide mobilisation and more effective arrangements within the office to expand and reorient ILO activities in that continent. The Governing Body felt that in future it would be more appropriate to report on progress in the programme of Action in the context of the annual overall review of ILO operational activities.

70. At its 238th Session the Governing Body examined the action taken on the resolution concerning the role of the ILO in technical co-operation, adopted by the Conference at its 73rd Session (June 1987). It authorised distribution of the resolution; requested the Director-General, when making proposals for the agenda of the Conference in the future, to bear in mind the request, made in paragraph 7 of the Conclusions contained in the resolution, for a review of the ILO's technical co-operation programme and its effectiveness by the Conference every five years; and requested the Director-General to take full account of the resolution and the Conclusions in the future development of the technical co-operation programme.

71. At its 238th and 239th Sessions the Governing Body examined further information on operational activities questions in the United Nations system. This review concerned the activities of the Administrative Committee on co-ordination and its Consultative Committee on Substantive Questions (Operational Activities) (CCSQ(OPS)), the 33rd Session of the UNDP Governing Council, the 42nd Session of the United Nations General Assembly (Second Committee), and the second regular session of the Economic and Social Council. It also took note of information provided by the Office regarding the High-Level Committee on the Review of TCDC (Fifth Session), held in New York in May 1987, and the UNDP/ILO Review Meeting, held in April 1987.

72. At its 239th Session the Governing Body examined an assessment of selected ILO projects concerning rural small industrial enterprises, taking note of the lessons learned from the review of ten different projects.

M. STANDING BODIES AND MEETINGS

1. *Planning*

73. During the period under review, the Governing Body fixed the date, place, agenda and composition of meetings provided for in the programme and budget, took decisions as called for on the membership of standing bodies and appointed delegations to represent it at ILO meetings. It reviewed information submitted by the Director-General on symposia, seminars and similar meetings financed under the regular budget and from extra-budgetary sources.

2. *Follow-up*

74. At its 238th Session the Governing Body considered the record of the Fourth European Regional Conference (Geneva, 15-22 September 1987). It authorised the Director-General to distribute the text of the report of the Committee on Social Security set up by the Conference, and to distribute the texts of the conclusions and resolutions adopted by the Conference, requesting him to take the necessary measures with a view to their implementation. These texts dealt with the following topics: training and retraining – implications of technological change; the strengthening of European dialogue on initial and continuous training and on retraining, taking account of technological change; occupational safety and health; employment policy and environmental protection; migrant workers and their families in Europe; the need to promote co-operation between Europe and the developing countries, in particular Africa and the least developed countries in other regions, and the contribution of the ILO to solving their social and economic problems; the creation of enterprises and the growth of employment.

75. At its 239th Session the Governing Body considered and took note of the report of the Joint Maritime Commission on its 25th Session, which had met in Geneva on 6 October 1987 during the 74th (Maritime) Session of the International Labour Conference. The Governing Body took the action required in respect of the resolutions adopted by the Commission, which dealt with the minimum basic wage of able seamen and the identification of any possible new Conventions to be added by a Protocol to the Appendix of Convention No. 147. It authorised the Director-General to distribute the text of the former and invited him to bear in mind the other requests made in that resolution when drawing up future programme proposals and when formulating proposals for the agenda of a future session of the Joint Maritime Commission. It also invited him to bear in mind the request and recommendations contained in the latter when drawing up proposals for the agenda of a future session of the International Labour Conference.

76. At its 239th Session the Governing Body considered and took note of the report of the Fourteenth International Conference of Labour Statisticians, held in Geneva from 28 October to 6 November 1987. It authorised the Director-General to distribute the report, drawing particular attention to the eight resolutions contained in the Appendix to the report.

3. *Invitations to the Conference and other meetings*

77. During the period under review, the Governing Body authorised the Director-General to invite various intergovernmental and non-governmental international organisations to be represented at the present Conference session and at other ILO meetings. It authorised the Director-General to invite the Democratic People's Republic of Korea and the Republic of Korea to be represented at the present session of the Conference and to invite Bermuda, through the Government of the United Kingdom, to send a tripartite observer delegation.

N. INTERNATIONAL CENTRE FOR ADVANCED TECHNICAL AND VOCATIONAL TRAINING (TURIN)

78. At its 238th Session the Governing Body took note of the report on the 45th Session of the Board of the Centre, held in Geneva on 6 November 1987. The report was first considered by its Programme, Financial and Administrative Committee. This was the first session of the newly constituted Board, the members having been appointed at the June 1987 Session of the Governing Body for a three-year term of office. The Board welcomed the new Director and the Deputy Director responsible for training activities, and approved the nominations for the Programme Advisory Committee, which, as emphasised by the Director, will play a fundamental role in ensuring that the Centre's programme of activities makes optimal use of available resources. The Centre's lack of financial stability was a continuing cause for concern, and the Director hoped that the issue of closer integration with ILO headquarters would be further discussed in the context of the ILO's medium-term objectives. Despite its financial constraints, the Centre had been able to reduce its operational deficit since the time of preparing the documents for the Board, and it was expected that the 1987 financial year would end without a deficit.

79. As regards the programme and budget proposals for 1988, the Director observed that there was a continuing trend towards shorter, more specialised courses in Turin, involving fellows with a higher level of education. More participants would be trained at the national or regional level; administered fellowships should continue to increase; the Centre would continue to intensify its efforts to diversify sources of financing and to ensure a better distribution of activities over the year. The Board discussed and approved the programme and budget proposals.

O. INTERNATIONAL INSTITUTE FOR LABOUR STUDIES

80. At its 238th Session the Governing Body discussed and took note of the report on the 29th Session of the Board of the Institute held in November 1987. The main points dealt with in the report concerned the Board's review of the report of the Director regarding the activities of the Institute in 1987, its programme and budget proposals for the 1988-89 biennium, and its preliminary draft for the Medium-Term Plan. The Governing Body also accepted with gratitude a contribution from the employers' confederations of Denmark, Finland, Norway and Sweden to finance a fellowship to enable a person from em-

ployers' circles to participate in an internship course at the Institute.

P. OTHER

81. During the period under review the Governing Body took note of information supplied in the Director-General's regular reports on the deaths of prominent ILO personalities, the progress of international labour legislation, internal administration and documents and publications issued by the Office. At its 239th Session it took note of an Office paper on activities of the International Occupational Safety and Health Information Centre (CIS) during the 1986-87 biennium.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

REPORTS OF THE SELECTION COMMITTEE

FIRST REPORT

Election of the Officers of the Committee

The Selection Committee elected its Officers as follows:

Chairman: Mr. Vargas (Government member, Nicaragua).

Employers' Vice-Chairman: Mr. Georget (Employers' member, Niger).

Workers' Vice-Chairman: Mr. Muhr (Workers' member, Federal Republic of Germany).

Setting up of Conference committees

The Selection Committee recommends that the Conference should set up the following committees:

Finance Committee

Committee on the Application of Standards

Committee on Safety and Health in Construction

Committee on Employment and Social Security

Committee on Convention No. 107

Committee on Rural Employment

Committee on Apartheid

Resolutions Committee

Composition of Conference committees

Proposals were submitted orally to the Selection Committee that the Conference committees should be composed as follows:

Finance Committee: 1 Government representative of each member State represented at the Conference;

Committee on the Application of Standards: 190 members (90 Government members, 35 Employers' members and 65 Workers' members);

Committee on Safety and Health in Construction: 151 members (77 Government members, 32 Employers' members and 42 Workers' members);

Committee on Employment and Social Security: 188 members (71 Government members, 56 Employers' members and 61 Workers' members);

Committee on Convention No. 107: 73 members (40 Government members, 10 Employers' members and 23 Workers' members);

Committee on Rural Employment: 127 members (63 Government members, 25 Employers' members and 39 Workers' members);

Resolutions Committee: 217 members (85 Government members, 60 Employers' members and 72 Workers' members).

The Selection Committee noted that, in accordance with the usual practice, a system of weighting would be applied in each committee to ensure equality of voting strength between the three groups.

The lists of the members of the Conference committees are appended to the present report.

Committee on Apartheid

In accordance with the established practice, the Selection Committee recommends to the Conference that the Committee on Apartheid should, as at previous sessions, be composed of a maximum of 20 members from each group and should meet for a maximum of six sittings. However, in view of its additional workload this year, the Selection Committee also recommends that the Committee on Apartheid should be able to hold additional sittings, the number and scheduling of which should be decided by the Selection Committee on the recommendation of the officers of the Committee on Apartheid.

Composition of the Credentials Committee

The Selection Committee proposes to the Conference that the three members of the Credentials Committee should be the following:

Government member: Mr. Nakamura (Japan)

Employers' member: Mr. Hoff (Norway)

Workers' member: Mr. Svenningsen (Denmark)

Appointment of the Conference Drafting Committee

The Selection Committee recommends that, in accordance with the provisions of article 6, paragraph 1 of the Standing Orders, the Conference Drafting Committee should be composed as follows:

The President of the Conference

The Secretary-General of the Conference

Mr. Maupain, Legal Adviser of the Conference

Mr. Sidibé, Director of the International Labour Standards Department

Mrs. Kellerson, Assistant Legal Adviser of the Conference

Discussion of the Reports of the Governing Body and the Director-General: opening date for the discussion and closing date for the list of speakers

(a) The Selection Committee has fixed the opening date for the discussion of the Reports of the Governing Body and the Director-General at Thursday, 2 June 1988, and decided that the list of speakers will be closed on Wednesday, 8 June at 6 p.m., under the usual conditions.

(b) The Selection Committee proposes that the Conference should remind speakers taking part in the discussion (i) that they must abide strictly by the provisions of the Conference Standing Orders concerning the duration of speeches (maximum 15 minutes), drawing their attention to the arrangements foreseen to ensure that this time-limit is respected and which are described in the "Guide for Delegates" and the "Note for Delegates"; and (ii) that they are requested to concentrate their remarks on the Reports of the Governing Body and the Director-General and on the activities of the International Labour Organisation.

Examination of information on programme
implementation during the preceding financial
period, together with proposals for advance planning

The Selection Committee recommends to the Conference that the examination of the documents concerning programme implementation during 1986-87 and the Medium-Term Plan 1990-95, which are submitted to the Conference in the form of supplements to the Report of the Director-General, should take place as part of the general discussions of the reports of the Governing Body and the Director-General.

Suggestions to facilitate the work of the Conference

(i) Quorum

In the plenary sittings a vote is not valid if the number of votes cast for and against is less than half the number of the delegates attending the Conference and entitled to vote. If there is no quorum on a show of hands, a record vote may have to be taken and this wastes much time.

Over the years, the Governing Body has made a number of recommendations to improve the working of the quorum rule, and it is the practice of the Selection Committee to invite the Conference each year to confirm a number of principles based on those recommendations to ensure the satisfactory working of the quorum rule.

The Selection Committee accordingly invites the Conference to confirm the following principles:

- (a) the quorum will be fixed provisionally, on the basis of the credentials received, in the brief report of the Chairman of the Governing Body on the day before the opening of the session. This provisional quorum will remain unchanged until the Credentials Committee, in the exercise of its functions under article 20, paragraph 1(2) of the Standing Orders, determines the quorum on the basis of registrations, it being understood that, if an important vote were to take place in the initial stages of the Conference (once the Credentials Committee has been appointed), the Conference might request the Credentials Committee to determine the quorum in an urgent report;
- (b) once the quorum has been determined on the basis of registrations, the usual practice of adjusting it, under the authority of the Credentials Committee, so as to take into account, on the one hand, new registrations and, on the other, notices of departure from delegates leaving the Conference, will continue as in the past;

- (c) delegates should register immediately on arrival, since the quorum is calculated on the basis of the number of delegates registered;
- (d) acceptance of appointment as a delegate implies an obligation to be available in Geneva personally or through an adviser authorised to act as his substitute for the work of the Conference until the end, since important votes often take place on the last day;
- (e) delegates who are nevertheless obliged to leave the Conference before it finishes should give notice of their forthcoming departure to the secretariat of the Conference. (The form provided for indicating their date of departure also enables them to authorise an adviser to act and to vote in their place.) At group meetings held during the second half of the Conference the attention of members of the groups will be drawn to the importance of completing and handing in this form;
- (f) in addition, one Government delegate of a country may report the departure of the other Government delegate, and the Secretaries of the Employers' and Workers' groups may also give notice of the final departure of members of their groups who have not authorised advisers to act in their place;
- (g) when a record vote is taken in plenary while committees are sitting, delegates are both entitled and expected to leave committees to vote unless they are replaced by a substitute in plenary. Announcements are made in the committees to ensure that all delegates are aware that a record vote is about to take place. Appropriate arrangements will be made for committees meeting in the ILO building.

In arranging the programme of work of the Conference, the Selection Committee will endeavour to ensure that matters which require the holding of votes come before the Conference at the earliest possible moment. The plan of work for Committees endorsed by the Selection Committee takes this requirement into account.

(ii) Punctuality

As in previous years, the Selection Committee recommends the Conference to ask committee chairmen to start proceedings very punctually - except where a technical section has not yet completed its preliminary discussions - irrespective of the number of persons present, but on condition that votes will not be taken unless a quorum is clearly present.

(iii) Negotiations

In order to facilitate more continuous negotiation in committees between the different groups, it is the practice for representatives of each group to meet with the chairman and reporter of the committee and with the representative of the Secretary-General, whenever this is desirable, to ensure that the leaders of each group know fully the minds of their colleagues in the other groups; normally such meetings are held before each group has committed itself to a definite position. The function of these informal meetings is to afford opportunities for a fuller understanding of differences of view before definite positions have crystallised.

The Selection Committee recommends the Officers of the Conference committees to continue the above-mentioned practice.

Participation in Conference committees by Members having lost the right to vote

At its 239th Session (February-March 1988), the Governing Body considered the implications of the appointment, as regular members of Conference committees, of representatives of a member State which had lost the right to vote in accordance with article 13, paragraph 4, of the Constitution of the ILO, having regard to the recent increase in the number of States in this position. It noted that, while the appointment of employers' and workers' representatives from such a State had no practical implications because the employers' and workers' groups operated an effective system under Article 56, paragraph 5(b), of the Conference Standing Orders for ensuring that deputy members of a committee voted in the place of regular members deprived of the right to vote, the same was not true of the Government group. As a result, if a Government that has lost the right to vote is appointed a regular member of a committee, the distribution of votes among the three groups is distorted because the weighting of votes is based on the full regular membership and in practice the Government regular members of committees who are unable to vote do not make use of the possibility afforded by Article 56, paragraph 5(a), of appointing a deputy member to vote in their place.

The Governing Body noted that, in order to avoid such distortions, the practice had been followed by governments in the Government group at the 73rd and 74th Sessions of the Conference in 1987 of not applying for regular membership of committees if they were not at the time in question entitled to vote.

Pending consideration of a possible amendment to the Conference Standing Orders to give formal effect to this practice, the Governing Body recommended that it should be continued. It further recommended that, if it was for any reason not fully respected, the weighting coefficients in committees should be calculated on the basis of the number of Government members entitled to vote.

The Selection Committee accordingly recommends to the Conference that the calculation of weighting coefficients for votes in committees should be based on the number of regular Government members entitled to vote.

Plan of work of Conference committees

The Selection Committee endorsed a plan of work for committees, which is not binding but will enable them in organising their work to take maximum possible account of the overall needs and possibilities of the Conference. The plan is appended in tabular form for the information of the Conference.

Requests for representation at the Conference and in Conference committees submitted by non-governmental international organisations

In accordance with article 2, paragraph 3(j), of the Standing Orders of the Conference, the Selection Committee recommends to the Conference that the following non-governmental international organisations be invited to be represented at the 75th Session of the Conference:

Workers' organisations

Arab Federation of Employees in Banking, Insurance and Finance
Arab Federation of Food Workers
Arab Federation of Transport Workers
Arab Labour Federation of Printing and Information Workers
European Trade Union Confederation
International Confederation of Arab Trade Unions
International Federation of Chemical, Energy and General Workers' Unions
Latin American Central of Workers
Trade Union Advisory Committee to the Organisation for Economic
Co-operation and Development
Trade Unions International of Chemical, Oil and Allied Workers

Employers' organisation

General Union of Chambers of Commerce, Industry and Agriculture
for Arab Countries

Other organisations

International Association Against Torture
International Federation of Human Rights
International Youth and Student Movement for the United Nations

In accordance with article 56, paragraph 9, of the Standing Orders of the Conference, the Selection Committee recommends to the Conference that the following organisations be invited to be represented in the committees stated:

Committee on the Application of Standards

Amnesty International
European Trade Union Confederation
International Alliance of Women
International Association of Educational and Vocational
Guidance
International Association of Labour Inspection
International Commission of Jurists
International Council of Nurses
International Council of Voluntary Agencies
International Federation of Building and Woodworkers
International Federation of Business and Professional
Women
International Federation of Free Teachers' Unions
International Metalworkers' Federation
International Mineworkers' Organisation
International Movement ATD Fourth World
International Society for Labour Law and Social Security
International Textile, Garment and Leather Workers'
Federation
International Transport Workers' Federation
Nordic Confederation of Supervisors, Technicians and
Other Managers
Postal, Telegraph and Telephone International
Public Services International
Trade Unions International of Public and Allied Employees
Trade Unions International of Workers in the Metal
Industry
Women's International League for Peace and Freedom

World Confederation of Organizations of the Teaching
Profession
World Jewish Congress
World ORT Union
World Union of Catholic Women's Organizations

Committee on Safety and Health in Construction

CARITAS INTERNATIONALIS
European Trade Union Confederation
International Association of Labour Inspection
International Commission on Occupational Health
International Confederation of Executive Staffs
International Council of Nurses
International Federation of Building and Woodworkers
International Radiation Protection Association
International Society for Labour Law and Social Security
International Social Security Association
International Young Christian Workers
Nordic Confederation of Supervisors, Technicians and
Other Managers
Public Services International
Trade Unions International of Workers in Energy
Trade Unions International of Workers in the Building,
Wood and Building Materials Industries
Trade Unions International of Workers in the Metal Industry

Committee on Employment and Social Security

Federation of Associations and Unions of the Graphic
Industries
International Alliance of Women
International Association for Mutual Assistance
International Association for Social Progress
International Association of Crafts and Small and
Medium-Sized Enterprises
International Association of Educational and Vocational
Guidance
International Bureau of Social Tourism
International Christian Union of Business Executives
International Confederation of Executive Staffs
International Council for Adult Education
International Council of Jewish Women
International Council of Nurses
International Council of Women
International Federation of Building and Woodworkers
International Federation of Business and Professional
Women
International Federation of Free Teachers' Unions
International Federation of University Women
International Federation on Ageing
International Metalworkers' Federation
International Movement ATD Fourth World
International Social Security Association
International Society for Labour Law and Social Security
International Textile, Garment and Leather Workers'
Federation
International Transport Workers' Federation
International Young Christian Workers

Jaycees International
Postal, Telegraph and Telephone International
Public Services International
Soroptimist International
Standing Committee of Trade Unions of the Graphic
Industries
Trade Unions International of Public and Allied Employees
Trade Unions International of Textile, Clothing Leather
and Fur Workers
Trade Unions International of Transport Workers
Trade Unions International of Workers in the Metal Industry
Women's International Democratic Federation
Women's International League for Peace and Freedom
World Jewish Congress
World Union of Catholic Women's Organizations
World Young Women's Christian Association
Zonta International

Committee on Convention No. 107

Four Directions Council
Indian Council of South America
Indigenous World Association
International Alliance of Women
International Commission of Jurists
International Council for Adult Education
International Council of Nurses
International Council of Voluntary Agencies
International Council of Women
International Federation of Free Teachers' Unions
International Federation of Human Rights
International Federation of Plantation, Agricultural
and Allied Workers
International Metalworkers' Federation
International Society for Labour Law and Social Security
International Work Group for Indigenous Affairs
Inuit Circumpolar Conference
Jaycees International
Nordic Sami Council
Survival International
Women's International League for Peace and Freedom
World Confederation of Organizations of the Teaching
Profession
World Council of Indigenous People
World Jewish Council

Committee on Rural Employment

International Alliance of Women
International Association of Educational and Vocational
Guidance
International Council for Adult Education
International Council of Jewish Women
International Council of Women
International Federation of Business and Professional
Women
International Federation of Plantation, Agricultural
and Allied Workers
International Federation of University Women
International Young Christian Workers

Jaycees International
Soroptimist International
Trade Unions International of Agricultural, Forestry
and Plantation Workers
Trade Unions International of Workers in the Metal
Industry
World Union of Catholic Women's Organizations
World Young Women's Christian Association
Zonta International

Committee on Apartheid

Federation of Associations and Unions of the
International Civil Service
International Commission of Jurists
International Council for Adult Education
International Council for Voluntary Agencies
International Federation of Free Teachers' Unions
International Federation of Human Rights
International Federation of Plantation, Agricultural
and Allied Workers
Public Services International
Women's International League for Peace and Freedom
World Confederation of Organizations of the Teaching
Profession
World Peace Council

The Selection Committee took note that the Governing Body had authorised the Director-General to inform the organisations concerned that they may nominate one person only for each agenda item in respect of which their interest has been recognised by the Selection Committee.

Geneva, 1 June 1988.

75th SESSION OF THE CONFERENCE (JUNE 1988) - DRAFT PLAN OF WORK FOR COMMITTEES

COMMITTEE	Thursday 2	Friday 3	Saturday 4	Monday 6	Tuesday 7	Wednesday 8	Thursday 9	Friday 10	Saturday 11	Monday 13	Tuesday 14	Wednesday 15	Thursday 16	Friday 17	Saturday 18	Monday 20
- Finance Committee (Government representatives)								A								
- Committee on the Application of Standards														A		
- Committee on Safety and Health in Construction															A	
- Committee on Employment and Social Security													A			
- Committee on Convention (No. 107)														A		
- Committee on Rural Employment																A
- Committee on Apartheid											A					
- Resolutions Committee															A	

NB: The thick lines correspond to the duration of the substantive work of the committee in question. The letter A indicates the adoption by the committee of its reports.

Annexe au premier rapport de la Commission de proposition
Annex to the First Report of the Selection Committee
Anexo al primer informe de la Comisión de Proposiciones

COMPOSITION DES COMMISSIONS
COMPOSITION OF COMMITTEES
COMPOSICION DE LAS COMISIONES

(Note: Names of countries are given in French; los nombres de los países figuran en francés.)

Commission de l'application des normes
Committee on the Application of Standards
Comisión de Aplicación de Normas

Membres gouvernementaux:

Government members:

Miembros gubernamentales:

Algérie	Guinée	Papouasie-
Allemagne, Rép. féd. d'	Hongrie	Nouvelle-Guinée
Arabie saoudite	Inde	Pays-Bas
Argentine	Indonésie	Portugal
Australie	Iran, République	République démocratique
Autriche	islamique d'	allemande
Bahreïn	Iraq	Royaume-Uni
Bangladesh	Irlande	Sénégal
Barbade	Islande	Somalie
Belgique	Italie	Sri Lanka
RSS de Biélorussie	Japon	Suède
Botswana	Jordanie	Suisse
Brésil	Kenya	Swaziland
Bulgarie	Koweït	République arabe
Burundi	Jamahiriya arabe	syrienne
Cameroun	libyenne	Tanzanie,
Canada	Luxembourg	République-Unie de
Chine	Madagascar	Tchécoslovaquie
Colombie	Malaisie	Togo
Congo	Mali	Tunisie
Côte d'Ivoire	Malte	Turquie
Cuba	Maroc	République socialiste
Danemark	Mauritanie	soviétique d'Ukraine
Egypte	Mongolie	URSS
Emirats arabes unis	Mozambique	Uruguay
Equateur	Népal	Venezuela
Espagne	Nicaragua	Yémen
Etats-Unis	Niger	Yémen démocratique
Ethiopie	Nigéria	Yougoslavie
Finlande	Norvège	Zambie
France	Nouvelle-Zélande	Zimbabwe
Grèce	Ouganda	
Guatemala	Pakistan	

Membres adjoints:
Deputy members:
Miembros adjuntos:

Angola	Gabon	Israël
Bolivie	Ghana	Lesotho
Burkina Faso	Guinée-Bissau	Mexique
Rép. centrafricaine	Guyana	Pologne
Comores	Haïti	Suriname

Membres employeurs:
Employers' members:
Miembros empleadores:

ARROYO SAN MARTIN, Sr.; s: DIAZ GUAJARDO, Sr. (Mexique).
ATASAYAR, Mr.; s: OGUZMAN, Mr.; KUDATGOBILIK, Mr. (Turquie).
BAMASMOOS, Mr. (Yémen démocratique).
BARREMECHEA, Sr.; s: JIMENEZ, Sr. (Uruguay).
BOEDJOSASTRO, Mr.; s: SOEKANDA, Mr. (Indonésie).
BYNOE, Mr.; s: DE VRIES, Mr. (Suriname).
CHADZAMIRA, Mr.; s: JOHNSTON, Mr. (Zimbabwe).
CIGANIK, Mr.; s: VITEK, Mr. (Tchécoslovaquie).
DAWSON, Mr.; s: WATSON, Mr. (Canada).
DIAKITE, M.; s: TONDOH DOKO, M. (Côte d'Ivoire).
ELMUKHERBI, Mr.; s: KWAIRY, Mr. (Jamahiriya arabe libyenne).
FAVELEVIC, Sr.; s: FUNES DE RIOJA, Sr. (Argentine).
FERRER DUFOLL, Sr.; s: LACASA ASO, Sr.; SANCHEZ FIERRO, Sr.;
ADRADOS GAUTIER, Sra.; PUEYO PEREZ, Sr. (Espagne).
GAIDAIENKO, M.; s: PLETNEV, M. (URSS).
GAZARIN, Mr.; s: EZZAT, Mr. (Egypte).
HABAIBEH, Mr.; s: DAJANI, Mr. (Jordanie).
HAK, Miss; s: LIMBURG, Mr.; NIEUWHART, Mr.; PAGANO-MIRANI, Mr.;
SNELDERS, Ms.; GOEDMAKERS, Mr.; DEKKERS, Mr. (Pays-Bas).
HOFF, Mr.; s: HJELMAS, Ms. (Norvège).
JESSUP, Mr. (Nouvelle-Zélande).
JOHANSEN, Mrs.; s: FALK, Mr.; MORKEBERG, Mr.; MULLER, Mr. (Danemark).
KOUSA, M.; s: MALAKANY, M. (République arabe syrienne).
LINDNER, Mr.; s: WISSKIRCHEN, Mr. (Allemagne, Rép. féd. d').
MARTINEZ, Sr. (Honduras).
MONTT BALMACEDA, Sr.; s: PRIETO CONCHA, Sr. (Chili).
NOAKES, Mr.; s: WATCHORN, Mr. (Australie).
OECHSLIN, M.; s: LAFONT, M.; ROILAND, Mme (France).
OWUOR, Mr.; s: MWAI, Mr. (Kenya).
PINTO CARDOSO, M.; s: COSTA ARTUR, Mme; PEREIRA FERNANDES, M.;
DA ROCHA NOVO, M. (Portugal).
SASSO-MAZZUFFERI, Mme; s: GAMBARUTO, M.; MISSERVILLE, M. (Italie).
SHA, Mr.; s: ZHA, Mr. (Chine).
SMITH Jr., Mr.; s: GLADE, Mr.; POTTER, Mr. (Etats-Unis).
UBEKU, Mr.; s: OKOGWU, Mr. (Nigéria).
VON HOLTEN, Mr.; s: BERGLUND, Mr.; LAURENT, Ms.; LJUNGSTROEM, Mr.;
MYRDAL, Mr.; REGNELL, Ms.; SVENSSON, Mr. (Suède).
YAZDAN PANAH, Mr.; s: NACHSHIVEH, Mr. (Iran, République islamique d').
GARACHE, Sr.; s: LEIVA, Sr. (Nicaragua).

s = suppléant; substitue; suplente.

Membres adjoints:

Deputy members:

Miembros adjuntos:

ARETS, M.; s: VAN HOLM, M.; CHIMKOVITCH, M. (Belgique).
BEL HADJ AMMAR, M.; s: SAID, M. (Tunisie).
BLONDIAUX, M. (République centrafricaine).
COELHO, M.; s: FERREIRA VIEIRA LOPES, M. (Angola).
DECOSTERD, M.; s: DUC, M. (Suisse).
FRANCIS de los REYES, Sr.; s: NAVARRO CABRERA, Sr. (Cuba).
GALOFRE CANO, Sr.; s: LOPEZ GUERRA, Sr. (Colombie).
GEORGET, M.; s: ISSAKA, M. (Niger).
HILTON-CLARKE, Mr.; s: THOMPSON-BODDIE, Mrs. (Trinité-et-Tobago).
HUSSAIN, Mr. (Iraq).
LARGES, M. (Congo).
LUTFI, Mr. (Afghanistan).
MACKIE, Miss (Royaume-Uni).
MAGNUSSON, Mr. (Islande).
MAH, Mr. (Singapour).
MARTOS, M.; s: TARDOS, M. (Hongrie).
MELIN, Mr.; s: KOSKIMIES, Mr.; LINDAHL, Mr. (Finlande).
MITSOS, M.; s: HARAKAS, M.; ANALYTIS, M.; TSOUMANI-SPENTZA, Mme;
ANGELOU, M.; SKIADAS, M. (Grèce).
ROSSI, M.; s: SANTOS NEVES FILHO, M.; RIBEIRO, M.;
RONDON LINHARES, Mme (Brésil).
SUMBWE, Mr. (Zambie).
TABANI, Mr.; s: SAMEE, Mr. (Pakistan).
DURLING, M. (Panama).
GONZALES PASTORA, Sr.; s: ARAGON, Sr.; LEIVA, Sr. (Nicaragua).
KANYARWANDA, M. (Rwanda).
SALEH, M. (Tchad).

Membres travailleurs:

Workers' members:

Miembros trabajadores:

AL-JADARI, Mr. (Yémen).
BADBAN, Mr. (Iran, République islamique d').
BARBON, M. (Italie).
BHAGIRUTTY, Mr. (Maurice).
BLONDEL, M. (France).
BOBKE, Mr. (Allemagne, Rép. féd. d').
BRUUN, Mr. (Danemark).
BU-AINAIN, Mr. (Qatar).
CANO TORRES, Sr. (Nicaragua).
CHAHIR, M. (Maroc).
CHANG CRESPO, Sr. (Equateur).
CRIDAZZI, Mme (Suisse).
DAHL, Mr. (Norvège).
DALEIDEN, M. (Luxembourg).
DASSIS, M. (Grèce).
DeBOURG, Mr. (Grenade).
DIOP, M. (Sénégal).
DJEFFAL, M. (Algérie).
DO VALE, Mme (Portugal).
DOUGLAS, Mr. (Nouvelle-Zélande).
ETTY, Mr. (Pays-Bas).
FAKHROO, Mr. (Bahreïn).
FU, Mr. (Chine).
GIARDI, M. (Saint-Marin).
GUSTAFSSON, Ms. (Suède).
HANTSCHKE, Mr. (République démocratique allemande).

HATSUOKA, Mr. (Japon).
HERRERA, Mr. (Philippines).
HICKEY Jr., Mr. (Etats-Unis).
HOUTHUYS, M. (Belgique).
IBARRA, Sr. (Venezuela).
IBRAHIM, Mr. (Egypte).
IDRISS IBRAHIM, Mr. (Jamahiriya arabe libyenne).
KANAIEV, M. (URSS).
KARAMBE, M. (Mali).
KEKI, M. (Hongrie).
KHAN, Mr. (Etats-Unis).
KOLANI, M. (Togo).
KOVIAZIN, Mr. (RSS d'Ukraine).
KROSS, Mr. (Suriname).
LILLO PEREZ, Sr. (Espagne).
LIM, Mr. (Singapour).
LOZI, M. (République arabe syrienne).
MA'AITA, Mr. (Jordanie).
MAIER, Mr. (Autriche).
MARKOVA, M. (Bulgarie).
MEDINA GALVEZ, Sr. (Chili).
MERCIER, M. (Canada).
MUGALLA, Mr. (Kenya).
N'SINGUI MASSALA, M. (Angola).
NDONG ANDEME, Sr. (Guinée équatoriale).
OBAME-EYEGUE, M. (Gabon).
OPHIR, Mr. (Israël).
OUEDRAOGO, M. (Burkina Faso).
PEREYRA, Sr. (Uruguay).
RUSANEN, Mr. (Finlande).
RYCHLY, Mr. (Tchécoslovaquie).
SAKHAROV, Mr. (RSS de Biélorussie).
SALESHANDO, Mr. (Botswana).
TEFERI, Mr. (Ethiopie).
THAUMATURGO CORTIZO, M. (Brésil).
THOMAS, Mr. (Royaume-Uni).
UZIEBLO, Mr. (Pologne).
VENTURINI, Sr. (Argentine).
YILMAZ, Mr. (Turquie).

Observateur:

Observer:

Observador:

LEE SI WOO, M. (République de Corée).

Membres adjoints:

Deputy members:

Miembros adjuntos:

ABDULLAH, Mr. (Yémen démocratique).
ADIKO NIAMKEY, M. (Côte d'Ivoire).
AGUERO PEREZ, Sr. (Cuba).
AHMED, Mr. (Pakistan).
AKER, Mr. (Turquie).
AL-NA'AMI, Mr. (Yémen).
BARANYAI, Mme (Hongrie).
BASOGLU, Mr. (Turquie).
BECCARI, M. (Saint-Marin).
BILAL, Mr. (Emirats arabes unis).

BINDEEBA, Mr. (Ouganda).
BLANKER, Mr. (Suriname).
BRANNSTEN, Mr. (Norvège).
BREKSTAD, Mr. (Norvège).
CAL, M. (Italie).
CASTRO, Sr. (Venezuela).
CAYETOI, M. (Belgique).
DAWES, Ms. (Canada).
DIPESA, M. (Zaïre).
DREIFUSS, Mme (Suisse).
EDSTROEM, Mr. (Suède).
EID, Mr. (Egypte).
ENGELMAYER, Mr. (Autriche).
ESTIVALES SANCHEZ, Sr. (Chili).
GMAR, M. (Tunisie).
HAAS, M. (Luxembourg).
HADDAD NETTO, M. (Brésil).
HORDIJK, Mr. (Pays-Bas).
IRONDI, Mr. (Nigéria).
ISSA, M. (République arabe syrienne).
JALLOUD, Mr. (Jamahiriya arabe libyenne).
KNOX, Mr. (Nouvelle-Zélande).
LINDROOS, Ms. (Finlande).
MANSOUR, M. (Niger).
MORIKAGE, Mr. (Japon).
NEDZIWE, Mr. (Zimbabwe).
NIASSE, M. (Sénégal).
O'DONOVAN, Mrs. (Irlande).
OBSADNY, Mr. (Pologne).
OLIVERIO, Mr. (Singapour).
ONDONDA, M. (Congo).
PEDERSEN, Ms. (Norvège).
PEIRENS, M. (Belgique).
RAFTOPOULOS, M. (Grèce).
RAMAMURTHY, Mr. (Inde).
SELA, Mr. (Israël).
SOMOGYI, Mr. (Etats-Unis).
SUNDARAM, Mr. (Sri Lanka).
TAA, Mr. (Ethiopie).
TORRES, Mr. (Philippines).
TORREZ GOMEZ, Sr. (Nicaragua).
TRAORE, M. (Côte d'Ivoire).
TSAGAAN, Mr. (Mongolie).
VARELA, Sr. (Uruguay).
VEYSSIERE, M. (France).
WILSON, Mr. (Royaume-Uni).
YANKEY, Mr. (Ghana).
YOSHIZAWA, Mr. (Japon):

Commission de la sécurité et de la santé dans la construction
Committee on Safety and Health in Construction
Comisión de Seguridad y Salud en la Construcción

Membres gouvernementaux:

Government members:

Miembros gubernamentales:

Allemagne, République fédérale d'	Espagne	Maroc
Angola	Etats-Unis	Maurice
Arabie saoudite	Ethiopie	Népal
Argentine	Finlande	Nigéria
Australie	France	Norvège
Autriche	Grèce	Nouvelle-Zélande
Bahreïn	Guatemala	Pakistan
Belgique	Guinée	Papouasie- Nouvelle-Guinée
République socialiste soviétique de Biélorussie	Honduras	Pays-Bas
Botswana	Hongrie	Portugal
Brésil	Inde	République démocratique allemande
Cameroun	Indonésie	Royaume-Uni
Canada	Iraq	Rwanda
République centrafricaine	Irlande	Sénégal
Chine	Italie	Suède
Chypre	Japon	Suisse
Colombie	Kenya	Swaziland
Congo	Koweït	Tunisie
Côte d'Ivoire	Lesotho	Turquie
Danemark	Liban	Union des Républiques socialistes soviétiques
Emirats arabes unis	Jamahiriya arabe libyenne	Uruguay
	Luxembourg	Zimbabwe
	Malawi	
	Malte	

Membres adjoints:

Deputy members:

Miembros adjuntos:

Algérie	Iran, République islamique d'	Pologne
Burundi	Malaisie	Sri Lanka
Ghana	Mexique	République arabe syrienne
Guinée-Bissau	Niger	Tanzanie,
Guyana	Ouganda	République-Unie de
Haïti		Venezuela

Membres employeurs:

Employers' members:

Miembros empleadores:

AL-JASSEM, Mr.; s: AL-RAKHAIS, Mr. (Koweït).
ARBESSER-RASTBURG, Mr.; s: BRAUNER, Mr.; STRIMITZER, Mr. (Autriche).
ARETS, M.; s: PELEGRIN, M.; SONDAG, M. (Belgique).
ARROYO SAN MARTIN, Sr.; s: JAUREGUI MORALES, Sr. (Mexique).
ATASAYAR, Mr.; s: OZUSTUN, Mr.; DUZENLI, Mr. (Turquie).

s = suppléant; substitute; suplente.

CHADZAMIRA, Mr.; s: CHANAIWA, Mr.; JOHNSTON, Mr. (Zimbabwe).
 DAWSON, Mr.; s: HALLIWELL, Mr. (Canada).
 DECOSTERD, M.; s: KOSTLER, M. (Suisse).
 ELMUKHERBI, Mr.; s: ALGHOUL, Mr. (Jamahiriya arabe libyenne).
 FAVELEVIC, Sr.; s: FUNES DE RIOJA, Sr.; INSUA, Sr. (Argentine).
 FERRER DUFOLL, Sr.; s: LACASA ASO, Sr.; CORBACHO DOMINGUEZ, Sr.;
 PUEYO PEREZ, Sr. (Espagne).
 HAK, Miss; s: LIMBURG, Mr.; NIEUWHART, Mr.; PAGANO-MIRANI, Mr.;
 SNELDERS, Ms.; GOEDMAKERS, Mr.; DEKKERS, Mr. (Pays-Bas).
 HOFF, Mr.; s: SKAU-JACOBSEN, Mr. (Norvège).
 JESSUP, Mr.; s: SMITH, Mr. (Nouvelle-Zélande).
 JOHANSEN, Mrs.; s: FALK, Mr.; MORKEBERG, Mr.; MULLER, Mr. (Danemark).
 KHURANA, Mr.; s: PAVASKAR, Mr. (Inde).
 LINDNER, Mr.; s: BROCKSIEPE, Mr. (République fédérale d'Allemagne).
 MACKIE, Miss; s: NORTON, Mr. (Royaume-Uni).
 MELIN, Mr.; s: LANGINKOSKI, Ms.; LINDAHL, Mr. (Finlande).
 MONTT BALMACEA, Sr.; s: UNDURRAGA, Sr. (Chili).
 NAKORNSRI, Mr.; s: HANCHAREONSUK, Miss; TANNGARM, Mr. (Thaïlande).
 NOAKES, Mr.; s: BLACK, Mr. (Australie).
 OECHSLIN, M.; s: BONETAT, M.; LAFONT, M.; RODIE, M. (France).
 OWUOR, Mr.; s: KOYIER, Mr. (Kenya).
 PERIQUET, Mr.; s: VARELA, Mr. (Philippines).
 PINTO CARDOSO, M.; s: COSTA ARTUR, Mme; PEREIRA FERNANDES, M. (Portugal).
 ROSSI, M.; s: SANTOS NEVES FILHO, M.; PAVANELLI FILHO, M.;
 AQUINO PORTO, M. (Brésil).
 SMITH, Jr., Mr.; s: KNACK, Mr. (Etats-Unis).
 TSUJINO, Mr.; s: KAKU, Mr. (Japon).
 VON HOLTEN, Mr.; s: BERGLUND, Mr.; LAURENT, Ms.; LJUNGSTROEM, Mr.;
 MYRDAL, Mr.; REGNELL, Ms.; SVENSSON, Mr. (Suède).
 WIN, Mr. (Birmanie).
 YAZDAN PANAH, Mr.; s: KARDAN, Mr. (Iran, République islamique d').

Membres adjoints:

Deputy members:

Miembros adjuntos:

AL-ZUBEYRI, Mr.; s: AL-AHLASI, Mr. (Yémen).
 BEL HADJ AMMAR, M.; s: BEN M'BAREK, M. (Tunisie).
 BLONDIAUX, M. (République centrafricaine).
 COELHO, M.; s: FERREIRA VIEIRA LOPES, M. (Angola).
 DAHLAN, Mr. (Arabie saoudite).
 DODDS, Mr. (Swaziland).
 GAZARIN, Mr. (Egypte).
 GEORGET, M.; s: ISSAKA, M. (Niger).
 JUNG, M.; s: SAUBER, M. (Luxembourg).
 KOTELLO, Mr. (Lesotho).
 KOUSA, M.; s: MALAKANY, M. (République arabe syrienne).
 LERGES, M. (Congo).
 LOUNIS KHODJA, M.; s: HASSEM, M. (Algérie).
 LUTFI, Mr. (Afghanistan).
 MALLIA MILANES, Mr. (Malte).
 NOVAK, Mr.; s: WILCZEK, Mr. (Pologne).
 PIERIDES, Mr.; s: PETROU, Mr. (Chypre).
 RIO MALAGA, Sr. (Pérou).
 SALEH, M. (Tchad).
 SASSO-MAZZUFFERI, Mme; s: GAMBARUTO, M.; CATTANEO, M. (Italie).
 SOW, M.; s: WADE, M.; SECK, M. (Sénégal).
 TABANI, Mr.; s: SAMEE, Mr. (Pakistan).

Membres travailleurs:

Workers' members:

Miembros trabajadores:

AGHI, Mr. (Inde).
AMOSATEGUI PUENTE, Sr. (Espagne).
BAERT, M. (Belgique).
BAUSCH, M. (Luxembourg).
BOGH, Mr. (Danemark).
BOWEN, Mr. (Barbade).
BREKSTAD, Mr. (Norvège).
CHILUBA, Mr. (Zambie).
CLERX, Ms. (Pays-Bas).
DEL PRADO, Mr. (Philippines).
DESJARDINS, M. (Canada).
GANA-CAVALLO, Mme (Italie).
GOLDBERG, Mr. (République démocratique allemande).
GUEYE, M. (Sénégal).
HADDAD NETTO, M. (Brésil).
HELLSTEN, Mr. (Finlande).
JEPPSON, Mr. (Suède).
JOYCE, Mr. (Etats-Unis).
LESSES, Mr. (Australie).
LLOYD, Mr. (Royaume-Uni).
MADARIAGA, Sr. (Chili).
MARTINS, M. (Portugal).
NOMENI, Mr. (Iran, République islamique d').
O'DONOVAN, Mrs. (Irlande).
OLIVERIO, Mr. (Singapour).
OPHIR, Mr. (Israël).
ORTIZ, Sr. (Venezuela).
PORTNER, M. (Suisse).
SANYAOLU, Mr. (Nigéria).
SEIFERT, Mr. (République fédérale d'Allemagne).
SENEWIRATNE; mr. (Sri Lanka).
SEREGUE, Mme (République centrafricaine).
SHAHI, Mr. (Népal).
SHIBATA; Mr. (Japon).
SPITERI, Mr. (Malte).
STAMOU, M. (Grèce).
TEICHMANN, Mr. (Autriche).
TITIMUR, Mr. (Papouasie-Nouvelle-Guinée).
TIXIER, M. (France).
VANEZOS; Mr. (Chypre).
XU, Mr. (Chine).
ZVEREV, M. (URSS).

Membres adjoints:

Deputy members:

Miembros adjuntos:

AHMED, Mr. (Pakistan).
BRANNSTEN, Mr. (Norvège).
BROWN, Mr. (Australie).
CALAMATTA, Mr. (Malte).
CARCOBA ALONSO; Sr. (Espagne).
EUSTATHIOU, M. (Grèce).
FERRARA, M. (Italie).
FREEDMAN, Mr. (Etats-Unis).
HALONEN, Mr. (Norvège).
HYVARINEN, Mr. (Finlande).
KHADKA, Mr. (Népal).
KHAN, Mr. (Inde).

LOZI, M. (République arabe syrienne).
MOLIN, Mr. (Suède).
MURIONO, Ms. (Indonésie).
MURRAY, Mr. (Nouvelle-Zélande).
NAKAGIRI, Mr. (Japon).
OGUTU, Mr. (Kenya).
OPHIR, Mr. (Israël).
PIZZAFERRI, M. (Luxembourg).
POYA, Mr. (Afghanistan).
SAN ROMAN ARRIAGA, Sr. (Mexique).
SCHERRER, M. (Suisse).
SEGOVIA, Sr. (Chili).
SRI-ART, Mr. (Thaïlande).
STRICKLAND, Mr. (Canada).
THEMISTOCLEOUS, Mr. (Chypre)
TRAORE, M. (Mali).
VIEIRA LOPES, M. (Angola).
WAGNER, M. (Brésil).
WILSON, Mr. (Royaume-Uni).

Commission de l'emploi et de la sécurité sociale
Committee on Employment and Social Security
Comisión del Empleo y de Seguridad Social

Membres gouvernementaux:

Government members:

Miembros gubernamentales:

Allemagne, Rép. féd. d'	France	Népal
Angola	Gabon	Niger
Arabie saoudite	Grèce	Nigéria
Argentine	Guatemala	Norvège
Australie	Guinée	Pays-Bas
Autriche	Honduras	Portugal
Bahreïn	Hongrie	Qatar
Belgique	Inde	Royaume-Uni
Botswana	Indonésie	Rwanda
Brésil	Iran, République	Sénégal
Bulgarie	islamique d'	Suède
Burundi	Iraq	Suisse
Cameroun	Irlande	Swaziland
Canada	Italie	Tanzanie,
République	Japon	République-Unie de
centrafricaine	Jordanie	Tchécoslovaquie
Chine	Kenya	Tunisie
Chypre	Koweït	Turquie
Congo	Liban	République socialiste
Danemark	Jamahiriya arabe	soviétique d'Ukraine
Egypte	libyenne	Union des Républiques
El Salvador	Luxembourg	socialistes
Emirats arabes unis	Malawi	soviétiques
Espagne	Mali	Venezuela
Etats-Unis	Malte	Zambie
Finlande	Maroc	Zimbabwe

Membres adjoints:

Deputy members:

Miembros adjuntos:

Algérie	Haïti	Pologne
Burkina Faso	Lesotho	Somalie
Colombie	Madagascar	Sri Lanka
Cuba	Malaisie	République arabe
Equateur	Maurice	syrienne
Ethiopie	Mexique	Togo
Ghana	Mozambique	Uruguay
Guinée-Bissau	Nouvelle-Zélande	Yémen démocratique
Guyana	Ouganda	

Membres employeurs:

Employers' members:

Miembros empleadores:

ARBESSER-RASTBURG, Mr.; s: BRAUNER, Mr.; STRIMITZER, Mr. (Autriche).
ARETS, M.; s: VAN HOLM, M.; PELEGRIN, M.; DE LA SERNA, M. (Belgique).
ARROYO SAN MARTIN, Sr.; s: GARCIA LARA, Sr.; MACIAS, Sr. (Mexique).
ATASAYAR, Mr.; s: CELIK, Mr.; EVIN, Mr. (Turquie).
BARREMECHEA, Sr.; s: VARELA TRAVERSO, Sr. (Uruguay).
BOEDJOSASTRO, Mr.; s: SOEKANDA, Mr. (Indonésie).
CHADZAMIRA, Mr.; s: KUIPA, Mr. (Zimbabwe).
CHILO, Mr. (RSS d'Ukraine).
COELHO, M.; s: FERREIRA VIEIRA LOPES, M. (Angola).
DAWSON, Mr.; s: PETERS, Mrs. (Canada).

s = suppléant; substitute; suplente.

DECOSTERD, M.; s: DUC, M.; DISERENS, M. (Suisse).
 DERRICK, M. (Antigua-et-Barbuda).
 FAVELEVIC, Sr.; s: MANTILLA, Sr. (Argentine).
 FERRER DUFOLL, Sr.; s: LACASA ASO, Sr.; SUAREZ GARCIA, Sr.;
 PUEYO PEREZ, Sr. (Espagne).
 FLAVIEN MANGA, M. (Gabon).
 GAZARIN, Mr.; s: EZZAT, Mr. (Egypte).
 HAK, Miss; s: LIMBURG, Mr.; NIEUWHART, Mr.; PAGANO-MIRANI, Mr.;
 SNELDERS, Ms.; GOEDMAKERS, Mr.; DEKKERS, Mr. (Pays-Bas).
 HASAN, Mr.; s: HYDER, Mr. (Bangladesh).
 HOFF, Mr.; s: BJERKENG, Mr. (Norvège).
 JOHANSEN, Mrs.; s: FALK, Mr.; MORKEBERG, Mr.; MULLER, Mr. (Danemark).
 KASWARRA, Mr. (Ouganda).
 KHURANA, Mr.; s: PANDE, Mr. (Inde).
 KOTELLO, Mr. (Lesotho).
 LINDNER, Mr.; REICHLING, Mr. (République fédérale d'Allemagne).
 LOUNIS KHODJA, M.; s: HASSEM, M. (Algérie).
 MACKIE, Miss; s: RIDDLES, Mr.; LUI, Mr. (Royaume-Uni).
 MAH, Mr. (Singapour).
 MALLIA MILANES, Mr.; s: AQUILINA, Mr. (Malte).
 MARX, Mr.; s: RUBEN, Mr. (République démocratique allemande).
 MELIN, Mr.; s: RAUTIAINEN, Mr.; LINDAHL, Mr. (Finlande).
 MITSOS, M.; s: HARAKAS, M.; ANALYTIS, M.; TSOUMANI-SPENTZA, Mme.;
 ANGHELOU, M.; SKIADAS, M. (Grèce).
 MOKZHANI ABDUL RAHIM, Mr.; s: MOHD ZAIN ABDUL MAJID, Mr. (Malaisie).
 MUSSANIANE, Mr. (Mozambique).
 MUYUMBU, M.; s: KIRAHUZI, M. (Burundi).
 NAKORNSRI, Mr.; s: HANCHAREONSUK, Miss; TANNGARM, Mr. (Thaïlande).
 NAMATA, Mr. (République-Unie de Tanzanie).
 NOAKES, Mr.; s: ILES, Mr. (Australie).
 OECHSLIN, M.; s: LAFONT, M.; PATINET, M.; RODIE, M. (France).
 OKUE MOTTO, Sr. (Guinée équatoriale).
 PERIQUET, Mr.; s: INOCENTES, Mr. (Philippines).
 PINTO CARDOSO, M.; s: SALGUEIRO, M.; COSTA ARTUR, Mme.;
 DA ROCHA NOVO, M. (Portugal).
 REY, Mr. (Maurice).
 RIO MALAGA, Sr. (Pérou).
 ROBINSON, Mr. (Jamaïque).
 ROSSI, M.; s: MANDELLI, M.; RIBEIRO, M.; RONDON LINHARES, Sra.
 (Brésil).
 SALE, Mr. (Papouasie-Nouvelle-Guinée).
 SASSO-MAZZUFFERI, Mme; s: PERROTTI, Mme; DE SANTIS, M. (Italie).
 SHA, Mr.; s: BO, Mr. (Chine).
 SMITH, Mr.; s: BURGE, Mr. (Etats-Unis).
 SUMBWE, Mr.; s: NYIRONGO, Mr. (Zambie).
 TOURE, Mr. (Mali).
 TSEMBEL, Mr. (Mongolie).
 TSUJINO, Mr.; s: TANGE, Mr. (Japon).
 UBEKU, Mr.; s: LAWAL, Mr. (Nigéria).
 VILLALOBOS, Sr.; s: GARRIDO SOTO, Sr.; ARBELOA, Sr. (Venezuela).
 VON HOLTEN, Mr.; s: BERGLUND, Mr.; LAURENT, Ms.; LJUNGSTROEM, Mr.;
 MYRDAL, Mr.; REGNELL, Ms.; SVENSSON, Mr. (Suède).

Membres adjoints:

Deputy members:

Miembros adjuntos:

BETHEL, Mrs. (Bahamas).
 BLONDIAUX, M. (République centrafricaine).
 DE SILVA, Mr. (Sri Lanka).
 DIAKITE, M.; s: TONDOH DOKO, M. (Côte d'Ivoire).
 GALOFRE CANO, Sr.; s: BULA ESCOBAR, Sr. (Colombie).
 GEORGET, M.; s: ISSAKA, M. (Niger).
 HILTON-CLARKE, Mr.; s: THOMPSON-BODDIE, Mrs. (Trinité-et-Tobago).
 JUNG, M.; s: BEFFORT, M.; OLINGER, M. (Luxembourg).
 KANYARWANDA, M. (Rwanda).
 KOUSA, M.; s: MALAKANY, M. (République arabe syrienne).
 KRONFLE AKEL, Sr. (Equateur).
 LERGES, M. (Congo).
 LUTFI, Mr. (Afghanistan).

MBAAKANYI, Mr. (Botswana).
PIERIDES, Mr.; s: KYTHREOTIS, Mr. (Chypre).
SALEH, M. (Tchad).
SALIM, M. (Comores).
SHAH, Mr. (Népal).
SMITH, Mrs. (Grenade).
SOW, M.; s: WADE, M.; SECK, M. (Sénégal).
TABBANI, Mr.; s: SAMEE, Mr. (Pakistan).
YANKANA, Mr. (Guyana).

Membres travailleurs:

Workers' members:

Miembros trabajadores:

ACHMAD, Mr. (Indonésie).
ADAMY, Mr. (République fédérale d'Allemagne).
ALLINI, M. (Gabon).
BACHAR, Mr. (Israël).
BAECKSTROEM, Mr. (Suède).
BARRAGAN, Sr. (Equateur).
BENGANA, M. (Algérie).
BRANNSTEN, Mr. (Norvège).
BROWN, Mr. (Australie).
CALAMATTA, Mr. (Malte).
CHRISTIANSEN, Mr. (Danemark).
DAWES, Ms. (Canada).
DE VITS, Mme (Belgique).
DINGLASAN, Mr. (Philippines).
ELVIRA GOMEZ, Sra. (Espagne).
FERRARA, M. (Italie).
FRIEHS, Mr. (Autriche).
GHARIB, Mr. (Iraq).
HYVARINEN, Mr. (Finlande).
IEUMBUMROONG, Mr. (Thaïlande).
IRONDI, Mr. (Nigéria).
KONZ, M. (Luxembourg).
LAMBERT, M. (France).
LIAKOPOULOS, M. (Grèce).
LING, Mrs. (Singapour).
LIU, Mrs. (Chine).
LOPES GARCIA, M. (Brésil).
MANSOUR, M. (Niger).
MININE, M. (URSS).
MORGAN, Mrs. (Royaume-Uni).
MOSHIRIAN, Mr. (République islamique d'Iran).
MTABANGANYIMANA, Mr. (Rwanda).
MURILLO, Sr. (Honduras).
MUTANDARE, Mr. (Zimbabwe).
NOGUEIRA, Sr. (Argentine).
NUNOO-QUAYE, Mr. (Ghana).
OGUTU, Mr. (Kenya).
OZBEK, Mr. (Turquie).
PERERA, Mr. (Sri Lanka).
PHALKE, Mr. (Inde).
PRADHAM, Mr. (Népal).
PRENTZAS, Mr. (Chypre).
RAGUNATHAN, Mr. (Malaisie).
SAN ROMAN ARRIAGA, Dr. (Mexique).
SANTOS NUNES, M. (Portugal).
SARKAR, Mr. (Bangladesh).
SEGOVIA, Sr. (Chili).
SEIDMAN, Mr. (Etats-Unis).
SHARIF, Mr. (Pakistan).
SOETERBROEK, Mr. (Pays-Bas).
STOECKEL, Mr. (République démocratique allemande).
TAA, Mr. (Ethiopie).
TERRALOBORO, Sra. (Venezuela).

TODOROVIC, Mrs. (Yougoslavie).
TOMITA, Mr. (Japon).
TORRES GOMEZ, Sr. (Nicaragua).
TRAORE, M. (Mali).
TRAORE, M. (Côte d'Ivoire).
VARELA, Sr. (Uruguay).
VINCENTE, M. (Angola).
WIN, Mr. (Birmanie).

Membres adjoints:

Deputy members:

Miembros adjuntos:

AGHI, Mr. (Inde).
AL-SAMAK, Mr. (Bahreïn).
ASCHENBECK, Mr. (République fédérale d'Allemagne).
BAKER, Mr. (Etats-Unis).
BARANYAI, Mme (Hongrie).
BARNABO, M. (Togo).
BOUSLAH, M. (Tunisie).
BREKSTAD, Mr. (Norvège).
CHAUDHRY, Mr. (Pakistan).
DA CRUZ LUIS, M. (Portugal).
DEPREZ, M. (France).
DESJARDINS, M. (Canada).
EBBESKOG, Ms. (Suède).
FRADES PERNAS, Sr. (Espagne).
GANA-CAVALLO, Mme (Italie).
GUEYE, M. (Sénégal).
HALONEN, Mr. (Norvège).
HAMZA, Mr. (Iraq).
HOWAYDI, Mr. (Jamahiriya arabe libyenne).
LESSES, Mr. (Australie).
LEUTNER, Mr. (Autriche).
MA'AITA, Mr. (Jordanie).
MABUMO, M. (Mozambique).
MALONZO, Mr. (Philippines).
MASHASI, Mr. (République-Unie de Tanzanie).
MERSENNE, M. (France).
MOELLER, Mr. (République fédérale d'Allemagne).
MURRO, Sr. (Uruguay).
NOMENI, Mr. (République islamique d'Iran).
NUNEZ, Sr. (Argentine).
O'DONOVAN, Mrs. (Irlande).
OBAME-EYEGUE, M. (Gabon).
PASARIBU, Mr. (Indonésie).
PIZZAFERRI, M. (Luxembourg).
PODHIARN, Mr. (Thaïlande).
POLLYDORE, Mr. (Guyana).
PORTNER, M. (Suisse).
SEREGUE, Mme (République centrafricaine).
SIM, Mr. (Singapour).
SPITERI, Mr. (Malte).
TEFERI, Mr. (Ethiopie).
UENO, Mr. (Japon).
UMATANI, Mr. (Japon).
VAINIO, Mr. (Finlande).
WIENE, Mr. (Danemark).
WILSON, Mr. (Royaume-Uni).
YUSSUF, Mrs. (Israël).
ZIMBA, Mr. (Zambie).

Commission de la convention (no 107)
Committee on Convention (No. 107)
Comisión del Convenio (núm 107)

Membres gouvernementaux:
Government members:
Miembros gubernamentales:

Arabie saoudite	Espagne	Mexique
Argentine	Etats-Unis	Nicaragua
Australie	Finlande	Norvège
Autriche	France	Nouvelle-Zélande
Bangladesh	Ghana	Pakistan
Bolivie	Grenade	Pays-Bas
Botswana	Guatemala	Portugal
Brésil	Honduras	Qatar
Canada	Inde	Suède
République centrafricaine	Iraq	Suriname
Chine	Japon	Turquie
Colombie	Jordanie	Union des
Danemark	Koweït	Républiques
Equateur	Jamahiriya arabe libyenne	socialistes
		soviétiques
		Venezuela

Membres adjoints:
Deputy members:
Miembros adjuntos:

Allemagne, République fédérale d'	Guyana	Malte
Angola	Haïti	Maroc
Belgique	Indonésie	Mauritanie
Burundi	Iran, République islamique d'	Népal
Cameroun	Italie	Sri Lanka
Ghana	Malaisie	République arabe
Guinée-Bissau		syrienne

Membres employeurs:
Employers' members:
Miembros empleadores:

ARETS, M.; s: CHIMKOVITCH, M. (Belgique).
DAWSON, Mr.; s: BRUCHET, Douglas, Mr. (Canada).
FAVELEVIC, Sr.; s: FUNES DE RIOJA, Sr.; FIORE, Sr. (Argentine).
HOFF, Mr.; s: RUD, Ms. (Norvège).
KHURANA, Mr.; s: GUPTA, Mr. (Inde).
KRONFLE AKEL, Sr.; s: DIAZ GARAYCOA, Sr. (Equateur).
NOAKES, Mr.; s: WATCHORN, Mr.; WILLIAMS, Mr. (Australie).
SMITH Jr., Mr.; s: GLADE, Mr.; ADAMSON, Mrs. (Etats-Unis).
TABANI, Mr.; s: SAMEE, Mr. (Pakistan).
VILLALOBOS, Horacio Guillermo, Sr.; s: GARRIDO SOTO, Alexis, Sr.;
ARBELOA, Sr. (Venezuela).

Membres adjoints:
Deputy members:
Miembros adjuntos:

ARROYO SAN MARTIN, Sr.; s: RODRIGUEZ, Sr. (Mexique).
ATASAYAR, Mr.; s: BAYDUR, Ms.; AKTUG, Inci, Ms. (Turquie).

s = suppléant; substitute; suplente.

BLONDIAUX, M. (Rép. centrafricaine).
FERRER DUFOLL, Sr. (Espagne).
GEORGET, M.; s: ISSAKA, M. (Niger).
HAK, Miss; s: LIMBURG, Mr.; NIEUWHART, Mr.; PAGANO-MIRANI, Mr.;
SNEELDERS, Ms.; GOEDMAKERS, Mr.; DEKKERS, Mr. (Pays-Bas).
KOUSA, M.; s: MALAKANY, M. (Rép. arabe syrienne).
LERGES, M. (Congo).
LUTFI, Mr. (Afghanistan).
MACKIE, Miss (Royaume-Uni).
MELIN, Mr.; s: KOSKIMIES, Mr.; LINDAHL, Mr. (Finlande).
OECHSLIN, M.; s: LAFONT, M. (France).
ROSSI, M.; s: MORITZ, M.; POTSCH MAGALHAES, M.; RONDON LINHARES, M.
(Brésil).
SASSO-MAZZUFFERI, Mme; s: GAMBARUTO, M. (Italie).
TSUJINO, Mr.; s: KIRIKU, Mr. (Japon).

Membres travailleurs:

Workers' members:

Miembros trabajadores:

ADYANTHAYA, Mr. (Inde).
BATE, Mr. (Philippines).
BOUZIA, M. (Maroc).
CAILLAT, M. (France).
GRANDE PREZA, Sr. (El Salvador).
HALONEN, Mr. (Norvège).
KATALAY, M. (Zaïre).
LEAL GONZALEZ, Sr. (Mexique).
LINDROOS, Ms. (Finlande).
LITTLECHILD, Mr. (Canada).
MARUYAMA, Mr. (Japon).
McLEOD, Mr. (Australie).
MERTEN, M. (Luxembourg).
MURRAY, Mr. (Nouvelle-Zélande).
MURRY, Mr. (Etats-Unis).
QUERALTO, Sr. (Chili).
REYES, Sr. (Argentine).
SVENNINGSEN, Mr. (Danemark).
TAPPI, M. (Italie).
TIRYAKIOGLU, Mr. (Turquie).
TRUJILLO, Sr. (Venezuela).
WEBER, M. (Suisse).
YURGENS, M. (URSS).

Membres adjoints:

Deputy members:

Miembros adjuntos:

ACHMAD, Mr. (Indonésie).
ADAM, Mr. (Canada).
BAKER, Mr. (Etats-Unis).
BARKAN, Mr. (Israël).
CHAUDHRY, Mr. (Pakistan).
CHILUBA, Mr. (Zambie).
CONTRERAS L., Sr. (Chili).
DAHL, Mr. (Norvège).
DeBOURG, Mr. (Grenade).
DIOP, M. (Sénégal).
DOUGLAS, Mr. (Nouvelle-Zélande).
FERRARI, M. (Italie).
GMAR, M. (Tunisie).
KIBIRIBIRI, Mr. (Kenya).
LIM, Mr. (Singapour).
MARCUS, M. (Luxembourg).
MOLIN, Mr. (Suède).
MUKHERJEE, Mr. (Inde).

NAKAGIRI, Mr. (Japon).
O'SHANE, Mr. (Australie).
OGAWA, Mr. (Japon).
PAVLIDAKIS, M. (Grèce).
PEDERSEN, Ms. (Norvège).
RUSANEN, Jorma, Mr. (Finlande).
SALIMIAN, Jabbar Ali, Mr. (Rép. islamique d'Iran).
TAA, Mr. (Ethiopie).
TELLIER, Mme (France).
VITTORI, M. (Suisse).
WILSON, Mr. (Royaume-Uni).

Commission de l'emploi rural
Committee on Rural Employment
Comisión del Empleo Rural

Membres gouvernementaux:

Government members:

Miembros gubernamentales:

Allemagne, République fédérale d'	Grèce	Papouasie-
Arabie saoudite	Guatemala	Nouvelle-Guinée
Argentine	Guinée	Pays-Bas
Australie	Honduras	Portugal
Autriche	Inde	République
Bahamas	Indonésie	démocratique
Botswana	Iraq	allemande
Brésil	Irlande	Royaume-Uni
Bulgarie	Italie	Somalie
Burundi	Japon	Sri Lanka
République	Jordanie	Suède
centrafricaine	Koweït	Suisse
Chine	Jamahiriya arabe	Suriname
Congo	libyenne	Tanzanie,
Côte d'Ivoire	Madagascar	République-Unie de
Danemark	Mali	Tchécoslovaquie
Egypte	Maroc	Tunisie
Espagne	Mexique	Turquie
Etats-Unis	Mongolie	Union des Républiques
Ethiopie	Mozambique	socialistes
Finlande	Népal	soviétiques
France	Norvège	Uruguay
Gabon	Ouganda	Yougoslavie
	Pakistan	Zimbabwe

Membres adjoints:

Deputy members:

Miembros adjuntos:

Algérie	Haïti	Niger
Belgique	Hongrie	Nigéria
Burkina Faso	Iran, République	Pologne
Cameroun	islamique d'	Sénégal
Canada	Kenya	République arabe
Colombie	Malaisie	syrienne
Ghana	Malawi	Venezuela
Guinée-Bissau	Malte	Yémen démocratique
Guyana	Mauritanie	

Membres employeurs:

Employers' members:

Miembros empleadores:

ARBESSER-RASTBURG, Mr.; s: HAUSMANN, Mr. (Autriche).
ARETS, M.; s: VAN HOLM, M.; SONDAG, M. (Belgique).
ARROYO SAN MARTIN, Sr.; s: VELAZCO ARZAC, Sr. (Mexique).
BOEDJOSASTRO, Mr.; s: SJAMBUDI, Mr.; SIGIT, Mr. (Indonésie).
BYNOE, Mr.; s: DE VRIES, Mr. (Suriname).
CIGANIK, Mr.; s: VITEK, Mr. (Tchécoslovaquie).
DAWSON, Mr.; S: PETERS, Mrs. (Canada).

s = suppléant; substitute; suplente.

DECOSTERD, M.; s: STREKEISEN, M. (Suisse).
 FAVELEVIC, Sr.; s: FUNES DE RIOJA, Sr.; SPAGHI, Sr. (Argentine).
 FERRER DUFOLL, Sr.; s: LACASA ASO, Sr.; CANO RUANO, Sr.;
 PUEYO PEREZ, Sr. (Espagne).
 FRANCIS de los REYES, Sr.; s: NAVARRO CABRERA, Sr. (Cuba).
 HAK, Miss; s: LIMBURG, Mr.; NIEUWHART, Mr.; PAGANO-MIRANI, Mr.;
 SNELDERS, Ms.; GOEDMAKERS, Mr.; DEKKERS, Mr. (Pays-Bas).
 KHURANA, Mr.; s: GUPTA, Mr. (Inde).
 LINDNER, Mr.; s: BEFFA, Mr. (République fédérale d'Allemagne).
 MACKIE, Miss; s: CHESHIRE, Mr. (Royaume-Uni).
 MARTOS, M.; s: TARDOS, M. (Hongrie).
 MOHAMED ALI OULD, M. (Mauritanie).
 NASR, M. (Liban).
 OECHSLIN, M.; s: BRUM, M.; LAFONT, M.; RODIE, M. (France).
 OWUOR, Mr.; s: WEJULI, Mr. (Kenya).
 PERIQUET, Mr.; s: TAN, Mr. (Philippines).
 SHA, Mr.; s: PAN, Mr. (Chine).
 SMITH, Mr.; s: GLADE, Mr. (Etats-Unis).
 YAZDAN PANAH, Mr.; s: JADIDI, Mr. (République islamique d'Iran).
 SALEH, M. (Tchad).

Membres adjoints:

Deputy members:

Miembros adjuntos:

ABOU LAHCEN, M.; s: BOULOUIZ, M. (Maroc).
 ADRIANTSITOHAINA, M.; s: RABEMANANTSOA, M. (Madagascar).
 ATASAYAR, Mr.; s: ULUCA, Mr.; GOCER, Mr. (Turquie).
 BEL HADJ AMMAR, M.; s: ESSID, M. (Tunisie).
 BLONDIAUX, M. (République centrafricaine).
 CHADZAMIRA, Mr.; s: CHANAIWA, Mr. (Zimbabwe).
 DODDS, Mr. (Swaziland).
 GALOFRE CANO, Sr.; s: RESTREPO LONDONO, Sr. (Colombie).
 GAZARIN, Mr.; s: EL-HERRAWI, Mr. (Egypte).
 GEORGET, M.; s: ISSAKA, M. (Niger).
 HOFF, Mr.; s: THRANE-STEEN, Mr. (Norvège).
 KOUSA, M.; s: MALAKANY, M. (République arabe syrienne).
 LERGES, M. (Congo).
 LOUNIS KHODJA, M.; s: HASSEM, M. (Algérie)..
 LUTFI, Mr. (Afghanistan).
 MELIN, Mr.; s: KOSKIMIES, Mr.; RISKI, Mr. (Finlande).
 MOKZHANI ABDUL RAHIM, Mr.; s: MOHD ZAIN ABDUL MAJID, Mr. (Malaisie).
 NOWAK, Mr.; s: WILCZEK, Mr. (Pologne).
 ROSSI, M.; s: MANDELLI, M.; RIBEIRO, M.; POTSCH MAGALHAES, M.
 (Brésil).
 SASSO-MAZZUFFERI, Mme; s: GAMBARUTO, M.; FABRETTI, M. (Italie).
 SUMBWE, Mr.; s: MAMBWE, Mr. (Zambie).
 TABANI, Mr.; s: SAMEE, Mr. (Pakistan).
 TSUJINO, Mr.; s: YOKODATE, Mr. (Japon).
 YANKANA, Mr. (Guyana).
 GONZALEZ PASTORA, Sr.; s: ARAGON, Sr. (Nicaragua).

Membres travailleurs:

Workers' members:

Miembros trabajadores:

ABDEL HAMID, Mr. (Egypte).
 AHMED, Mr. (Pakistan).
 AL-HAJ HASSAN, Mr. (Jordanie).
 AMAOUI, M. (Maroc).
 AMINI TAMEH, Mr. (République islamique d'Iran).
 BALTA, Mr. (Turquie).
 BINDEEBA, Mr. (Ouganda).
 BODDY, Mr. (Royaume-Uni).
 CASTANARES, Sr. (Espagne).

CASTRO, Sr. (Venezuela).
CONTRERAS, Sr. (Chili).
DA CRUZ LUIS, M. (Portugal).
DA SILVA, M. (Brésil).
DANZERL, Mr. (Ghana).
DELIGIANNAKIS, M. (Grèce).
DEPREZ, M. (France).
FERRARI, M. (Italie).
HORZETZKY, Mr. (République fédérale d'Allemagne).
KOMBO, M. (Zaire).
LAFOREST, M. (Canada).
LYNCH, Mr. (Etats-Unis).
MacBEAN, Mr. (Australie).
MAIYAKI, M. (Niger).
MARCUS, M. (Luxembourg).
MURIONO, Ms. (Indonésie).
NARAYANAN, Mr. (Malaisie).
PITKANEN, Mr. (Finlande).
PRONK, Mr. (Pays-Bas).
RAMAMURTHY, Mr. (Inde).
RANAIVOJAONA, M. (Madagascar).
ROMERO RENDON, Sr. (Mexique).
RUHIGIRA, Mr. (Rwanda).
SENO, Mr. (Philippines).
SUNDERAM, Mr. (Sri Lanka).
TALL, M. (Sénégal).
VERETENNIKOV, M. (URSS).
VITTORI, M. (Suisse).
YUSSUF, Mrs. (Israël).
ZAFFORA, Sr. (Argentine).
ZIMBA, Mr. (Zambie).

Membres adjoints:

Deputy members:

Miembros adjuntos:

ABDEL MEGUID, Mr. (Egypte).
ADIKO NIAMKEY, M. (Côte d'Ivoire).
BENGANA, M. (Algérie).
BLANKER, Mr. (Suriname).
DIOP, M. (Sénégal).
FLYNN, Mr. (Irlande).
GANANCIO, M. (Mozambique).
GERANIOS, M. (Grèce).
KATALAY, M. (Zaire).
LETSCHERT, Mr. (Pays-Bas).
LOPES GARCIA, M. (Brésil).
McLEOD, Mr. (Australie).
MERTEN, M. (Luxembourg).
MOSHIRIAN, Mr. (République islamique d'Iran).
MUTANDARE, Mr. (Zimbabwe).
VNTABANGANYIMANA, Mr. (Rwanda).
OBAME-EYEGUE, M. (Gabon).
OSMUNDSSEN, Ms. (Norvège).
OULD HMEITY, M. (Mauritanie).
PEDERSEN, Ms. (Norvège).
PHALKE, Mr. (Inde).
QUERALTO, Sr. (Chili).
SELA, Mr. (Israël).
SENEWIRATNE, Mr. (Sri Lanka).
SHARIF, Mr. (Pakistan).
TAPPI, M. (Italie).
TAYSI, Mr. (Turquie).
TELLIER, Mme (France).
VAINIO, Mr. (Finlande).
VERDU, Mr. (Etats-Unis).
VICENTE, M. (Angola).

WARNER, Mr. (Canada).
WILSON, Mr. (Royaume-Uni).
WIN, U. (Birmanie).
YALÇINOGLU, Mr. (Turquie).

Commission des résolutions
Resolutions Committee
Comisión de Resoluciones

Membres gouvernementaux:

Government members:

Miembros gubernamentales:

Algérie	Ghana	Nouvelle-Zélande
Allemagne, République fédérale d'	Grèce	Pakistan
Angola	Grenade	Pays-Bas
Arabie saoudite	Guatemala	Portugal
Argentine	Haïti	Qatar
Australie	Honduras	République démocratique
Autriche	Hongrie	allemande
Bahreïn	Inde	Royaume-Uni
Bangladesh	Indonésie	Saint-Marin
Belgique	Iran, République islamique d'	Sénégal
République socialiste soviétique de	Iraq	Somalie
Biélorussie	Irlande	Soudan
Bulgarie	Islande	Sri Lanka
Burundi	Israël	Suède
Cameroun	Italie	Suisse
Canada	Japon	République arabe syrienne
Chine	Jordanie	Tchécoslovaquie
Colombie	Koweït	Tunisie
Côte d'Ivoire	Liban	Turquie
Cuba	Jamahiriya arabe libyenne	République socialiste soviétique d'Ukraine
Danemark	Malaisie	Union des Républiques socialistes soviétiques
Egypte	Malte	Uruguay
El Salvador	Maroc	Venezuela
Emirats arabes unis	Mauritanie	Yémen
Espagne	Mexique	Yémen démocratique
Etats-Unis	Mongolie	Yougoslavie
Ethiopie	Nicaragua	Zimbabwe
Finlande	Niger	
France	Nigéria	
Gabon	Norvège	

Membres adjoints:

Deputy members:

Miembros adjuntos:

Bolivie	Guyana	Népal
Brésil	Kenya	Pologne
Equateur	Mozambique	

Membres employeurs:

Employers' members:

Miembros empleadores:

ABOU LAHCEN, M.; s: HARATI, M. (Maroc).
AL-JASSEM, Mr.; s: AL-RAKHAIS, Mr. (Koweït).
AL-NUAIMI, Mr. (Qatar).
AL-ZUBEYRI, Mr.; s: AL-AHLASI, Mr. (Yémen).
ARBESSER-RASTBURG, Mr.; s: BRAUNER, Mr.; STRIMITZER, Mr. (Autriche).
ARROYO SAN MARTIN, Sr.; s: CARVAJAL BUSTAMANTE, Sr. (Mexique).
BAMASMOOS, Mr. (Yémen démocratique).

s = suppléant; substitute; suplente.

BARREMECHEA, Sr.; s: VARELA TRAVERSO, Sr. (Uruguay).
 BEL HADJ AMMAR, M.; s: M'KAISSI, M. (Tunisie).
 BOZHINOV, M.; s: SIMEONOV, M. (Bulgarie).
 DAHLAN, Mr. (Arabie saoudite).
 DAWSON, Mr.; s: STATLER, Mr. (Canada).
 DECOSTERD, M.; s: DISERENS, M.; TELEKI, M. (Suisse).
 ELMUKERBI, Mr.; s: ALGHOUL, Mr. (Jamahiriya arabe libyenne).
 FAVELEVIC, Sr.; s: EURNEKIAN, Sr.; HERMIDA MARTINEZ, Sr. (Argentine).
 FERRER DUFOLL, Sr.; s: LACASA ASO, Sr.; MORENO DUARTE, Ricardo, Sr. (Espagne).
 FRANCIS de los REYES, Sr.; s: NAVARRO CABRERA, Sr. (Cuba).
 GAIDAIENKO, M.; s: YOUNOUSOV, M. (URSS).
 GAZARIN, Mr.; s: EL-HERRAWI, Mr.; EZZAT, Mr. (Egypte).
 GEORGET, M.; s: ISSAKA, M. (Niger).
 HABAIIBEH, Mr.; s: DAJANI, Mr. (Jordanie).
 HAK, Miss; s: LIMBURG, Mr.; NIEUWHART, Mr.; PAGANO-MIRANI, Mr.;
 SNELDERS, Ms.; GOEDMAKERS, Mr.; DEKKERS, Mr. (Pays-Bas).
 HASAN, Mr.; s: HYDER, Mr. (Bangladesh).
 HILB, Mr. (Israël).
 HOFF, Mr.; s: SKAU-JACOBSEN, Mr.; BJERKENG, Mr.; RUD, Ms.;
 HJELMAS, Ms. (Norvège).
 HUSSAIN, Mr. (Iraq).
 JESSUP, Mr.; s: ROWE, Mr. (Nouvelle-Zélande).
 JOHANSEN, Mrs.; s: FALK, Mr.; MORKEBERG, Mr.; MULLER, Mr. (Danemark).
 KHURANA, Mr.; s: CHAUHAN, Mr. (Inde).
 KOUSA, M.; s: MALAKANY, M. (République arabe syrienne).
 KRONFLE AKEL, Sr. (Equateur).
 LINDNER, Mr.; s: WEGESIN, Mr. (République fédérale d'Allemagne).
 LOUNIS KHODJA, M.; s: HASSEM, M. (Algérie).
 MACKIE, Miss; s: CASTLE, Mr. (Royaume-Uni).
 MALLIA MILANES, Mr. (Malte).
 MARX, Mr.; s: RUBEN, Mr. (République démocratique allemande).
 MATTAR, Mr.; s: HUREIZ, Mr. (Emirats arabes unis).
 MELIN, Mr.; s: KOSKIMIES, Mr.; HUTTUNEN, Mr. (Finlande).
 MOHAMED ALI OULD, M. (Mauritanie).
 MONTT BALMACEDA, Sr.; s: VALDES SAENZ, Sr. (Chili).
 MCAULEY, Mr.; s: DUNNE, Mr. (Irlande).
 NASR, M.; s: SOUEID, M. (Liban).
 NOAKES, Mr.; s: WATCHORN, Mr.; ILES, Mr.; BLACK, Mr.;
 WILLIAMS, Mr. (Australie).
 OECHSLIN, M.; s: LAFONT, M.; RODIE, M.; TASSIN, M. (France).
 PINTO CARDOSO, M.; s: SALGUEIRO, M.; PEREIRA FERNANDES, M.;
 DA ROCHA NOVO, M. (Portugal).
 RIO MALAGA, Sr. (Pérou).
 ROSSI, M.; s: SANTOS NEVES FILHO, M.; AQUINO PORTO, M.;
 RONDON LINHARES (Brésil).
 SALIM, M. (Comores).
 SASSO-MAZZUFFERI, Mme; s: GAMBARUTO, M.; CATTANEO, M. (Italie).
 SMITH, Mr.; s: GLADE, Mr.; POTTER, Mr. (Etats-Unis).
 SOW, M. (Sénégal).
 TABANI, Mr.; s: SAMEE, Mr. (Pakistan).
 TSUJINO, Mr.; s: SUZUKI, Mr. (Japon).
 UBEKU, Mr.; s: DAMACHI, Mr. (Nigéria).
 VON HOLTEN, Mr.; s: BERGLUND, Mr.; LAURENT, Ms.; LJUNGSTROEM, Mr.;
 MYRDAL, Mr.; REGNELL, Ms.; SVENSSON, Mr. (Suède).
 WILLIAMS, Mr. (Barbade).
 YAZDAN PANAH, Mr.; s: SHOKROLLAHZADEH MOGHADDAMI, Mr. (République islamique d'Iran).
 ZAIN AL-ABIDEEN, Mr. (Bahreïn).
 DURLING, Sr. (Panama).
 GARACHE, Sr.; s: LEIVA, Sr. (Nicaragua).

Membres adjoints:

Deputy members:

Miembros adjuntos:

ARETS, M.; s: VAN HOLM, M.; CHIMKOVITCH, M.; DE LA SERNA, M. (Belgique).
ATASAYAR, Mr.; s: ALTINBASAK, Mr.; ARSLAN, Mr. (Turquie).
BLONDIAUX, M. (République centrafricaine).
DIAKITE, M.; s: TONDOH DOKO, M. (Côte d'Ivoire).
GALOFRE CANO, Sr.; s: LOPEZ GUERRA, Sr. (Colombie).
LERGES, M. (Congo).
LUTFI, Mr. (Afghanistan).
MUYUMBU, M.; s: KIRAHUZI, M. (Burundi).
OWUOR, Tom Diyu, Mr.; s: MWAI, Mr. (Kenya).
SALEH, M. (Tchad).

Membres travailleurs:

Workers' members:

Miembros trabajadores:

ABDULLAH, Mr. (Yémen démocratique).
ABUZEID, Mr. (Jamahiriya arabe libyenne).
AL-NA'AMI, Mr. (Yémen).
AL-SAMAK, Mr. (Bahreïn).
AL-SAYED, Mr. (Koweït).
ANDREEV, M. (Bulgarie).
AWAB, M. (Maroc).
BARKAN, Mr. (Israël).
BARUT, Mr. (Turquie).
BERAN, Mr. (Tchécoslovaquie).
BILAL, Mr. (Emirats arabes unis).
BOCHOW, Mr. (République démocratique allemande).
BOGUTYN, Mr. (Pologne).
BONMATI PORTILLO, Sr. (Espagne).
BRIESCH, M. (France).
BULGAK, Mr. (RSS de Biélorussie).
CANDORE, Sr. (Argentine).
CASTANEDA de GOMEZ, Sra. (Guatemala).
CHAUDHRY, Mr. (Pakistan).
DELPINO, Sr. (Venezuela).
DIPESA, M. (Zaïre).
DREIFUSS, Mme (Suisse).
DRUCKER, M. (Luxembourg).
EID, Mr. (Egypte).
ESCANDELL ROMERO, Sr. (Cuba).
ESPONDA ZABADUA, Sr. (Mexique).
FLYNN, Mr. (Irlande).
FUJIMOTO, Mr. (Japon).
GANANCIO, M. (Mozambique).
GRAY, Mr. (Etats-Unis).
GUO, Mr. (Chine).
HAMZA, Mr. (Iraq).
HORDIJK, Mr. (Pays-Bas).
ISSA, M. (République arabe syrienne).
JAASKELAINEN, Mr. (Finlande).
KARDAN, Mr. (Jordanie).
KARLSSON, Mr. (Suède).
KJAER, Mrs. (Danemark).
KNOX, Mr. (Nouvelle-Zélande).
KOVALEVSKI, Mr. (RSS d'Ukraine).
LAMPRECHT, Mr. (République démocratique allemande).
MAURIACA, M. (Saint-Marin).
MUKHERJEE, Mr. (Inde).
MURRO, Sr. (Uruguay).
NIASSE, M. (Sénégal).
ONDONDA, M. (Congo).

OULD HMEITY, M. (Mauritanie).
PASARIBU, Mr. (Indonésie).
PEDERSEN, Ms. (Norvège).
PEREZ NAVARRO, Sr. (Chili).
POLLYDORE, Mr. (Guyana).
PONCE, Sr. (Equateur).
POTAPOV, M. (URSS).
POTTIE, M. (Belgique).
POYA, Mr. (Afghanistan).
PUTHIRASIGAMONEY, Mr. (Sri Lanka).
SEQUEIRA, Mr. (Portugal).
SINAN, Mr. (Arabie saoudite).
SUE-WONG, Mrs. (Singapour).
TAMERAT, Mr. (Ethiopie).
TAN, Mr. (Philippines).
THEMISTOCLEOUS, Mr. (Chypre).
TIMMER, M. (Hongrie).
TORREZ GOMEZ, Mr. (Nicaragua).
TSAGAAN, Mr. (Mongolie).
VANNI, M. (Italie).
VIEIRA LOPES, M. (Angola).
WAGNER, Dieter Mr. (République fédérale d'Allemagne).
WAGNER, Goao, M. (Brésil).
WALCOTT, Mr. (Barbade).
WARNER, Mr. (Canada).
WILSON, Mr. (Royaume-Uni).
ZAINAL RAMPAK, Mr. (Malaisie).

Membres adjoints:

Deputy members:

Miembros adjuntos:

ADAM, Mr. (Canada).
ADYANTHAYA, Mr. (Inde).
AGUERO PEREZ, Sr. (Cuba).
AL-HAJ HASSAN, Mr. (Jordanie).
AL-HOJAILAN, Mr. (Koweït).
AL-JADARI, Mr. (Yémen).
ALBAYRAK, Mr. (Turquie).
BADBAN, Mr. (République islamique d'Iran).
BAECKSTROEM, Mr. (Suède).
BAKER, Mr. (Etats-Unis).
BARANYAI, Mme (Hongrie).
BARBON, M. (Italie).
BOTVINOV, M. (URSS).
BOUSLAH, M. (Tunisie).
BRANNSTEN, Mr. (Norvège).
BREKSTAD, Mr. (Norvège).
BRUUN, Mr. (Danemark).
CAILLAT, M. (France).
CAL, M. (Italie).
CHAHIR, M. (Maroc).
CHANG CRESPO, Sr. (Equateur).
CHIARUZZI, M. (Saint-Marin).
CRIDAZZI, Mme (Suisse).
DAHL, Mr. (Norvège).
DJEFFAL, M. (Algérie).
DOUGLAS, Mr. (Nouvelle-Zélande).
DUNET, M. (France).
EDSTROEM, Mr. (Suède).
FAKHROO, Mr. (Bahreïn).
FERRARI, M. (Italie).
FRADES PERNAS, Sr. (Espagne).
GHARIB, Mr. (Iraq).
GONZALEZ, Sr. (Honduras).
HEMMINGSSEN, Mr. (Danemark).

IBRAHIM, Mr. (Egypte).
IDRISS IBRAHIM, Mr. (Jamahiriya arabe libyenne).
IOANNOU, Mr. (Chypre).
KANAIEV, M. (URSS).
KARAMBE, M. (Mali).
KOVIAZIN, Mr. (RSS d'Ukraine).
KRSIKAPA, Mr. (Yougoslavie).
KURT, Mr. (Turquie).
LINDROOS, Ms. (Finlande).
LOZI, M. (République arabe syrienne).
MABUMO, M. (Mozambique).
MADARIAGA, Sr. (Chili).
MAIYAKI, M. (Niger).
MARKOVA, M. (Bulgarie).
MORTON, Mr. (Royaume-Uni).
MUHR, Mr. (République fédérale d'Allemagne).
N'SINGUI MASSALA, M. (Angola).
O'DONOVAN, Mrs. (Irlande).
PEIRENS, M. (Belgique).
PERERA, Mr. (Sri Lanka).
PEREYRA, Sr. (Uruguay).
PIZZAFERRI, M. (Luxembourg).
PRONK, Mr. (Pays-Bas).
RAFTOPOULOS, M. (Grèce).
RIOS, Sr. (Venezuela).
RYCHLY, Mr. (Tchécoslovaquie).
SAKHAROV, Mr. (RSS de Biélorussie).
SANCHEZ MADARIAGA, Sr. (Mexique).
SCHWEITZER, M. (Luxembourg).
SHAMSUDDIN ABDUL WAHAB, Mr. (Malaisie).
SHARIF, Mr. (Pakistan).
TALL, M. (Sénégal).
TANAKA, Mr. (Japon).
TEFERI, Mr. (Ethiopie).
YAMADA, Mr. (Japon).
YUSSUF, Mrs. (Israël).

REPORTS OF THE SELECTION COMMITTEE

SECOND REPORT

Composition of the Committee on Apartheid

The Selection Committee recommends to the Conference that the Committee on Apartheid should be composed as follows: 20 Government members; 14 Employers' members; and 20 Workers' members. A list of the membership is appended.

Resolutions submitted in accordance with article 17 of the Standing Orders

Resolution concerning employment promotion and social security¹

The Selection Committee recommends the Conference to refer the above resolution to the Committee on Employment and Social Security.

Request for representation in Conference committees submitted by a liberation movement

The Selection Committee recommends to the Conference that the Palestine Liberation Organisation should be invited to be represented in the Committee on Apartheid and the Resolutions Committee in accordance with article 56, paragraph 10, of the Standing Orders of the Conference.

Requests for representation at the Conference and in Conference committees submitted by non-governmental international organisations

The Selection Committee recommends to the Conference that the following organisations should be invited to be represented at the 75th Session of the Conference, in accordance with article 2, paragraph 3(j), of the Standing Orders of the Conference.

- Caribbean Employers' Confederation;
- International Electrotechnical Commission;
- International Union of Food and Allied Workers' Associations.

The Selection Committee also recommends to the Conference that the Trade Unions International of Workers in Energy should be invited to be represented in the Committee on Employment and Social Security, in accordance with article 56, paragraph 9, of the Standing Orders of the Conference.

¹ For text, see Provisional Record No. 1.

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON THE APPLICATION OF STANDARDS

Government members:

delete: Congo, Swaziland.

add: Afghanistan, Chile, Jamaica, Luxembourg, Panama, Philippines, Qatar, Zaire.

Government deputy members:

add: Antigua and Barbuda, Burma, Chad, Congo, Pakistan, Singapore, Swaziland, Thailand.

Employers' deputy members:

delete: Mr. Leiva, as substitute for Mr. Gonzales Pastora (Nicaragua).

add: Mr. Muyenza (Malawi).

Workers' members:

delete: Mr. Bu-Ainain (Qatar), Mr. Khan (United States), Mr. Mercier (Canada).

add: Mr. Glean (Trinidad and Tobago), Mr. Gmar (Tunisia), Mr. Gómez (Colombia), Mr. Meneses (Panama), Mr. Sithole (Swaziland).

Workers' deputy members:

delete: Mr. Gmar (Tunisia).

add: Mr. Mercier (Canada).

COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION

Government members:

delete: Congo.

add: Luxembourg, Pakistan, Philippines, Thailand, Zaire.

Government deputy members:

add: Burma, Chile, Congo, Jamaica.

add: Mr. McCagherty, as substitute for Mr. Dawson (Canada).

Employers' deputy members:

add: Mr. Kovalevich (Byelorussian SSR).

Workers' members:

delete: Ms. Clerx (Netherlands), Mr. Ophir (Israel).

add: Mr. Levy (Israel), Mr. Robinson (Antigua and Barbuda), Mr. Soeterbroek (Netherlands).

Workers' deputy members:

add: Mr. Lo (Senegal),
Mr. Mvula (Malawi),
Mr. Njekesa (Zimbabwe).

COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY

Government members:

delete: Congo.

add: Luxembourg, Philippines, Zaire

Government deputy members:

add: Burma, Chile, Congo, Pakistan,
Panama, Thailand.

Employers' members:

delete: Mr. Gazarin;
s: Mr. Ezzat (Egypt).

Employers' deputy members:

add: M. Assih (Togo),
M. Depuy (Haiti),
Mr. Gazarin;
s: Mr. Ezzat (Egypt).

Workers' members:

add: Mr. Alvis (Colombia),
Ms. Clerx (Netherlands),
Mr. Lebrun (Haiti),
Mr. Lo (Senegal),
Mr. Mvula (Malawi),
Mr. Zeidan (Lebanon).

Workers' deputy members:

delete: Mrs. Yussuf (Israel).

add: Mr. Baquero (Colombia),
Mr. Kara (Israel),
Mr. Schmid (Switzerland),
Mr. Wjekesa (Zimbabwe).

COMMITTEE ON CONVENTION NO. 107

Government members:

add: Pakistan, Philippines, Zaire.

Government deputy members:

add: Burma, Chile.

Employers' members:

add: M. de la Serna as substitute
for M. Arets (Belgium).

Workers' members:

add: Mr. Kahkesh (Islamic Republic
of Iran),
Mr. Shalish (Israel).

Workers' deputy members:

add: Mr. Ait-Abdelmalek (Algeria).

COMMITTEE ON RURAL EMPLOYMENT

Government members:

delete: Congo.

add: Afghanistan, Jamaica,
Panama, Philippines.

Government deputy members:

add: Burma, Chad, Chile, Congo,
Pakistan, Swaziland, Thailand.

Employers' deputy members:

add: M. Assih (Togo),
M. Depuy (Haiti),
Mr. Muyenza (Malawi).

Workers' members:

delete: Mr. Da Cruz Luis (Portugal),
Mrs. Yussuf (Israel).

add: Mr. Kara (Israel),
Mr. Manyanda (United Republic
of Tanzania).

Workers' deputy members:

add: Mr. Lebrun (Haiti).

RESOLUTIONS COMMITTEE

Government members:

add: Chile, Costa Rica, Luxembourg,
Pakistan, Panama, Philippines,
Thailand, Zaire.

Government deputy members:

add: Antigua and Barbuda.

Employers' deputy members:

add: M. Kanyarwanda (Rwanda).

Workers' members:

delete: Mr. Ait Abdelmalek (Algeria),
Mr. Bochow (German Democratic
Republic).

add: Mr. Bechara (Lebanon),
Mr. Bouslah (Tunisia),
Mr. Bu-Ainain (Qatar),
Mr. Echresh (Islamic
Republic of Iran),
Mr. Gudmundsson (Iceland).

Workers' deputy members:

delete: Mr. Bouslah (Tunisia),
Mrs. Yussuf (Israel).

add: Mr. Al-Habr (Lebanon),
Mr. Bachar (Israel),
Mr. Boddy (United Kingdom),
Mr. Carrillo Rojas (Colombia),
Mr. Kara (Israel),
Mr. Manyanda (United Republic
of Tanzania).

Annexe au deuxième rapport de la Commission de proposition
Annex to the Second Report of the Selection Committee
Anexo al segundo informe de la Comisión de Proposiciones

Commission de l'apartheid
Committee on Apartheid
Comisión del Apartheid

Membres gouvernementaux:
Government members:
Miembros gubernamentales:

Algérie	Haïti	République arabe
Allemagne, Rép. féd. d'	Inde	syrienne
Burundi	Indonésie	République-Unie
Chine	Nigéria	de Tanzanie
Cuba	Norvège	Trinité-et-Tobago
Etats-Unis	République démocratique	URSS
Ghana	allemande	Zimbabwe
Grèce	Sénégal	

Membres employeurs:
Employers' members:
Miembros empleadores:

AL-JASSEM, Mr.; s: AL-RUKAIS, Mr. (Koweït).
CHADZAMIRA, Mr.; s: CHANAIWA, Mr.; KUIPA, Mr. (Zimbabwe).
DAWSON, Mr.; s: PETERS, Mrs. (Canada).
GEORGET, M.; s: ISSAKA, M. (Niger).
HAK, Miss; s: SNELDERS, Ms.; NIEUWHART, Mr.; LIMBURG, Mr.;
PAGANO MIRANI, Mr.; GOEDMAKERS, Mr.; DEKKERS, Mr. (Pays-Bas).
KHURANA, Mr.; s: KAPOOR, Mr. (Inde).
MACKIE, Miss; s: HEALY, Mr. (Royaume-Uni).
MBAKANYI, Mr. (Botswana).
NASR, M.; s: BALBOUL, M. (Liban).
OWUOR, Mr. (Kenya).
PERIQUET, Mr.; s: HERNANDEZ, Mr. (Philippines).
SUMBWE, Mr. (Zambie).
UBEKU, Mr. (Nigéria).
YAZDAN PANAH, Mr.; s: HOODAKHT, Mr. (République islamique d'Iran).

Membres employeurs adjoints:
Deputy Employers' members:
Miembros empleadores adjuntos:

BEL HAJ AMMAR, M.; s: SAID, M.; (Tunisie).
COELHO, M.; s: FERREIRA LOPES, M. (Angola).
FERRER DUFOL, Sr. (Espagne).
FRANCIS DE LOS REYES, Sr.; s: NAVARRO, Sr. (Cuba).
GAZARIN, Mr.; s: EL-HERRAWI, Mr. (Egypte).
HOFF, Mr.; s: RUD, Ms. (Norvège).
KASWARRA, Mr. (Ouganda).
KOUSA, M.; s: MALAKANY, M. (République arabe syrienne).
LERGES, M. (Congo).
LINDNER, Mr.; s: WEGESIN, Mr. (Rép. féd. d'Allemagne).
LOUNIS KHODJA, M.; s: HASSAN, M. (Algérie).
LUTFI, Mr. (Afghanistan).
MUSSANIANE, M. (Mozambique).
SALEH, M. (Tchad).
SUZUKI, Mr. (Japon).
TABANI, Mr.; s: SAMEE, Mr. (Pakistan).
WIN, U. (Birmanie).

s = suppléant; substitute; suplente.

Membres travailleurs:

Workers' members:

Miembros trabajadores:

ABDIRAHMAN, Mr. (Somalie).
AIT ABDELMALEK, M. (Algérie).
ANDREEV, M. (Bulgarie).
BOTVINOV, M. (URSS).
DOUGLAS, Mr. (Nouvelle-Zélande).
KRSIKAPA, Mr. (Yougoslavie).
LUVUALU, M. (Angola).
MABUMO, M. (Mozambique).
MASHASI, Mr. (République-Unie de Tanzanie).
MERCIER, M. (Canada).
MORTON, Mr. (Royaume-Uni).
NEDZIWE, Mr. (Zimbabwe).
O'FARRELL, Mr. (Etats-Unis).
SANDEGREN, Mr. (Norvège).
STOECKEL, Mr. (République démocratique allemande).
TEFERI, Mr. (Ethiopie).
TRUJILLO, Sr. (Venezuela).
VITTORI, M. (Suisse).
WALCOTT, Mr. (Barbade).
YANKEY, Mr. (Ghana).

Membres travailleurs adjoints:

Deputy Workers' members:

Miembros trabajadores adjuntos:

ABUZEID, Mr. (Jamahiriya arabe libyenne).
BARRAGAN, Sr. (Equateur).
BRIESCH, M. (France).
CAL, M. (Italie).
DJEFFAL, M. (Algérie).
DUNET, M. (France).
FLYNN, Mr. (Irlande).
KNOX, Mr. (Nouvelle-Zélande).
KOLANI, M. (Togo).
KYZIRIDIS, M. (Grèce).
MAHJOUB, Mr. (République islamique d'Iran).
PRENTZAS, Mr. (Chypre).
SALIMIAN, Mr. (République islamique d'Iran).
SANYAOLU, Mr. (Nigéria).
SUNDARAM, Mr. (Sri Lanka).
TORRES GOMEZ, Sr. (Nicaragua).
WILSON, Mr. (Royaume-Uni).
XU, Mr. (Chine).
YAMADA, Mr. (Japon).

REPORTS OF THE SELECTION COMMITTEE

THIRD REPORT

Requests for representation at the Conference and in Conference committees submitted by non-governmental international organisations

The Selection Committee recommends to the Conference that the following organisations should be invited to be represented at the 75th Session of the Conference, in accordance with article 2, paragraph 3(j), of the Standing Orders of the Conference:

- International Committee of the Red Cross
- International Confederation of Public Service Officers
- World Federation for Mental Health.

The Selection Committee also recommends to the Conference that the following organisations should be invited to be represented in the committees indicated, in accordance with article 56, paragraph 9, of the Standing Orders of the Conference:

Committee on the Application of Standards

- International Confederation of Public Service Officers.

Committee on Employment and Social Security

- International Association of Students in Economics and Management
- World Federation for Mental Health.

Committee on Convention No. 107

- World Federation for Mental Health.

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON THE APPLICATION OF STANDARDS

<u>Government members:</u>	<u>add</u> Peru, Sudan.
<u>Government deputy members:</u>	<u>delete</u> Pakistan.
<u>Employers' members:</u>	<u>add</u> Sr. Spaghi as substitute for Sr. Favelevic (Argentina).
<u>Workers' deputy members:</u>	<u>add</u> Mr. Kieh (Liberia).

COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY

<u>Government members:</u>	<u>add</u> Cape Verde, Sudan.
<u>Employers' members:</u>	<u>delete</u> Mr. Nakornsri; s: Miss Hanchareonsuk, Mr. Tanngarm (Thailand). <u>add</u> Sr. Ronay as substitute for Sr. Favelevic (Argentina); M. Teleki as substitute for M. Décosterd (Switzerland).
<u>Employers' deputy members:</u>	<u>add</u> Mr. Bannerman-Menson (Ghana); Mr. Habaibeh; s: Mr. Hussein (Jordan); Mr. Nakornsri; s: Mr. Hanchareonsuk (Thailand); M. Semedo (Cape Verde); Mr. Tjiriange (Namibia).
<u>Workers' members:</u>	<u>delete</u> Mr. Allini (Gabon); Mr. Bengana (Algeria); Mr. Calamatta (Malta); Mr. Irondi (Nigeria); Mrs. Ling (Singapore); Mr. Murillo (Honduras); Mr. Nogueira (Argentina); Mr. Soeterbroek (Netherlands); Mr. Torres Gómez (Nicaragua); Mr. Sarkar (Bangladesh); Mr. Sharif (Pakistan). <u>add</u> Mr. Tarbah (Liberia); Mr. Ya Otto (Namibia).
<u>Workers' deputy members:</u>	<u>add</u> Mr. Allini (Gabon); Mr. Bengana (Algeria); Mr. Calamatta (Malta); Mr. Goss (Liberia); Mr. Irondi (Nigeria); Mrs. Ling (Singapore); Mr. Murillo (Honduras); Mr. Nogueira (Argentina); Mr. Soeterbroek (Netherlands); Mr. Torres Gómez (Nicaragua); Mr. Sarkar (Bangladesh); Mr. Sharif (Pakistan).

COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION

<u>Employers' members:</u>	<u>delete</u> Mr. Nakornsri; s: Miss Hachareonsuk; Mr. Tanngarm (Thailand). <u>add</u> Mr. Ronay as substitute for Mr. Favelevic (Argentina).
<u>Employers' deputy members:</u>	<u>add</u> Sr. Hartley Roman as substitute for Sr. Rfo Málaga (Peru); Mr. Jesic; s: Mr. Boroja (Yugoslavia); Mr. Nakornsri; s: Mr. Tanngarm (Thailand).
<u>Workers' members:</u>	<u>delete</u> Mr. Bausch (Luxembourg); Mr. Senewiratne (Sri Lanka). <u>add</u> Mr. Kubwimana (Burundi); Mr. Senaweera (Sri Lanka).
<u>Workers' deputy members:</u>	<u>add</u> Mr. Bausch (Luxembourg).

COMMITTEE ON CONVENTION NO. 107

Employers' members:

Workers' members:

Workers' deputy members:

add Sr. Terrile as substitute for
Sr. Favelevic (Argentina).

delete Mr. Grande Preza (El Salvador).

add Mr. Coutinho (Brazil).

add Mr. Grande Preza (El Salvador).

COMMITTEE ON RURAL EMPLOYMENT

Government members:

Government deputy members:

Employers' members:

Employers' deputy members:

Workers' members:

add Cape Verde, Sudan.

delete Pakistan.

add Sr. Arias as substitute for
Sr. Favelevic (Argentina).

add Mr. Bannerman-Menson (Ghana).

add Mr. Kieh (Liberia).

COMMITTEE ON APARTHEID

Employers' members:

Employers' deputy members:

Workers' members:

Workers' deputy members:

delete Miss Hak; s: Miss Snelders;
Mr. Nieuwhart; Mr. Limburg;
Mr. Pagano Mirani; Mr. Goedmakers;
Mr. Dekkers (Netherlands).

add Mr. Tjiriange (Namibia).

delete Mr. Ait Abdelmalek (Algeria).

add Mr. Kolani (Togo).

delete Mr. Kolani (Togo).

add Mr. Ya Otto (Namibia).

RESOLUTIONS COMMITTEE

Employers' members:

Workers' members:

Workers' deputy members:

add Mr. Hussein as substitute for
Mr. Habaibeh (Jordan).

delete Mr. Barkan (Israel);
Mr. Chaudhry (Pakistan).

add Mr. Carrillo Rojas (Colombia);
Mr. González (Honduras); Mr. Ouamer
(Algeria); Mr. Grande Preza
(El Salvador); Mr. Sela (Israel);
Mr. Sharif (Pakistan).

delete Mr. Carillo Rojas (Colombia);
Mr. González (Honduras); Mr. Sharif
(Pakistan).

add Mr. Barkan (Israel); Mr. Chaudhry
(Pakistan); Mr. Coutinho (Brazil);
Ms. Ebbeskog (Sweden); Mr. Kubwimana
(Burundi).

REPORTS OF THE SELECTION COMMITTEE

FOURTH REPORT

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON THE APPLICATION OF STANDARDS

<u>Employers' members:</u>	<u>delete</u> Mr. Bamasmooos (Democratic Yemen). <u>add</u> M. Abou Lahcen; s: M. Ragy (Morocco).
<u>Employers' deputy members:</u>	<u>add</u> Mr. Bamasmooos (Democratic Yemen), Mr. Workeneh (Ethiopia).
<u>Observers:</u>	Mr. Hong (Rep. of Korea), Mr. Lee (Rep. of Korea).
<u>Workers' members:</u>	<u>delete</u> Mr. Bhagirutty (Mauritius), Mr. Herrera (Philippines), Mr. Mugalla (Kenya). <u>add</u> Mr. Torres (Philippines).
<u>Workers' deputy members:</u>	<u>delete</u> Mr. Torres (Philippines). <u>add</u> Mr. Bhagirutty (Mauritius), Mr. Herrera (Philippines), Mr. Mugalla (Kenya).

COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION

<u>Employers' members:</u>	<u>delete</u> Sr. Ronay as substitute for Sr. Favelevic (Argentina). <u>add</u> Sr. Spaghi as substitute for Sr. Favelevic (Argentina).
<u>Employers' deputy members:</u>	<u>add</u> M. Ngaha (Cameroon).
<u>Workers' members:</u>	<u>add</u> Mr. Njekesa (Zimbabwe); Mr. Murugu (Kenya); Mr. Shahid (Bangladesh).
<u>Workers' deputy members:</u>	<u>delete</u> Mr. Njekesa (Zimbabwe).

COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY

Employers' deputy members:

add Mr. Ben Lewis (Liberia),
Mr. Ngaha (Cameroon).

Observers:

Mr. Whang (Rep. of Korea).

Workers' members:

delete Mrs. Elvira Gómez (Spain),
Mr. Gharib (Iraq), Mr. Lebrun (Haiti),
Mr. Lo (Senegal), Mr. Pradham (Nepal),
Mr. Todorovic (Yugoslavia), Mr. Traore
(Côte d'Ivoire), Mr. Vicente (Angola),
Mr. Ya Otto (Namibia), Mr. Zeidan
(Lebanon).

add Mr. Gamaa (Sudan), Mr. Monteiro
Lopes (Cape Verde).

Workers' deputy members:

add Mrs. Elvira Gómez (Spain),
Mr. Gharib (Iraq), Mr. Lebrun (Haiti),
Mr. Lo (Senegal), Mr. Pradham (Nepal),
Mr. Todorovic (Yugoslavia), Mr. Traore
(Côte d'Ivoire), Mr. Vicente (Angola),
Mr. Ya Otto (Namibia), Mr. Zeidan
(Lebanon).

COMMITTEE ON CONVENTION NO. 107

Employers' members:

delete Mr. Gupta as substitute for
Mr. Khurana (India).

add Mr. Pande as substitute for
Mr. Khurana (India).

Workers' members:

delete Mr. Bouzia (Morocco),
Mr. Coutinho (Brazil), Mr. Kahkesh
(Islamic Republic of Iran),
Mr. Littlechild (Canada), Mr. Merten
(Luxembourg), Mr. Shalish (Israel),
Mr. Tiryakioglu (Turkey), Mr. Trujillo
(Venezuela).

Workers' deputy members:

add Mr. Bouzia (Morocco), Mr. Coutinho
(Brazil), Mr. Kahkesh (Islamic
Republic of Iran), Mr. Merten
(Luxembourg), Mr. Shalish (Israel),
Mr. Tiryakioglu (Turkey).

COMMITTEE ON RURAL EMPLOYMENT

Government members:

delete Jamaica.

Government deputy members:

add Jamaica.

Employers' members:

add M. Balboul as substitute for
M. Nasr (Lebanon).

Employers' deputy members:

add Mr. Ben Lewis (Liberia), M. Ngaha
(Cameroon), Mr. Stanley-Pierre as
substitute for Mr. Bannerman-Menson
(Ghana).

Observers:

Mr. Lee (Rep. of Korea).

Workers' deputy members:

delete Mr. Tsichlis (Greece).

COMMITTEE ON APARTHEID

Employers' members:

add Mr. Workeneh (Ethiopia).

Workers' deputy members:

add Mr. Ait Abdelmalek (Algeria).

RESOLUTIONS COMMITTEE

Employers' members:

add M. Balboul as substitute for
M. Nasr (Lebanon).

Employers' deputy members:

add M. Chezzi; s: M. Morri
(San Marino).

Workers' members:

delete Mr. Ouamer (Algeria).

add Mr. Abdoon (Sudan), Mr. Ait
Abdelmalek (Algeria), Mr. Bhagirutty
(Mauritius), Mr. Mugalla (Kenya),
Mr. Nyain (Liberia), Mr. Valdivia
Ayala (Peru).

Workers' deputy members:

add Mr. Ben Israel (Israel),
Mr. Céspedes Pérez (Peru).

REPORTS OF THE SELECTION COMMITTEE

FIFTH REPORT

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON THE APPLICATION OF STANDARDS

Workers' members:

delete Mr. Chang Crespo (Ecuador),
Mr. Diop (Senegal), Mr. Djeflal
(Algeria), Mr. Ibrahim (Egypt),
Mr. Karambe (Mali), Mr. Kolani (Togo),
Mr. Lim (Singapore), Mr. Ndong Andeme
(Equatorial Guinea), Mr. Ophir
(Israel), Mr. Teferi (Ethiopia).

add Mrs. Nelsida Marmolejos
(Dominican Republic).

Workers' deputy members:

add Mr. Chang Crespo (Ecuador),
Mr. Diop (Senegal), Mr. Djeflal
(Algeria), Mr. Fouda Sima (Cameroon),
Mr. Ibrahim (Egypt), Mr. Karambe
(Mali), Mr. Kolani (Togo), Mr. Lim
(Singapore), Mr. Ndong Andeme
(Equatorial Guinea), Mr. Ophir
(Israel), Mr. Teferi (Ethiopia).

COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION

Employers' members:

delete Mr. Chadzamira; s:
Mr. Chanaiwa; Mr. Johnston (Zimbabwe),
Mr. Duzenli as substitute for
Mr. Atasayar (Turkey).

add Mr. Kokcu as substitute for
Mr. Atasayar (Turkey).

Employers' deputy members:

add Mr. Chadzamira; s: Mr. Chanaiwa;
Mr. Johnston (Zimbabwe).

Workers' members:

delete Mr. Vanezos (Cyprus).

Workers' deputy members:

add Mr. Pacho Quispe (Peru).

COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY

Workers' members:

delete Mr. Alvis (Colombia),
Mr. Bachar (Israel).

Workers' deputy members:

add Mr. Alvis (Colombia), Mr. Bachar
(Israel), Mr. Semerel (Netherlands).

COMMITTEE ON RURAL EMPLOYMENT

Workers' deputy members:

add Mr. Semerel (Netherlands),
Mr. Tsichlis (Greece).

RESOLUTIONS COMMITTEE

Workers' deputy members:

add Mr. Pacho Quispe (Peru).

REPORTS OF THE SELECTION COMMITTEE

SIXTH REPORT

Requests for representation at the Conference and in Conference committees submitted by non-governmental international organisations

The Selection Committee recommends to the Conference that the Society for International Development should be invited to be represented at the 75th Session of the Conference, in accordance with article 2, paragraph 3(j), of the Standing Orders of the Conference.

The Selection Committee also recommends to the Conference that the Organisation of Workers of Central Africa should be invited to be represented in the Committee on the Application of Standards, in accordance with article 56, paragraph 9, of the Standing Orders of the Conference.

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON THE APPLICATION OF STANDARDS

<u>Government members:</u>	<u>add</u> Liberia, Chad.
<u>Government deputy members:</u>	<u>delete</u> Chad.
<u>Employers' members:</u>	<u>delete</u> M. Oechslin; s: M. Lafont; Mme Roiland (France). Mr. Habaibeh; s: Mr. Dajani (Jordan).
<u>Employers' deputy members:</u>	<u>add</u> M. Oechslin; s: M. Lafont; Mme Roiland (France). Mr. Habaibeh; s: Mr. Dajani (Jordan).
<u>Workers' members:</u>	<u>delete</u> Mr. Blondel (France), Mr. Douglas (New Zealand), Mr. Glean (Trinidad and Tobago), Mr. Gmar (Tunisia).
<u>Workers' deputy members:</u>	<u>add</u> Mr. Blondel (France), Mr. Douglas (New Zealand), Mr. Glean (Trinidad and Tobago), Mr. Gmar (Tunisia).

COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION

<u>Workers' members:</u>	<u>delete</u> Mr. Kubwimana (Burundi).
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Workers' deputy members:

delete Mr. Themistocleous (Cyprus).

add Mr. Horzetzky (Federal Republic of Germany).

COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY

Government members:

add Liberia.

Employers' members:

delete Mr. Boedjosastro;
s: Mr. Soekanda (Indonesia).
Mr. Chadzamira; s: Mr. Kuipa
(Zimbabwe). M. Derrick (Antigua
and Barbuda). M. Lounis Khodja;
s: M. Hassem (Algeria).
Mr. Mussaniane (Mozambique).
Sr. Okue Motto (Equatorial Guinea).

add Mr. Habaibeh; s: Mr. Hussein
(Jordan).

Employers' deputy members:

add Mr. Chadzamira; s: Mr. Kuipa
(Zimbabwe). M. Lounis Khodja;
s: M. Hassem (Algeria).
Mr. Mussaniane (Mozambique).
Sr. Okue Motto (Equatorial Guinea).

Workers' members:

delete Mr. Barragan (Ecuador),
Mr. Gamaa (Sudan), Mr. Ieumbumroong
(Thailand), Mr. Mansour (Niger),
Mr. Mtabanganyimana (Rwanda),
Mr. Stoeckel (German Democratic
Republic), Mr. Tarbah (Liberia),
Mrs. Terraloboro (Venezuela).

add Mr. Céspedes Pérez (Peru),
Mr. Kubwimana (Burundi), Mr. Traore
(Côte d'Ivoire).

Workers' deputy members:

delete Mr. Traore (Côte d'Ivoire).

add Mr. Barragan (Ecuador),
Mr. Gamaa (Sudan), Mr. Ieumbumroong
(Thailand), Mr. Mansour (Niger),
Mr. Mtabanganyimana (Rwanda),
Mr. Stoeckel (German Democratic
Republic), Mr. Tarbah (Liberia),
Mrs. Terraloboro (Venezuela).

COMMITTEE ON CONVENTION NO. 107

Government members:

add Peru.

Employers' members:

delete Sr. Villalobos;
s: Sr. Garrido Soto; Sr. Arbeloa
(Venezuela).

Employers' deputy members:

add Sr. Villalobos; s: Sr. Garrido
Soto; Sr. Arbeloa (Venezuela).

Workers' members:

delete Mr. Caillat (France),
Mr. Yurgens (USSR).

Workers' deputy members:

add Mr. Caillat (France),
Mr. Yurgens (USSR).

COMMITTEE ON RURAL EMPLOYMENT

Government members:

add Chad.

Government deputy members:

delete Chad.

Employers' members:

delete M. Nasr (Lebanon),
M. Mohamed Ali Ould (Mauritania).

Employers' deputy members:

add M. Nasr (Lebanon),
M. Mohamed Ali Ould (Mauritania).

Workers' members:

delete Mr. Abdel Hamid (Egypt),
Mr. Balta (Turkey), Mr. Kombo
(Zaire).

Workers' deputy members:

add Mr. Abdel Hamid (Egypt),
Mr. Balta (Turkey), Mr. Kombo
(Zaire), Mr. Sasa (Liberia).

RESOLUTIONS COMMITTEE

Government members:

add Liberia, Poland.

Employers' deputy members:

add Mr. Mustafa (Sudan).

Workers' members:

delete Mr. Valdivia Ayala (Peru).

add Mr. Pachon Quispe (Peru).

Workers' deputy members:

delete Mr. Pachon Quispe (Peru).

add Mr. Valdivia Ayala (Peru).

REPORTS OF THE SELECTION COMMITTEE

SEVENTH REPORT

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON THE APPLICATION OF STANDARDS

<u>Workers' members:</u>	<u>add</u> Mr. Gmar (Tunisia).
<u>Workers' deputy members:</u>	<u>delete</u> Mr. Gmar (Tunisia).

COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION

<u>Workers' members:</u>	<u>delete</u> Mr. Bowen (Barbados), Mr. Gueye (Senegal), Mr. Nomeni (Islamic Republic of Iran), Mr. Oliverio (Singapore), Mr. Ortiz (Venezuela), Mr. Robinson (Antigua and Barbuda).
<u>Workers' deputy members:</u>	<u>add</u> Mr. Bowen (Barbados), Mr. Gueye (Senegal), Mr. Nomeni (Islamic Republic of Iran), Mr. Oliverio (Singapore), Mr. Ortiz (Venezuela), Mr. Robinson (Antigua and Barbuda).

COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY

<u>Employers' deputy members:</u>	<u>delete</u> Mr. Habaibeh; <u>s:</u> Mr. Hussein (Jordan).
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COMMITTEE ON CONVENTION NO. 107

<u>Workers' deputy members:</u>	<u>delete</u> Mr. Rusanen (Finland). <u>add</u> Mr. Blanker (Suriname), <u>Mr.</u> Pitkanen (Finland).
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RESOLUTIONS COMMITTEE

Employers' members:

delete Miss Hak; s: Mr. Limburg;
Mr. Nieuwhart; Mr. Pagano-Mirani;
Ms. Snelders; Mr. Goedmakers;
Mr. Dekker (Netherlands).
Sr. Kronfle Akel (Ecuador).
Sr. Montt Balmaceda; Sr. Valdés
Saenz (Chile). Mr. McAuley; s:
Mr. Dunne (Ireland). Sr. Río
Málaga (Peru). Mr. Tsujino;
s: Mr. Suzuki (Japan).

add Mr. Ragy as substitute for
Mr. Abou Lahcen (Morocco).
Mr. Seck as substitute for Mr. Sow
(Senegal)..

Employers' deputy members:

add Miss Hak; s: Mr. Limburg;
Mr. Nieuwhart; Mr. Pagano-Mirani;
Ms. Snelders; Mr. Goedmakers;
Mr. Dekker (Netherlands).
Sr. Kronfle Akel (Ecuador).
Sr. Montt Balmaceda; Sr. Valdés
Saenz (Chile). Mr. McAuley;
s: Mr. Dunne (Ireland).
Mr. Ouedraogo (Burkina Faso).
Sr. Río Málaga (Peru). Mr. Tsujino;
s: Mr. Suzuki (Japan).

Workers' deputy members:

add Mr. Lidar-Lipschitz (Israel).

REPORTS OF THE SELECTION COMMITTEE

EIGHTH REPORT

Requests for representation at the Conference and in Conference committees submitted by non-governmental international organisations

The Selection Committee recommends to the Conference that the following organisations be invited to be represented at the 75th Session of the Conference, in accordance with article 2, paragraph 3(j), of the Standing Orders of the Conference:

- Christian Democratic International;
- International Federation of Journalists;
- International Service for Human Rights;
- International Young Christian Workers.

The Selection Committee also recommends to the Conference that the International Service for Human Rights be invited to be represented in the Committee on Convention No. 107, in accordance with article 56, paragraph 9, of the Standing Orders of the Conference:

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON THE APPLICATION OF STANDARDS

<u>Government members:</u>	<u>add</u> Congo.
<u>Government deputy members:</u>	<u>delete</u> Congo.
<u>Workers' members:</u>	<u>delete</u> Mr. Chahir (Morocco). <u>add</u> Mr. Chang Crespo (Ecuador).
<u>Workers' deputy members:</u>	<u>delete</u> Mr. Chang Crespo (Ecuador). <u>add</u> Mr. Chahir (Morocco).

COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION

<u>Government members:</u>	<u>add</u> Congo.
<u>Government deputy members:</u>	<u>delete</u> Congo.
<u>Employers' members</u>	<u>add</u> Mr. Moritz as substitute for Mr. Rossi (Brazil).
<u>Workers' members:</u>	<u>delete</u> Mr. Shahi (Nepal).
<u>Workers' deputy members:</u>	<u>add</u> Mr. Dahl (Norway), Ms. Pederson (Norway).

COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY

<u>Government members:</u>	<u>add</u> Congo.
<u>Government deputy members:</u>	<u>delete</u> Congo.
<u>Employers' members:</u>	<u>delete</u> Mr. Périquet; s: Mr. Inocentes (Philippines).
<u>Employers' deputy members:</u>	<u>add</u> Mr. Deria; s: Mr. Mohamed (Somalia). Mr. Periquet; s: Mr. Inocentes (Philippines).
<u>Workers' members:</u>	<u>delete</u> Mr. Achmad (Indonesia), Mr. Céspedes Pérez (Peru), Mrs. De Vits (Belgium), Mr. Kubwimana (Burundi), Mr. Ozbek (Turkey), Mr. Perera (Sri Lanka), Mr. Prentzas (Cyprus).
<u>Workers' deputy members:</u>	<u>add</u> Mr. Achmad (Indonesia), Mr. Céspedes Pérez (Peru), Mrs. De Vits (Belgium), Mr. Halonen (Norway), Mr. Kubwimana (Burundi), Mr. Ortiz (Venezuela), Mr. Ozbek (Turkey), Mr. Perera (Sri Lanka), Mr. Prentzas (Cyprus).

COMMITTEE ON CONVENTION NO. 107

<u>Workers' members:</u>	<u>delete</u> Mr. Leal González (Mexico), Ms. Lindroos (Finland), Mr. Maruyama (Japan), Mr. McLeod (Australia), Mr. Murray (New Zealand), Mr. Murry (United States), Mr. Tappi (Italy), Mr. Weber (Switzerland).
<u>Workers' deputy members:</u>	<u>add</u> Mr. Brannsten (Norway), Mr. Leal González (Mexico), Ms. Lindroos (Finland), Mr. Maruyama (Japan), Mr. McLeod (Australia), Mr. Murray (New Zealand), Mr. Murry (United States), Mr. Tappi (Italy), Mr. Titimur (Papua New Guinea), Mr. Weber (Switzerland).

COMMITTEE ON RURAL EMPLOYMENT

Government members:

add Congo.

Government deputy members:

delete Congo.

RESOLUTIONS COMMITTEE

Workers' members:

delete Mr. Awab (Morocco).

add Mr. Abdi (Somalia),
Mr. Chahir (Morocco).

Workers' deputy members:

delete Mr. Chahir (Morocco).

REPORTS OF THE SELECTION COMMITTEE

NINTH REPORT

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON THE APPLICATION OF STANDARDS

Workers' members:

delete Mr. Daleiden (Luxembourg),
Mr. Giardi (San Marino), Mr. Lozi
(Syrian Arab Republic), Mr. Ma'Aitta
(Jordan), Mr. Yilmaz (Turkey)

add Mr. Beccari (San Marino),
Mr. Gray (Liberia).

Workers' deputy members:

delete Mr. Beccari (San Marino).

add: Mr. Daleiden (Luxembourg),
Mrs. Djoge (Gabon), Mr. Giardi
(San Marino), Mr. Lozi (Syrian Arab
Republic), Mr. Ma'Aitta (Jordan),
Mr. Yilmaz (Turkey).

COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION

Employers' members:

delete Sr. Arroyo San Martín;
s: Sr. Jáuregui Morales (Mexico).

Employers' deputy members:

add Sr. Arroyo San Martín;
s: Sr. Jáuregui Morales (Mexico).

COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY

Employers' members:

delete Mr. Habeibeh; s: Mr. Hosseini
(Jordan)

Employers' deputy members:

add M. Kouyate (Guinea).

Workers' members:

delete Ms. Clerx (Netherlands),
Mr. Hyvarinen (Finland).

Workers' deputy members:

add Ms. Clerx (Netherlands),
Mr. Hyvarinen (Finland).

COMMITTEE ON RURAL EMPLOYMENT

Workers' members:

delete Mr. Amaoui (Morocco),
Mr. Deligiannakis (Greece), Mr. Kara
(Israel), Mr. Ruhigira (Rwanda).

add Mrs. Djoge (Gabon), Mr. Tsichlis
(Greece).

Workers' deputy members:

delete Mr. Tsichlis (Greece)

add Mr. Amaoui (Morocco),
Mr. Ruhigira (Rwanda), Mr. Kara
(Israel).

RESOLUTIONS COMMITTEE

Employers' members:

delete Mr. Hasan; s: Mr. Hyder
(Bangladesh).

Employers' deputy members:

add Mr. Hasan; s: Mr. Hyder
(Bangladesh).

Workers' members:

delete Mr. Ait Abdelmalek (Algeria).

add Mr. Djeffal (Algeria).

Workers' deputy members:

delete Mr. Djeffal (Algeria).

add Mr. Gray (Liberia).

REPORTS OF THE SELECTION COMMITTEE

TENTH REPORT

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY

<u>Workers' members:</u>	<u>delete</u> Mr. Friehs (Austria). <u>add</u> Mr. Ozbek (Turkey).
<u>Workers' deputy members:</u>	<u>delete</u> Mr. Ozbek (Turkey). <u>add</u> Mr. Friehs (Austria).

COMMITTEE ON CONVENTION NO. 107

<u>Employers' members:</u>	<u>delete</u> Sr. Favelevic; s: <u>Sr.</u> Funes de Rioja; Sr. Fiore (Argentina).
<u>Employers' deputy members:</u>	<u>add</u> Sr. Favelevic; s: <u>Sr.</u> Funes de Rioja; Sr. Fiore (Argentina).

COMMITTEE ON RURAL EMPLOYMENT

<u>Employers' members:</u>	<u>add</u> Sr. Funes de Rioja; Sr. Mantilla as substitutes for Sr. Favelevic (Argentina).
<u>Workers' members:</u>	<u>delete</u> Mr. Al-Haj Hassan (Jordan), <u>Mr.</u> Tall (Senegal).
<u>Workers' deputy members:</u>	<u>add</u> Mr. Al-Haj Hassan (Jordan), <u>Mr.</u> Tall (Senegal).

RESOLUTIONS COMMITTEE

Employers' members:

delete Mr. Hoff;
s: Mr. Skau-Jacobsen;
Mr. Bjerkeng; Ms. Rud; Ms. Hjelmas
(Norway).

add Sr. Funes de Rioja;
Sr. Mantilla; Sr. Spaghi as
substitutes for Sr. Favelevic
(Argentina).

Employers' deputy members:

add Mr. Hoff; s: Mr. Skau-Jacobsen;
Mr. Bjerkeng; Ms. Rud; Ms. Hjelmas
(Norway).

Workers' members:

delete Mr. Drucker (Luxembourg),
Mr. Themistocle (Cyprus).

add Mr. Krsikapa (Yugoslavia),
Mr. Schweitzer (Luxembourg).

Workers' deputy members:

delete Mr. Krsikapa (Yugoslavia),
Mr. Schweitzer (Luxembourg).

REPORTS OF THE SELECTION COMMITTEE

ELEVENTH REPORT

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY

<u>Employers' members:</u>	delete Miss Mackie; s: Mr. Riddles; Mr. Lui (United Kingdom).
<u>Employers' deputy members:</u>	add Mr. Johnston as substitute for Mr. Chadzamira (Zimbabwe). Miss Mackie; s: Mr. Riddles; Mr. Lui (United Kingdom).
<u>Workers' members:</u>	delete Mr. Christiansen (Denmark), Mr. San Román Arriaga (Mexico).
<u>Workers' deputy members:</u>	delete Mr. Vainio (Finland). add Mr. Christiansen (Denmark), Mr. Pitkanen (Finland), Mr. San Román Arriaga (Mexico).

COMMITTEE ON RURAL EMPLOYMENT

<u>Government members:</u>	add Grenada.
<u>Workers' members:</u>	delete Mr. Kieh (Liberia), Mr. Marcus (Luxembourg), Mr. Pitkanen (Finland), Mr. Romero Rendón (Mexico).
<u>Workers' deputy members:</u>	add Mr. Kieh (Liberia), Mr. Marcus (Luxembourg), Mr. Pitkanen (Finland), Mr. Romero Rendón (Mexico).

RESOLUTIONS COMMITTEE

<u>Workers' deputy members:</u>	add Mr. Hyvarinen (Finland).
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REPORTS OF THE SELECTION COMMITTEE

TWELFTH REPORT

Changes in the composition of committees

The Officers of the Selection Committee, on behalf of the Committee, recommend that the Conference approve the following changes in the composition of committees:

COMMITTEE ON CONVENTION NO. 107

Employers' members:

add Sr. Favelevic;
s: Sr. Funes de Rioja; Sr. Fiore
(Argentina).

Employers' deputy members:

delete Sr. Favelevic;
s: Sr. Funes de Rioja; Sr. Fiore
(Argentina).

RESOLUTIONS COMMITTEE

Employers' members:

add Mr. Köstler as substitute for
Mr. Décosterd (Switzerland).
Sr. Pueyo Pérez as substitute for
Sr. Ferrer Dufol (Spain).

Workers' deputy members:

delete Mr. Hemmingsen (Denmark),
Mr. Ríos (Venezuela).

add Mr. Cabrera (Venezuela).



Provisional Record

Seventy-fifth Session, Geneva, 1988

First sitting

Wednesday, 1 June 1988, 10.15 a.m.

Presidents: Mr. Russomano, Chairman of the Governing Body of the International Labour Office, and Mr. Beyreuther

OPENING OF THE SESSION

Interpretation from Spanish: Mr. RUSSOMANO (Chairman of the Governing Body of the International Labour Office) – As Chairman of the Governing Body of the International Labour Office I declare open the 75th Session of the International Labour Conference.

With these simple and formal words, I initiate the work of this session by extending a cordial welcome to the members of delegations as well as the national and international authorities attending this session.

This 75th Session has a special feature which in my opinion is highly significant. It is to be addressed, in succession, by two distinguished personalities of modern political life. The two have one common feature: they have marked their governments with the dynamic imprint of their own personalities and as national leaders they have projected their images on the screen of modern history as champions of and witness to our common concern for social justice and the defence of the principles of modern democracy.

I am referring to Mr. Felipe González, the President of Spain, and to President Corazon Aquino of the Philippines.

The 7th and 14th of this month will be red-letter days for this Conference, because we shall hear the words of these two leaders of our times who have demonstrated in the history of their countries that human and democratic values are endowed with the magic force of the phoenix who was reborn full of life when it was thought to have been crushed under the weight of dictatorship.

As observers and witnesses to the historic process of our times, all of us know and recognise the importance of the social achievements, within their governments, of President Corazon Aquino and President Felipe González.

They have shown, in the sometimes difficult game of politics, that in successive periods the deals are always handed out by strong hands and they will inevitably be changed and improved upon by time.

The transition from the twentieth to the twenty-first century has led as far as our generations are concerned to a second rebirth. As in the fifteenth century, today, once again, man is at the centre of nature and life. Yesterday, the compass, the printing press, paper, gunpowder, the great discoveries changed the conditions of life, the face of the world, the philosophic conception of mankind in dealing with reality and his esthetic conception of art. Today also, modern technologies are opening up new interplanetary continents, changing our outlook on the universe. Atomic energy has opened up prospects for

mankind. The technological revolution, which is in fact the second industrial revolution, has opened up paths which were previously unimaginable. And in the splendour of this renaissance, man will once again become “the measure of all things” and mankind will be the ground on which we shall sow our hopes and beliefs hope that will bring with them new realities, realities which will be transformed into new hopes.

I do not think that it will be necessary for me to do as is customary and refer to the four technical items and the other matters on the agenda of the Conference. They are relevant topics with which you are familiar and they will be enriched by your debate and consideration.

But since I have stressed the fact that the second renaissance will again be replacing man in the centre of life, I cannot fail to mention the fact that the Director-General's Report this year is not only rich in stimulating ideas but also opens up new paths in so far as the subject chosen – human rights – is concerned. Understood in their fullest sense, over and above civil and political limits and considered as instruments of freedom, human rights, in their social, economic and moral aspects, are necessary prerequisites for social justice.

In April 1948 the American States approved in Bogotá the American Declaration of the Rights and Duties of Man, which was the first international instrument on this subject.

In December of the same year, 1948, that is to say, just a few months afterwards, the United Nations adopted the Universal Declaration of Human Rights.

Forty years have passed and this still has a very strong influence on our political and social institutions.

The ILO, within the bounds of its competence, has a duty to play an important role in this field. The majority of social rights are human rights, that is to say, they are at the root of human nature. They are conditions for human existence. They deserve the same protection as is today afforded to life, freedom, dignity and the rights of each and every one of us to have his own identity.

The ILO is called upon to pursue its efforts for the defence and promotion of the human values of labour, and it would not be excessive to presume and declare that the ILO, in this respect, should be in the vanguard, particularly at a time when the traditional concepts of human rights are gradually being broadened.

Along the same line of thought is the idea which has been included in the agenda of the Conference of a partial revision of the Indigenous and Tribal Popu-

lations Convention, 1957 (No. 107). This Convention was adopted more than 30 years ago. For a long time its text has ceased to be in tune with the realities of today. The pace of modern life is very fast. Certain basic issues, however, demand prudence and reflection on our part, but they also demand from us firmness and understanding since the questions involving indigenous and tribal populations are very closely bound up with the human rights of large groups of the world's population.

The double-discussion procedure for debating this subject is a wise one. It allows time for reflection on issues which, as I have said, are serious and which need to be resolved while maintaining a balance between the interests of all parties, yet they require fair, pragmatic and effective solutions.

In conclusion, as concerns the other technical items on the agenda of the Conference, still with emphasis on the defence of mankind and its political and spiritual values, I should like to mention the opportunity we now have to take a step forward in the final eradication of racial discrimination in South Africa.

The ILO has not failed in its duty. It has always been in the vanguard of the universal movement against apartheid. But its appeals, like all the ardent appeals of the international community, have not always had useful results in practice. There is nobody more deaf than he who does not wish to hear and nobody more blind than he who does not wish to see.

The Black majority in South Africa is still suffering constantly from the relentless persecution of intolerance and intransigence. The press, television, the cinema, the radio, books – to which must be added the clamour of all nations – are showing and proving that apartheid has not diminished in the slightest in the rigidity of its principles and the cruelty of its means of action.

This Conference affords yet a further opportunity of enabling us, with the vehemence inspired by the need for justice, to examine this problem, and I hope that from our work will emerge a protest against what is the most long standing, most excessive and most violent violation of human rights in the second half of the twentieth century.

The Conference is being called upon to bring up to date its Declaration concerning the Policy of Apartheid in South Africa, bearing in mind the distressing developments that have taken place in that country since 1981 when the Declaration was updated the last time.

But speaking personally, I cannot deny that I consider and declare that so long as apartheid exists it cannot be said that either justice or peace exist in the world.

I could continue at great length in this vein. But I do not think it is necessary to say more. I leave in your hands the technical decisions and social proposals suggested by the agenda of the Conference.

I am convinced that the distinguished members of the Conference, their governments, their workers' and employers' delegations share my wholehearted belief in the love of all human beings for one another, in understanding between the classes and peace among nations.

These ideas will be the lamps which light the way in the work of the Conference now beginning, and I am confident that the work of this Conference will be

outstandingly successful and will make yet another contribution to the international community.

As Chairman of the Governing Body of the International Labour Office I am confident that this will be so.

ELECTION OF THE PRESIDENT

Interpretation from Spanish: Mr. RUSSOMANO (Chairman of the Governing Body of the International Labour Office) – The next item of business on our agenda this morning is the election of the President of the Conference. Are there any nominations?

I call on Mr. Meiszter, Ambassador Extraordinary and Plenipotentiary of Hungary, to take the floor.

Mr. MEISZTER (*Government delegate, Hungary*) – It is my honour and privilege to propose on behalf of the Eastern European socialist countries the nomination of His Excellency Mr. Wolfgang Beyreuther, State Secretary of Labour and Wages and Member of the Council of Ministers of the German Democratic Republic, for the presidency of the 75th Session of the International Labour Conference which is beginning today.

Mr. Wolfgang Beyreuther was born in a working-class family and he himself started his career as a metalworker. After 1945 he had various trade union posts; between 1948 and 1956 he occupied several positions in the Confederation of the Free German Trade Unions beginning as an executive member of the local organisation of the metalworkers and becoming a member and Secretary of the Central Executive Council of the Metalworkers' Union. From 1956 to 1959 he studied social sciences and obtained a Masters Degree. After his graduation he was elected to the National Executive Council of the Free German Trade Unions. From 1959 to 1971 he served as a Secretary, then between 1971 and 1977 as the Vice-Chairman of the same body. He was also an alternate member of the General Council and the Bureau of the World Federation of Trade Unions from 1964 to 1975. Since 1971 he has been a member of the People's Chamber, the Parliament of the German Democratic Republic. In 1977 Mr. Beyreuther was appointed State Secretary of Labour and Wages and as such became a member of the Council of Ministers. In this capacity, he has headed the German Democratic Republic's delegations to the annual sessions of the International Labour Conference since 1977. Also he led his country's delegations to the Third and Fourth European Regional Conferences. This personal involvement and experience in ILO affairs is well manifested among others in an interview recently given by State Secretary Beyreuther for the daily *Neues Deutschland* elaborating on the approach of the German Democratic Republic to the International Labour Organisation. An interview reflecting the interests of the countries in whose name I have the honour to speak in a constructive co-operation within the ILO.

Mr. Beyreuther is also well familiar with the United Nations activities in the social field. Lately he represented his country at the European Regional Conference of Ministers for Social Welfare held in Warsaw in April 1987, and at the Inter-Regional Consultation on Development of Social Welfare Policies and Programmes which took place in Vienna last year.

In view of his proven involvement in the problems of the world of labour and social affairs, his ability and his experience, I am convinced that Mr. Wolfgang Beyreuther will preside efficiently over this session of the Conference and contribute to its success for which we all hope. Therefore I ask the Conference to support unanimously the candidature of His Excellency, Mr. Beyreuther, as President of the 75th Session of the International Labour Conference.

Miss VENSON (*Government delegate, Botswana*) – I stand here on behalf of the Africa group to state our support for the election of Mr. Wolfgang Beyreuther as President of the Conference. We have confidence in his performance, based particularly on his experience both as trade unionist and more recently as Secretary of State for Labour and Wages, and we are confident that he will carry out his assignment as we all expect he will.

Mrs. BALJINNYAM (*Government delegate, Mongolia*) – In my capacity as co-ordinator of the Asian Government group, it is my honour and privilege to support most formally the nomination of Mr. Beyreuther, Secretary of State for Labour and Wages and member of the Council of Ministers of the German Democratic Republic, for the presidency of the 75th Session of the International Labour Conference.

I need hardly repeat the high qualities and qualifications of Mr. Beyreuther, as they have been adequately described by the distinguished Ambassador of Hungary. We are confident that under his able leadership and guidance the proceedings of the Conference will be brought to a successful conclusion.

Speaking personally, let me add that it gives me great pleasure to second him to this high post, a representative of a country with which my country enjoys close friendship and most cordial relations.

Permit me, on behalf of the Asian Government group, to offer him our congratulations and our wishes for the success of the Conference.

Mr. COUNINIOTIS (*Government adviser, Greece*) – On behalf of the Western European countries, I wish to state that we accept the nomination of Mr. Beyreuther for the post of the President of the 75th Session of the International Labour Conference.

We trust that under his presidency we will be able to achieve a successful Conference.

Interpretation from Arabic: Mr. BOZO (*Minister of Labour and Social Affairs, Syrian Arab Republic*) – It is an honour and a privilege for me to take the floor on behalf of the Arab-speaking governments, employers and workers to express our full support for the nomination of Mr. Wolfgang Beyreuther, the Secretary of State for Labour and Wages of the German Democratic Republic, as President of the 75th Session of the International Labour Conference.

The Syrian Arab Republic would like to express its support for Mr. Beyreuther, and to acknowledge the excellent relations between our two countries. The support of the Arab Group is based on the competence of Mr. Beyreuther in trade union matters, and

on his experience in parliament and international forums. We are confident that his leadership will ensure the success of this very important session of the Conference.

Our support is also based on our high esteem for the policies pursued by the German Democratic Republic at the multilateral level and in the field of international co-operation, especially with the developing countries. Therefore, we shall be heartened to see Mr. Wolfgang Beyreuther presiding over the deliberations of this Conference, especially since human rights issues will be our main topic of discussion.

We would like to assure Mr. Beyreuther of our full support and co-operation in making this session of the Conference a success.

Interpretation from French: Mrs. CARON (*Government delegate, Canada*) – The Governments of the Americas region fully support the objectives and the principles of the International Labour Organisation. It is in this spirit, and as co-ordinator of the Americas region, that we would like to associate ourselves with those who have spoken before us concerning the nomination of Mr. Beyreuther as President of the 75th Session of the International Labour Conference. The Governments of the Americas have followed the discussions which preceded this nomination with keen interest and would like to express their profound hope that it will mark not only the beginning of a very fruitful session of the Conference but also a renewed collective commitment by all Members of the Organisation to promote the interests of the ILO and to implement its most noble aspirations.

Interpretation from French: Mr. OECHSLIN (*Employers' delegate, France*) – On behalf of a large number of Employers' delegates whom I was able to meet before this session, I have been authorised to make the following statement.

The name of Mr. Wolfgang Beyreuther, the Secretary of State for Labour and Wages of the German Democratic Republic, has been put forward for the presidency of the Conference by the group of European governments whose turn it is this year to make a nomination. We shall be happy to work under the presidency of Mr. Beyreuther, whose qualities have just been recalled to us, thus furthering the aims of this Organisation in a spirit of co-operation and dialogue.

We hope that the unanimous election of Mr. Beyreuther will help to strengthen tripartism, which, in our opinion, remains the *raison d'être* of this Organisation. We are encouraged in this hope by reading certain statements by our future President, in particular, the interview he recently gave to a leading daily newspaper in his own country. We believe, as he said, that Government, Employers' and Workers' delegates should act in full independence from one another. We also believe, as he does, in the application of Conventions freely ratified by member States and the supervision of this application by the bodies set up for the purpose by the ILO.

After listening carefully to Ambassador Meiszter, we trust that these viewpoints are shared by the governments of all the socialist countries of Europe. In this spirit I wish good luck to President Beyreuther and assure him of my wholehearted co-operation, as well as that of my colleagues.

Interpretation from German: Mr. MÜHR (*Workers' delegate, Federal Republic of Germany*) – On behalf of the Workers' group of this Conference, I have the honour to support the proposal put forward by the government representatives of Europe for the nomination of Mr. Wolfgang Beyreuther, member of the Council of Ministers for the German Democratic Republic and Secretary of State for Labour and Wages of the German Democratic Republic. Mr. Beyreuther's task will not be easy. The crisis in which large sections of the United Nations system find themselves has not spared this Organisation either and there is a fear that this will also have an effect on this Conference. Therefore, we have every reason to wish good luck and support to the President of this Conference. The Workers' group would like to declare its readiness to co-operate with the President here.

I know Mr. Beyreuther personally, because of all the various posts he has held in his own country over several decades. I am quite convinced that because of his personal and professional qualities he will have a very positive effect on this Conference whenever this may be necessary.

Interpretation from Spanish: Mr. RUSSOMANO (*Chairman of the Governing Body of the International Labour Office*) – Mr. Beyreuther, Secretary of State for Labour and Wages of the German Democratic Republic, has been nominated for the presidency of this Conference. The nomination has been fully supported and seconded.

Since I see that there are no other nominations, I am pleased to declare Mr. Beyreuther President of the 75th Session of the International Labour Conference.

I congratulate him most sincerely and I invite him to take the chair.

(Mr. Beyreuther, Secretary of State for Labour and Wages, German Democratic Republic, is elected President and takes the chair.)

PRESIDENTIAL ADDRESS

Interpretation from German: The PRESIDENT – I should like to thank the Conference most sincerely for the confidence it has shown in me by electing me to the presidency of the 75th Session of the International Labour Conference. I am aware of the honour that has been vested in me, but I fully realise the enormous responsibility inherent in the office of the President of the Conference. I also consider this election a tribute to my country, the German Democratic Republic, and to its policy of peace, understanding and international co-operation for the benefit of mankind.

I have great pleasure in expressing my particular thanks to Comrade Ambassador Meiszter from the Hungarian People's Republic, a friendly ally of my country, who supported my nomination on behalf of the group of European socialist countries to this high office. I should also like to thank most cordially Mrs. Venson, Government delegate of Botswana and co-ordinator of the African countries, for supporting my nomination. My thanks also go to Mrs. Baljinnyam, the Government representative of the Mongolian People's Republic, the co-ordinator of the Asian

countries, and to Mr. Couniniotis, Government adviser of Greece, co-ordinator of the Western European countries; I should also like to thank Mrs. Caron, the head of the International Affairs Department in the Labour Ministry and Government representative of Canada, who spoke on behalf of the countries of the Americas region, and Mr. Bozo, Minister of Labour and Social Affairs of the Syrian Arab Republic, who spoke on behalf of the Arab countries. I extend my particular thanks to Mr. Oechslin, the Employers' delegate of France and Vice-Chairman of the Governing Body, speaking on behalf of the Employers. I should also like to thank Mr. Muhr, the Workers' delegate of the Federal Republic of Germany, the Vice-Chairman of the Governing Body, who is speaking on behalf of the Workers' group.

I should like to thank all of you for your very kind and friendly words, which you expressed in connection with my nomination. I take these good wishes as an augury that we shall be able to work together efficiently and in confidence to tackle the most important tasks before us at this Conference and to continue our joint efforts on the basis of the ILO Constitution. I should like to reassure you that I shall try to fulfil the tasks of this high office as President of the 75th International Labour Conference conscientiously and to the best of my ability and in accordance with the Constitution of the Organisation.

This year I am participating in the International Labour Conference for the twelfth time. Over these years, I have become even more convinced that the International Labour Organisation is of benefit to all States, whether they are large, medium-sized or small.

The International Labour Organisation is an important part of the United Nations System. It is able to serve as a centre for dialogue and international co-operation to promote social justice.

The tripartite structure of our Organisation allows the various parties to express their points of view at discussions, which reflect their own standpoints, so that they can reach decisions which balance out their divergent interests. The recognition of the principle of tripartism necessarily implies that we take into account developments which have taken place in the world and are still taking place in the world. The most recent constitutional amendments are a step in this direction. Their entry into force will further improve the effectiveness of this Organisation.

Our meeting is taking place under favourable auspices. As far as the international scene is concerned, we are undoubtedly observing a change for the better. These days, our eyes are turned towards Moscow, as we await the results of the discussions between General-Secretary Gorbachev and President Reagan. They are discussing matters of fundamental importance to the future of mankind; particularly at stake is the securing of peace which is necessary for the efficient working of this Organisation. Peace will also free resources, through disarmament thus providing us with the opportunities to take social and political decisions in the interest of mankind. The treaty concerning the elimination of intermediate and short-range missiles and the negotiations concerning the 50 per cent reduction of strategic weapons are therefore of particular importance.

In all parts of the world, enormous efforts are being made to find solutions to regional conflicts through negotiation. The signing of the agreements

on Afghanistan were the result of an attitude of realism and conciliation. The subsequent implementation of the agreement signed in Geneva may undeniably serve as an example for the solution of all other regional problems.

This applies also to the Middle East. The Director-General quite rightly points out in his Report that we must find some way of finally bringing peace and human rights to this region of the world.

I have come to Geneva with the firm conviction that this Conference has everything in its power to reap the benefits of the present positive trends in international relations in order to develop co-operation in the interest of mankind and to make a contribution to the improvement of the international situation.

Dialogue and a readiness to reach an agreement are also necessary if we do not wish our future to be overshadowed by the global problems faced by mankind.

The challenges facing us at the end of this twentieth century are not merely of national or regional scope but are also global. The International Labour Organisation is similarly confronted with these challenges. We are becoming increasingly aware of the interdependency of our world and the global problems which affect us all.

I feel a particular responsibility in being President of a Conference in which the main subject under discussion is human rights. As a representative of a State whose stated maxim is a continuous improvement of working and living conditions, I have high expectations of the discussion of this question of human rights.

I think I am speaking on behalf of you all if I thank the Director-General of the ILO, Mr. Blanchard, for his interesting report *Human rights – A common responsibility*.

This Report contains pointers to the future and also valuable suggestions. I see this as a very worthy contribution on the part of our Organisation to the fortieth anniversary of the adoption of the Universal Declaration of Human Rights by the United Nations General Assembly in 1948.

The traditions of our Organisation with respect to human rights are well known. The International Labour Organisation has done a great deal to help codify international law to represent the interests of workers and to support its member States in this area.

As a representative of a State whose emergence was closely bound up with the defeat of fascism, I would like to stress that the Universal Declaration of Human Rights does justice to the very close connection which exists between the guaranteeing of human rights and peaceful coexistence. It is certainly no coincidence that the Declaration of Philadelphia, which guides us all in our work, is also based on the inalienable link which exists between social justice and peace, and in fact the maintenance of world peace is the fundamental prerequisite for the implementation of basic human rights and human freedoms.

The Director-General, in his Report, quite rightly points out that the International Labour Organisation has a very specific responsibility as regards the promotion of human rights in the context of the United Nations. By this, I mean that this forum which has been described as the world parliament of

labour, is under the supreme obligation to work indefatigably to make sure that all people can work, live and develop their personality in dignity. Work which plays a useful role in society has always been and remains the foundation upon which intrinsic human forces are built and herein lies the key to human progress. It is quite clear that mass unemployment, which now affects large parts of the world is – and here I would like to quote the Director-General – “a tragic waste” of human resources and “a wasted opportunity for development and social progress”. Apart from this, the guaranteeing of the right to work is an important prerequisite for the exercise of other human rights: work is the basis for freedom, dignity, economic security and equality of opportunity.

I should like to give my wholehearted support to the Director-General's statement that the question is not whether full employment should remain a central goal, but how it can be attained. Of course, there is no universal panacea for this problem which would be valid for all societies and all times. It would be unrealistic to expect the ILO on its own to find a solution to a problem of this magnitude. The various States themselves must play their part in this area.

In a deteriorating world economic situation, the developing countries are confronted with particularly serious problems, in particular those connected with employment. It is well known how they are losing their resources, how they are suffering from an immense foreign debt. The High-Level Meeting on Employment and Structural Adjustment in November of last year brought this out very clearly. I believe that we must all be involved in overcoming the acute and complicated problems of the developing countries and in trying to eliminate underdevelopment. The developing countries are quite right to expect the International Labour Organisation to make an even more tangible contribution to the solution of this problem, in particular in the context of effective technical co-operation.

We have a golden opportunity to tackle this problem of employment, especially in the developing countries, because rural employment promotion is a priority item on the agenda of this Conference.

One of the major areas of the activities of the International Labour Organisation is the preparation of international labour Conventions and Recommendations; 166 Conventions and 174 Recommendations bear witness to the intensive efforts made by the International Labour Organisation to achieve social progress and to improve working and living conditions.

Our Conference is going to continue this work with the preparation of instruments concerning employment promotion and social security, as well as safety and health in construction.

The partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), takes up questions which are of great significance for about 300 million people in this category.

The Conventions adopted by the International Labour Organisation are without any doubt important instruments for the improvement of working and living conditions of workers and for the improvement of their social security.

We all know that when States ratify Conventions they assume the responsibility for implementing the appropriate standards. This year, as in every pre-

vious year, we are to have a special committee to deal with the application of ILO Conventions. A country which has freely chosen to ratify a Convention must also ask itself how and whether it is going to implement the Convention; that is quite normal. Any possible disputes with regard to the implementation of standards must always be based on the principles of constructive co-operation. All those who participate in such discussions must be aware of their responsibility to express differences in such a way as to promote the application of the Convention and respect the rights of peoples to a free choice of their social relationships and structure; all this is in the interest of peaceful international co-operation.

The Tripartite Conference on Action against Apartheid that was held in Harare in May this year has provided the International Labour Conference with a proposed updated Declaration concerning Action against Apartheid in South Africa and Namibia for discussion and adoption. Everyone knows that the International Labour Organisation in the past has made an important contribution to the struggle against apartheid. It is now a question of further strengthening the capacity of this Organisation to

make an effective commitment to the anti-apartheid struggle.

In order that this Conference can fulfil its tasks, it is obviously necessary for there to be very close co-operation amongst us. In carrying out the duties inherent in the office with which you have entrusted me, I see it as my responsibility to continue with tried and tested traditions, whilst having an open mind to new ideas and drawing on collective wisdom. I shall always turn to advice from the Vice-Presidents and the Chairmen of the Committees and the delegations. I am quite convinced that I shall receive your support in this, working in a spirit of dialogue and co-operation, so that we might all contribute to the success of the Conference.

In conclusion, I would like to refer to the wisdom of the great thinker, Saint Simon, who lived in this city of Geneva. He told his contemporaries how fine it was to be able to work for the wellbeing of mankind. Let this be the spirit in which we approach our work.

(The Conference adjourned at 11.15 a.m.)

Second sitting

Wednesday, 1 June 1988, 5.30 p.m.

President: Mr. Beyreuther

ELECTION OF THE VICE-PRESIDENTS

Interpretation from German: The PRESIDENT – There are three items on our agenda this afternoon: the election of the Vice-Presidents of the Conference, the appointment of the members of the Selection Committee, and the nomination of the officers of the groups. On the first item of the agenda, the election of the Vice-Presidents of the Conference, I would like to ask the Clerk of the Conference to read the list of the nominations made by the groups.

Interpretation from French: The CLERK OF THE CONFERENCE – The candidates for the posts of the Vice-Presidents of the Conference are the following:

Government group: Mr. SMITH (Jamaica)

Employers' group: Mr. TSUJINO (Japan)

Workers' group: Mr. ADIKO (Côte d'Ivoire)

Interpretation from German: The PRESIDENT – If there are no objections, these proposals are adopted. I therefore declare Mr. Smith, Mr. Tsujino and Mr. Adiko elected as Vice-Presidents of our Conference.

(The proposals are adopted.)

APPOINTMENT OF THE MEMBERS OF THE SELECTION COMMITTEE

Interpretation from German: The PRESIDENT – We now proceed to the appointment of the members of the Selection Committee. I call upon the Clerk of the Conference to read out the proposals made by the groups.

Interpretation from French: The CLERK OF THE CONFERENCE – The proposals for the membership of the Selection Committee are the following:

Government members:

*Antigua and Barbuda
Argentina
Australia
Benin
Botswana
Brazil
Burundi
Canada
China
Colombia
Cuba*

*Czechoslovakia
France
Federal Republic of Germany
Greece
India
Italy
Japan
Kuwait
Liberia
Libyan Arab Jamahiriya
Malaysia
Sri Lanka
United Republic of Tanzania
USSR
United Kingdom
United States
Yugoslavia*

Deputy members:

*Bangladesh
Byelorussian SSR
Cameroon
Ecuador
German Democratic Republic
Guinea
Islamic Republic of Iran
Lesotho
Morocco
Nicaragua
Somalia
Sweden
Switzerland
Thailand
Turkey
Uganda
Uruguay
Venezuela*

Employers' members:

*Mr. Georget (Niger)
Miss Hak (Netherlands)
Mr. Lindner (Federal Republic of Germany)
Miss Mackie (United Kingdom)
Mr. Nasr (Lebanon)
Mr. Noakes (Australia)
Mr. Oechslin (France)
Mr. Okogwu (Nigeria)
Mr. Owuor (Kenya)
Mr. Said (Tunisia)
Mr. Smith (United States)
Mrs Sasso Mazzufferi (Italy)
Mr. Santos Neves (Brazil)
Mr. Tsujino (Japan)*

Deputy members:

Mr. Al-Jassem (*Kuwait*)
Mr. Arets (*Belgium*)
Mr. Chadzamira (*Zimbabwe*)
Mr. Durling (*Panama*)
Mr. Ferrer Dufol (*Spain*)
Mr. Garache Castellón (*Nicaragua*)
Mr. von Holten (*Sweden*)
Mr. Inocentes (*Philippines*)
Mr. Jessup (*New Zealand*)
Mr. Khurana (*India*)
Mr. Lounis Khoja (*Algeria*)
Mr. Muyumbu (*Burundi*)
Mr. Namata (*United Republic of Tanzania*)
Mr. Williams (*Barbados*)

Workers' members:

Mr. Adiko (*Côte d'Ivoire*)
Mr. Ahmed (*Pakistan*)
Mr. Allini (*Gabon*)
Mr. Baker (*United States*)
Mr. Maruyama (*Japan*)
Mr. Morton (*United Kingdom*)
Mr. Mugalla (*Kenya*)
Mr. Muhr (*Federal Republic of Germany*)
Mr. Sánchez Madariaga (*Mexico*)
Mr. Taa (*Ethiopia*)
Mr. Tan (*Philippines*)
Mr. Timmer (*Hungary*)
Mr. Walcott (*Barbados*)
Mr. Yanaev (*USSR*)

Deputy members:

Mr. Chiluba (*Zambia*)
Mr. Escandell Romero (*Cuba*)
Mr. Houthuys (*Belgium*)
Mr. Karlsson (*Sweden*)
Mr. Mercier (*Canada*)
Mr. Seidman (*United States*)
Mr. Svenningsen (*Denmark*)

Interpretation from German: The PRESIDENT –
If there are no objections, these proposals are
adopted.

(The proposals are adopted.)

NOMINATION OF THE OFFICERS OF THE GROUPS

Interpretation from German: The PRESIDENT –
The third item on the agenda is the nomination of the

officers of the groups. May I remind you that the
Conference does not decide but takes note of the
nominations made by the groups. I call upon the
Clerk to read out the nominations.

Interpretation from French: The CLERK OF THE
CONFERENCE – The groups have appointed the
following officers:

Government group:

Chairman: Mr. Al-Yahya (*Saudi Arabia*)

Employers' group:

Chairman: Mr. Oechslin (*France*)
Vice-Chairman: Mr. Said (*Tunisia*)
Mr. Nasr (*Lebanon*)
Mr. Smith (*United States*)
Mr. Garache Castellón (*Nicaragua*)

Secretary: Mr. Lagasse (*International Organisation of Employers*)

Workers' group:

Chairman: Mr. Muhr (*Federal Republic of Germany*)
Vice-Chairman: Mr. Allini (*Gabon*)
Mr. Sánchez Madariaga (*Mexico*)
Mr. Tan (*Philippines*)
Mr. Yanaev (*USSR*)

Members of the Bureau:

Mr. Adiko (*Côte d'Ivoire*)
Mr. Ahmed (*Pakistan*)
Mr. Baker (*United States*)
Mr. Maruyama (*Japan*)
Mr. Morton (*United Kingdom*)
Mr. Mugalla (*Kenya*)
Mr. Taa (*Ethiopia*)
Mr. Timmer (*Hungary*)
Mr. Walcott (*Barbados*)

Secretary: Mr. de Vries Reilingh (*International Confederation of Free Trade Union*)

Interpretation from German: THE PRESIDENT –
The Conference takes note of these appointments.

(The Conference adjourned at 5.45 p.m.)

Credentials

Brief report by Mr. M.V. Russomano, Chairman of the Governing Body of the International Labour Office, on the credentials of delegates and advisers to the 75th Session of the International Labour Conference, Geneva, 31 May 1988

The Chairman of the Governing Body of the International Labour Office has the honour to present the customary report prescribed by article 26 of the Standing Orders of the International Labour Conference.

The composition of each delegation and the method of appointment of delegates and advisers to the sessions of the International Labour Conference are governed by article 3 of the Constitution of the International Labour Organisation.

In accordance with paragraphs 8 and 9 of this article, it is for the governments to communicate to the International Labour Office the nominations made. The Conference examines these nominations and decides, in the case of dispute, whether delegates and advisers have been nominated in accordance with article 3 of the Constitution.

The Conference exercises this power in accordance with the procedure laid down in articles 5 and 26 of its Standing Orders.

In particular, paragraph 2 of article 26 of the Standing Orders of the Conference provides that "a brief report upon these credentials, drawn up by the Chairman of the Governing Body, shall, with the credentials, be open to inspection by the delegates on the day before the opening of the session of the Conference and shall be published as an appendix to the record of the first sitting".

The present report is submitted in compliance with this provision. The list given in the table below was closed on 31 May 1988 at 10 a.m. in order that it might be available for inspection by the members of the delegations that same day, that is, the day before the opening of the Conference.

In addition, the present report serves for fixing provisionally, in accordance with paragraph 1(2) of article 20 of the Standing Orders of the Conference, the quorum necessary to give validity to the votes taken.

The table below, based on the files containing the names of the delegates and advisers and the credentials with which they have been provided or the official communications transmitted to the International Labour Office, shows the numerical composition of the Conference. It is to be noted in this regard that persons who have been nominated both as substitute delegates and as advisers, in the letters com-

municating the nominations, have been included among the advisers.

To date, 115 States have notified the names of the members of the delegations. It is to be noted that only 53 countries deposited the credentials of their delegations with the International Labour Office before 17 May, that is within the 15-day deadline before the date fixed for the opening of the Conference, in compliance with paragraph 1 of article 26 of the Standing Orders of the Conference.

On the other hand, while the Conference and the Credentials Committee have already previously insisted on the obligation which article 3 of the Constitution imposes on governments requiring them to send complete delegations to the Conference, one country (Guinea) has only nominated Government delegates, one country (Somalia) has nominated a Workers' delegate but no Employers' delegate and one country (Algeria) has nominated an Employers' delegate but no Workers' delegate.

It should be noted, finally, that in the letters or telegrams communicating their nominations, a certain number of governments have not mentioned the employers' and workers' organisations which they have consulted and with which they have come to an agreement in appointing Employers' and Workers' delegates in accordance with paragraph 5 of article 3 of the Constitution of the Organisation. In this regard, in order to ensure greater clarity in establishing the credentials, it would be advisable that governments use, for the nomination of delegates and advisers, the form annexed to the memorandum on the Conference which the Office addresses every year to member States.

Finally, I should like to urge delegates and advisers to register in person at the Information and Reception Desk, the quorum being calculated on the basis of the number of delegates registered.

Composition of the Conference and quorum

At present 228 Government delegates, 114 Employers' delegates and 114 Workers' delegates – a total of 456 delegates – are accredited to the Conference.

There are, in addition, 561 Government advisers, 250 Employers' advisers and 320 Workers' advisers – a total of 1,131 advisers.

The total number of delegates and advisers who have been nominated in conformity with the provisions of the Constitution of the Organisation to take part in the work of the Conference is 1,587.

Since one State has nominated a Workers' but not an Employers' delegate and one State has nominated

an Employers' but not a Workers' delegate, two non-Government delegates are left out of account in the calculation of the quorum.

Since four of the States¹ now represented are in arrears in the payment of their contributions to the Organisation, those States, under the terms of paragraph 4 of article 13 of the Constitution may not at present participate in the voting in the Conference or any of its committees. Account is therefore not taken of a further 16 delegates in calculating the quorum.

In conformity with article 17 of the Constitution of the Organisation and with article 20 of the Standing Orders of the Conference, the necessary quorum to give a vote validity will provisionally be 219.

Observers

On the invitation of the Governing Body of the International Labour Office, Bermuda and the Republic of Korea have appointed tripartite observer delegations and the Holy See has appointed observers to the Conference.

Organisations and liberation movements invited

The Conference is also being attended by:

- representative of the United Nations and some of its organs, invited by virtue of Article II, para-

¹ Comoros, Congo, Guyana, Poland.

graph 1 - relating to reciprocal representation - of the Agreement between the United Nations and the International Labour Organisation, which came into effect on 14 December 1946;

- representatives of specialised agencies and other official international organisations, invited in conformity with Article 2, paragraph 3 (b), of the Standing Orders of the Conference;
- representatives of non-governmental international organisations with which consultative relations have been established, invited in conformity with Article 2, paragraph 3 (j), of the Standing Orders of the Conference;
- representatives of other non-governmental international organisations also invited in conformity with Article 2, paragraph 3 (j), of the Standing Orders of the Conference;
- representatives of liberation movements invited in conformity with Article 2, paragraph 3 (k), of the Standing Orders of the Conference.

A list of these representatives is appended to the List of Delegations published as a Supplement to the *Provisional Record* of the Conference.

Geneva, 31 May 1988

(Signed) M. V. RUSSOMANO

LIST OF ACCREDITED DELEGATES AND ADVISERS

Country	Government delegates	Government advisers	Employers' delegates	Employers' advisers	Workers' delegates	Workers' advisers	Country	Government delegates	Government advisers	Employers' delegates	Employers' advisers	Workers' delegates	Workers' advisers
Afghanistan	—	—	—	—	—	—	Kenya	2	6	1	3	1	3
Algeria	2	3	1	—	—	—	Kuwait	2	9	1	1	1	1
Angola	2	4	1	1	1	4	Lao, People's Dem. Rep. of	—	—	—	—	—	—
Antigua and Barbuda	—	—	—	—	—	—	Lebanon	2	1	1	8	1	3
Argentina	2	10	1	11	1	6	Lesotho	2	1	1	—	1	—
Australia	2	6	1	3	1	3	Liberia	—	—	—	—	—	—
Austria	2	8	1	3	1	5	Libyan Arab Jamahiriya	2	5	1	2	1	3
Bahamas	2	—	1	1	1	—	Luxembourg	2	5	1	3	1	8
Bahrain	2	6	1	1	1	1	Madagascar	2	—	1	3	1	—
Bangladesh	2	3	1	1	1	—	Malawi	2	1	1	—	1	—
Barbados	—	—	—	—	—	—	Malaysia	2	3	1	1	1	3
Belgium	2	11	1	5	1	6	Mali	2	1	1	1	1	1
Belize	—	—	—	—	—	—	Malta	2	1	1	1	1	1
Benin	—	—	—	—	—	—	Mauritania	2	—	1	—	1	—
Bolivia	—	—	—	—	—	—	Mauritius	2	—	1	—	1	—
Botswana	2	3	1	1	1	1	Mexico	2	2	1	6	1	4
Brazil	2	8	1	6	1	6	Mongolia	—	—	—	—	—	—
Bulgaria	2	3	1	1	1	1	Morocco	2	6	1	2	1	3
Burkina Faso	2	1	1	—	1	1	Mozambique	2	2	1	—	1	1
Burma	2	7	1	—	1	—	Namibia	1	—	1	—	1	—
Burundi	2	3	1	1	1	—	Nepal	2	1	1	—	1	2
Byelorussian SSR	2	2	1	—	1	1	Netherlands	2	11	1	6	1	6
Cameroon	2	1	1	—	1	—	New Zealand	2	2	1	2	1	2
Canada	2	10	1	6	1	6	Nicaragua	—	—	—	—	—	—
Cape Verde	—	—	—	—	—	—	Niger	2	1	1	1	1	2
Central African Republic	2	2	1	—	1	—	Nigeria	—	—	—	—	—	—
Chad	—	—	—	—	—	—	Norway	2	12	1	6	1	6
Chile	2	10	1	3	1	7	Pakistan	2	4	1	1	1	2
China	2	14	1	3	1	5	Panama	—	—	—	—	—	—
Colombia	2	10	1	3	1	3	Papua New Guinea	2	2	1	—	1	1
Comoros	2	—	1	—	1	—	Paraguay	—	—	—	—	—	—
Congo	2	3	1	—	1	—	Peru	2	5	1	4	1	2
Costa Rica	—	—	—	—	—	—	Philippines	2	11	1	4	1	6
Côte d'Ivoire	2	3	1	1	1	1	Poland	2	7	1	1	1	4
Cuba	2	7	1	1	1	1	Portugal	2	7	1	5	1	4
Cyprus	2	2	1	2	1	4	Qatar	2	3	1	—	1	—
Czechoslovakia	2	6	1	1	1	2	Romania	—	—	—	—	—	—
Democratic Yemen	2	2	1	—	1	—	Rwanda	—	—	—	—	—	—
Denmark	2	6	1	3	1	6	Saint Lucia	—	—	—	—	—	—
Djibouti	—	—	—	—	—	—	San Marino	2	1	1	6	1	3
Dominica	—	—	—	—	—	—	Sao Tome and Principe	—	—	—	—	—	—
Dominican Republic	—	—	—	—	—	—	Saudi Arabia	2	3	1	—	1	—
Ecuador	2	4	1	1	1	1	Senegal	2	6	1	3	1	3
Egypt	2	5	1	2	1	2	Seychelles	—	—	—	—	—	—
El Salvador	2	3	1	—	1	—	Sierra Leone	—	—	—	—	—	—
Equatorial Guinea	2	—	1	—	1	—	Singapore	2	—	1	—	1	6
Ethiopia	2	1	1	—	1	2	Solomon Islands	2	—	1	—	1	—
Fiji	—	—	—	—	—	—	Somalia	2	3	—	—	1	—
Finland	2	11	1	6	1	7	Spain	2	12	1	9	1	7
France	2	12	1	8	1	9	Sri Lanka	2	3	1	—	1	5
Gabon	2	2	1	—	1	2	Sudan	—	—	—	—	—	—
German Democratic Rep.	2	8	1	1	1	4	Suriname	2	—	1	1	1	1
Germany, Federal Rep. of	2	10	1	5	1	7	Swaziland	2	2	1	—	1	—
Ghana	2	4	1	1	1	2	Sweden	2	6	1	6	1	6
Greece	2	11	1	5	1	9	Switzerland	2	4	1	5	1	6
Grenada	2	—	1	—	1	—	Syrian Arab Republic	2	2	1	1	1	1
Guatemala	2	5	1	—	1	—	Tanzania, United Rep. of	2	5	1	—	1	1
Guinea	1	—	—	—	—	—	Thailand	2	6	1	2	1	2
Guinea-Bissau	2	—	1	—	1	—	Togo	2	1	1	—	1	1
Guyana	2	—	1	—	1	—	Trinidad and Tobago	2	—	1	—	1	—
Haiti	—	—	—	—	—	—	Tunisia	2	12	1	4	1	2
Honduras	2	4	1	—	1	—	Turkey	2	15	1	12	1	12
Hungary	2	5	1	1	1	3	Uganda	—	—	—	—	—	—
Iceland	2	1	1	1	1	—	Ukrainian SSR	2	3	1	—	1	1
India	—	—	—	—	—	—	USSR	2	12	1	2	1	7
Indonesia	2	8	1	7	1	—	United Arab Emirates	2	3	1	—	1	—
Iran, Islamic Republic of	2	13	1	4	1	7	United Kingdom	2	16	1	6	1	8
Iraq	2	2	1	—	1	1	United States	2	19	1	5	1	12
Ireland	2	5	1	1	1	1	Uruguay	—	—	—	—	—	—
Israel	2	5	1	—	1	7	Venezuela	2	7	1	7	1	6
Italy	—	—	1	6	1	6	Yemen	2	3	1	1	1	2
Jamaica	2	5	1	—	1	1	Yugoslavia	2	3	1	1	1	2
Japan	2	21	1	5	1	12	Zaire	—	—	—	—	—	—
Jordan	2	1	1	3	1	2	Zambia	—	—	—	—	—	—
Democratic Kampuchea	—	—	—	—	—	—	Zimbabwe	2	5	1	3	1	3
							Total	228	561	114	250	114	320

CORRIGENDUM

Provisional Record No. 3:

On page 317, the first line of paragraph 57 should appear as the last line of paragraph 56.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Third sitting

Thursday, 2 June 1988, 11.15 a.m.

President: Mr. Beyreuther

FIRST REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

Interpretation from German: THE PRESIDENT – The first item on this morning's agenda is the first report of the Selection Committee. I call on Mr. Vargas, Government delegate, Nicaragua, Chairman of the Selection Committee, to submit the report to the Conference.

Interpretation from Spanish: Mr. VARGAS (Government delegate, Nicaragua; Chairman of the Selection Committee) – I have the honour of submitting to the Conference the first report of the Selection Committee, which will be found in *Provisional Record*, No. 5. This report refers, in the first place, to the election of the Officers of the Committee and contains proposals concerning the setting up and composition of committees of the Conference.

The Selection Committee considered also the numerical composition of the committees which it recommends should be set up. As far as the numerical composition indicated on the first page of the report is concerned, certain corrections should be made in it which I will now give:

- *Committee on Safety and Health in Construction:* the total number of members should be 141 (67 Government members, 32 Employers' members and 42 Workers' members);
- *Committee on Employment and Social Security:* the total number of members should be 184 (71 Government members, 52 Employers' members and 61 Workers' members);
- *Committee on Convention No. 107:* the total number of members should be 74 (41 Government members, 10 Employers' members and 23 Workers' members);
- *Committee on Rural Employment:* the total number of members should be 128 (63 Government members, 25 Employers' members and 40 Workers' members);
- *Resolutions Committee:* the total number of members should be 218 (85 Government members, 60 Employers' members and 73 Workers' members).

The Committee made proposals concerning the composition of the Credentials Committee and also made recommendations to the Conference concerning the composition of the Drafting Committee of the Conference.

As regards the examination of the reports of the Governing Body and the Director-General, the Committee decided that the discussion should begin today, Thursday 2 June, and that the list of speakers

should be closed on Wednesday, 8 June, at 6 p.m. The Conference may wish to note that it is recommended that the documents on programme implementation in 1986-87 and on the Medium-Term Plan 1990-95 should be taken up during the discussion in question.

The Committee recommends to the Conference to urge those of its members which will take part in the discussion of the report of the Governing Body and the Report of the Director-General to abide strictly by the provisions of the Conference Standing Orders concerning the duration of speeches in plenary, which may, in no case, exceed 15 minutes as is the custom in this Conference. The Committee also proposes that the Conference should urge delegates to focus their statements on the Reports of the Governing Body and of the Director-General and the activities of the International Labour Organisation.

May I draw the attention of members of the Conference to the suggestions and proposals made in the report concerning the quorum, punctuality and negotiations in committees, which have been put forward to facilitate the work of the Conference.

With regard to the participation in Conference committees of members which have lost the right to vote, the Selection Committee noted that the Governing Body had recommended that the practice followed by Government members in the previous year should be maintained, namely that they should not apply to be regular members of committees if they did not at the time in question have the right to vote. The Selection Committee recommends to the Conference that if, for any reason, this method is not followed fully, the weighting coefficients for votes in committees should be calculated on the basis of the number of regular Government members entitled to vote.

In another recommendation the Committee proposes that certain non-governmental international organisations be invited to be represented at the Conference and on some of its committees.

Finally, the Committee endorsed the general plan of work for the committees of the Conference, which, although it is not mandatory, would make it possible for the committees to organise their activities so as to take into account as far as possible the needs and possibilities of the Conference as a whole. The Committee took note, in particular, of the fact that the President of the Government of Spain, Mr. Felipe González, will address the Conference on Tuesday, 7 June, and that the President of the Republic of the Philippines, Mrs. Corazón Aquino, will also speak at the Conference on the following Tuesday, 14 June.

I recommend to the Conference that this report be approved.

Interpretation from German: The PRESIDENT – I now submit the first report of the Selection Committee to the Conference for discussion. If there are no objections, I take it that the report is adopted?

(The report is adopted.)

RATIFICATION OF THE INSTRUMENT FOR THE AMENDMENT
OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR
ORGANISATION, 1986

Interpretation from German: The PRESIDENT – I have pleasure in informing the Conference that the Director-General of the International Labour Office has registered the ratification by Mozambique of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986.

This brings the total number of ratifications and acceptances of the Instrument of Amendment to 36.

SUBMISSION OF THE ANNUAL REPORT OF THE GOVERNING
BODY TO THE CONFERENCE BY THE CHAIRMAN OF THE
GOVERNING BODY

Interpretation from German: The PRESIDENT – The next item on the agenda is the submission of the annual report of the Governing Body to the Conference. I call on Mr. Russomano, Chairman of the Governing Body of the ILO, to submit the report.

Interpretation from Spanish: Mr. RUSSOMANO (*Chairman of the Governing Body of the International Labour Office*) – As Chairman of the Governing Body of the International Labour Office it is my duty to submit to you the report which the Governing Body submits to the Conference every year. This report covers the work carried out by the Governing Body at its 237th Session, which was held in June 1987 immediately after the 73rd Session of the Conference, and at its November 1987 and February-March 1988 sessions.

As the 240th Session concluded only a few days ago, the report contained in *Provisional Record* No. 4 does not cover the deliberations of that session. For this reason I will briefly summarise the main discussions and decisions that were taken at that session, at the cost perhaps of oversimplifying some of the interesting and important information that has been collected by the secretariat of the Organisation.

In spite of my intention to be brief, I must discuss in some detail the financial situation in which the Organisation finds itself as it nears the end of the first six months of the 1988-89 biennium; there is reason for grave preoccupation because of the continuing depreciation of the dollar with respect to the Swiss franc and the fact that certain member States, among them some of the major contributors, are not paying their contributions on time or in full, owing to well-known internal financial constraints. You will remember that when the Conference adopted the Programme and Budget for this biennium in June 1987, it fixed a budgetary exchange rate of 1.60 Swiss

francs to the dollar. This rate, however, did not prove realistic: the dollar remained below this level during the first five months of 1988, prompting the Director-General to offer proposals to the Governing Body in May of this year which aimed at compensating the ensuing budgetary deficit.

After much discussion, and subject to the discrepancies and reservations expressed by certain governments, the Governing Body agreed to propose to the Conference that the rate of exchange be altered from 1.60 to 1.43 Swiss francs to the dollar, and consequently to add 26 million dollars to Part IV of the budget, with the understanding that additional shortfalls resulting from a further deterioration in the dollar's rate of exchange vis-à-vis the revised budgetary rate of exchange would entail adjustments to the Programme and Budget for 1988-89.

At the same time the Governing Body agreed to propose that as an exceptional measure, and as provided in Financial Regulations, the reimbursement to the Working Capital Fund in 1989 be reduced by an additional 5 million dollars, for a total of 10 million dollars, thereby decreasing in a corresponding amount the additional contributions requested of member States for this purpose.

The Governing Body submits to the Conference for its examination a resolution and a proposal for a decision on these questions.

For some time now, the Governing Body has examined the possibility of adopting measures aimed at protecting the finances of the ILO against the negative consequences of fluctuating rates of exchange, and introducing an element of stability and certainty in forecasts of the income available to the Organisation, without the need to make additional financial demands on member States. In May 1988 the Governing Body examined a document prepared by the Office relating to long-term strategy as regards rates of exchange; after identifying the various alternatives, the Office proposed to introduce a system based on pro rata contributions in Swiss francs, coupled with the forward purchase of dollars needed. After a lengthy discussion the Governing Body in principle supported the introduction in 1990-91 of a pro rata system in Swiss francs, and the forward purchase of dollars needed for the biennium. Moreover, the Governing Body agreed that a final decision on the subject would not be taken until its 241st Session in November 1988, on the basis of a more detailed proposal to be submitted by the Director-General.

While the measures that I have just outlined are intended to improve the financial situation of the Organisation in the immediate future and in the long term, the capacity of the Office to carry out the programmes approved by the Organisation for the current biennium as well as those for the Medium-Term Plan for 1990-95, which was submitted to you for your information at this session of the Conference, will depend entirely on the willingness of the member States to fulfil their financial obligations to the ILO.

I would like also to refer very briefly to some important discussions and decisions of the Governing Body's most recent session.

The Governing Body first of all examined in a preliminary way the proposals for the agenda of the 77th Session of the Conference of 1990. The final decisions will be taken in November of this year.

The proposals submitted cover the following five points: working conditions in hotels, restaurants and similar establishments; protection of workers' claims in the event of the insolvency of their employer; revision of the Appendix of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147); promotion of self-employment – general discussion; preventing and reducing drug and alcohol problems in working and in social life – general discussion.

As a result of an exchange of points of view, the Governing Body decided to ask the Director-General to provide, in November 1988, reports on legislation and practice as well as proposals in greater detail on all the five subjects that I have just mentioned.

Apart from the very important financial questions connected with the rate of exchange for the budget, the Governing Body also looked at a number of other financial and administrative, as well as personnel questions, through its Programme, Financial and Administrative Committee. It took note of a detailed report on the implementation of the programme for the biennium 1986-87. It took note of the financial statements for the 60th budget period 1986-87, which was submitted to the Conference for examination and adoption. It also took note of information concerning the regular budget for 1988-89, and lastly, the position of the Working Capital Fund. It also reviewed the activities of the Turin Centre as reflected in the report of the Centre and approved the recognition of the jurisdiction of the ILO Administrative Tribunal by INTERPOL. It also took note of the report of the second meeting of the special subgroup concerning the banking services of the ILO which was set up last year at the request of the Committee on Apartheid of the Conference, for the purpose of studying possibilities other than the present banking facilities. The Committee on Apartheid was informed of the results of that Working Party.

Through the Committee on Industrial Activities, the Governing Body examined requests that were pending to set up new industrial committees, either joint committees or similar committees, and it decided to set up a Working Party that is to start its work in November 1988 and which will study the present structure of the Industrial Committees. It agreed to postpone until after the end of that exercise the seventh general examination concerning the composition of the industrial and analogous committees.

On the recommendation of the Committee, the Governing Body decided on the priority and agenda of the main industrial committees as well as less important industrial meetings that will be on the programme for 1990-91. It decided to implement the resolutions and conclusions that had been adopted by the Third Tripartite Technical Meeting for the Clothing Industry. It examined the report of the Tripartite Meeting on Salaried Authors and Inventors and invited the Director-General to invite a number of non-governmental organisations to be present at the Industrial Committees that will be held in the last quarter of 1988.

On the basis of the report of the Committee on Standing Orders and the Application of Conventions and Recommendations, the Governing Body approved the report forms for the four Conventions adopted in October 1987 at the 74th (Maritime) Session of the International Labour Conference.

Through the Committee on Discrimination it examined in depth matters connected with apartheid

which are especially important in the agenda of this Conference.

Before concluding, I should like to express my gratitude to the Director-General and his assistants, as well as to all members of the Governing Body and, in particular, to Mr. Oechslin and Mr. Muhr, who are the Employer and Worker Vice-Chairmen of the Governing Body, respectively, for their co-operation and for the advice and help which I received from them. This has greatly facilitated my task as Chairman of the Governing Body, but what is even more significant, it was a proof once more of the harmony and the equilibrium which exists between the ILO and the Governing Body, and in the second place, between the members of the Governing Body, and in the third place – last but not least – between the three Groups which make up the ILO and which, as a consequence of tripartism, reflect all the efforts of this Organisation towards the brotherhood that should prevail in the present world.

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL : DISCUSSION

Interpretation from German: The PRESIDENT – I thank the Chairman of the Governing Body and all the members for this annual report which has just been submitted to us and would like to remind you that the discussion of this report and that of the Director-General will start at this afternoon's meeting. I should like to take advantage of the time available to us to make the following statement on behalf of the officers of the Conference. This statement refers to the principles which we propose to apply in guiding this discussion.

These principles will be applied with the greatest possible uniformity to all speeches made by any speaker in the Conference. The principles by which we shall be guided were first established by the Working Party on the Programme and Structure of the ILO and approved by the Governing Body and communicated to the Conference in 1967. You will find these principles in articles 54 to 58 of the report of the Governing Body, which are reproduced in the Memorandum on the 73rd Session of the International Labour Conference. No doubt you all have a copy of this Memorandum. It is a duty for the Officers of the Conference to draw the attention of all delegates to paragraph 58 in particular, which reads as follows: "In periods of acute political tension the ILO has a twofold responsibility – to uphold the values of human freedom and dignity enshrined in its Constitution, and to circumscribe rather than extend the area of international tension by ensuring the fullest possible degree of continued co-operation in pursuit of the objectives of the ILO. Every delegate to the Conference therefore has an obligation to ensure that the Conference does not lose sight of them."

In bringing this particular paragraph to your attention I am discharging that obligation. In full agreement with the Officers and on their behalf as well as yours, I appeal to all delegates to co-operate with us in applying these principles. In particular, we hope that every delegate will recognise that the Officers of the Conference are responsible for ensuring that these principles are observed. My colleagues and I

are determined to shoulder this responsibility in all circumstances.

Freedom of expression is a vital feature of the International Labour Organisation. However, in order to exercise this right in a spirit of mutual respect, we all have to accept a certain amount of discipline if we want our work to be carried on in an appropriate way and be crowned with success. It is the duty of the President of the sitting to ensure that these principles are respected, and the Officers of the Conference will not hesitate to intervene in this connection. In particular if there are offensive or insulting remarks made about a member State, particularly any Head of State or Government or if personal insults are directed at any other delegate, the President will intervene immediately.

At the Conference, all delegates should use parliamentary language and respect the accepted procedure, refer only to the items under discussion and avoid raising any question alien to these matters.

It is important that every delegate who wishes to make a reply to a statement should refrain from asking for the floor by raising a point of order. What he should do is to inform the President of the sitting before that sitting finishes that he wishes to exercise his right to reply. A request for a right of reply should be addressed to the Officers during the sitting in which the government or delegation considers that it should exercise its right to reply. These requests should be transmitted to the President through the secretariat and not through asking for the floor at the sitting.

I wish to refer to the practice with regard to the exercise of the right to reply. The reply should refer only to the point under debate. It should be brief (i.e. not more than two or three minutes) and should not give rise to any further remarks. Lastly, it should be couched in correct and parliamentary language.

I wish furthermore to refer to the recommendation made in the first report of the Selection Committee, according to which the Conference invites all delegates participating in the discussion on the Reports of the Governing Body and the Director-General to respect strictly the provisions of the Standing Orders with the respect to the maximum length of speeches and to concentrate their remarks on these reports and on the activities of the International Labour Conference. I recall that under the terms of article 14, paragraph 6, of the Standing Orders of the Conference it is stated that: "Except with the special consent of the Conference, no speech, whether by a delegate, a visiting minister, an observer or a representative of an international organisation, shall exceed 15 minutes". The time available to the Conference for the examination of its agenda is very short. It is therefore imperative that these provisions be strictly respected. All delegates and ministers attending the Conference will no doubt wish to take into account, in preparing their remarks, this limit of 15 minutes laid down in the Standing Orders, so that the President will not be obliged to withdraw the right to speak from a speaker before he has finished his speech.

May I remind you that, in accordance with practice, the Officers and President organise the general discussion. In particular, it is up to the President to ensure respect for the principles and provisions of the Standing Orders to which I have just referred.

In order to fulfil this responsibility, we shall make use of all the prerogatives conferred upon us by the mandate with which you have entrusted us. We thank you in advance for your help and collaboration in ensuring the proper conduct and success of the Conference.

(The Conference adjourned at 11.45 a.m.)

Fourth sitting

Thursday, 2 June 1988, 3.15 p.m.

Presidents: Mr. Beyreuther, Mr. Tsujino

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – The first item on the agenda this afternoon is the discussion of the reports of the Governing Body and of the Director-General.

Mr. OKONDO (*Minister for Labour, Kenya*) – Mr. President, on behalf of my delegation and on my own behalf, please allow me to take this opportunity to congratulate you, together with the other Officers of the Conference, on your well-deserved election to guide the deliberations of the 75th Session of the International Labour Conference. My delegation wishes this session of the Conference every possible success.

My delegation also wishes to take this opportunity to thank the Director-General of the ILO, Mr. Francis Blanchard, for the very valuable visit that he paid to Kenya last year to attend the Kenya Federation of Employers/ILO Fourth Top Policy Workshop at Mombasa. The visit boosted the workshop which in turn was a great source of assistance to the Kenyan Government by confirming our conviction that in the long run unemployment can only be fought by investment in viable economic projects, and preferably in the private sector. Mr. Blanchard, you are most welcome to visit Kenya again.

Allow me now to turn to the 1988 Report of the Director-General. My delegation takes this opportunity to thank the Director-General for his most detailed and comprehensive report on the activities of the ILO for the year 1987. The Report, which is divided into two parts, has Part I devoted primarily to human rights, a common responsibility, and Part II deals with the Organisation's activities during the year 1987.

My delegation considers the choice of this year's theme of the Conference – human rights, a common responsibility – as most appropriate for the year 1988.

It is 40 years since the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the adoption of the Universal Declaration of Human Rights by the United Nations General Assembly. Kenya, as a member of the United Nations, is a party to the Universal Declaration of Human Rights.

This session of the Conference will provide an opportunity for the member States of the ILO to examine the most critical and urgent human rights issues and problems that may be affecting the world of labour today.

My delegation fully recognises that ILO activities are related, in one way or another, to human rights, since human rights is an integral part of the efforts to secure man's material well-being and spiritual development. My delegation also strongly believes that the promotion and protection of human rights is a continuing process that calls for the constant renewal of the ILO's commitment to the common standard of achievement set for all peoples and nations in the Universal Declaration of Human Rights.

While my delegation fully agrees with the Director-General's views as covered in Part I of his Report on all the issues, I still wish to highlight the following points.

On the subject of human rights, the ILO's record is truly outstanding. We have noted with appreciation the ILO's continued assistance to the freedom-fighters in South Africa and in Namibia. In South Africa the freedom-fighters have an inalienable right and duty to use any means to rid their country of the uncouth and abominable Nazi-style minority regime of apartheid and to establish a democratic government in its place.

It is most saddening to note that in South Africa a most barbaric police State controlled by an unholy White minority clique is allowed, and with the support of some great Powers, to continue to deprive the greater majority of the people there of their political, social, economic, legal and basic human rights, while the so-called "free" people of the world look on. My delegation condemns unequivocally the abhorrent and evil system of apartheid, a veritable crime against humanity, and the illegal occupation and control of Namibia, the constant aggression and destabilisation of the front-line and other neighbouring independent African States. In Namibia, SWAPO voices the legitimate aspirations of Namibians as expressed in United Nations resolution No. 435, but these demands fall on deaf ears as the major Powers continue to ignore the United Nations. But so did they ignore Hitler's Nazi Germany at a horrendous cost to the world.

While it is true that the denial of social justice and disregard of human rights, whether in South Africa, Namibia, the Middle East or anywhere else, constitutes a real danger to world peace, the ILO still stands stubbornly for universal and lasting peace based upon social justice. This is why Kenya fully subscribes to the very noble principles of this Organisation. Our own national philosophy of "Nyayo", which stands for peace, love and unity, as developed by His Excellency President Daniel Arap Moi, demonstrates clearly and practically our firm support for these noble principles. Kenya continues to re-affirm

that the evil and inhuman policy of apartheid cannot be reformed; it must just be destroyed.

We shall continue to appeal to the international community to intensify its campaign for the total isolation of, and imposition of mandatory and comprehensive sanctions against, the Nazi-Style South African regime until the people both South Africa and Namibia are truly liberated from the evil system of apartheid. Those who oppose sanctions at present are unable to find any worthy alternative, while persuasion and pressure have failed miserably. The opposition to sanctions has now assumed the mantle of racism, leaving violence as the only legitimate alternative, no matter how unpleasant.

After all, we all know that in the end Hitler had to be destroyed by violence. So it may be in South Africa.

My delegation also notes with appreciation the recent ILO-sponsored Tripartite Conference on Action against Apartheid, which was held last month in Harare. That was yet another concrete step by the ILO in the fight against the evil regime of apartheid.

On the subject of freedom of association and the protection of the right to organise, my Government's declared labour policy has always been to encourage the formation of strong, independent and financially viable employers' as well as workers' organisations. The Government is satisfied that both the Kenya Federation of Employers and the Central Organisation of Trade Unions are sufficiently well organised and competent to enter into responsible and conclusive collective bargaining on terms and conditions of employment. They have also undertaken their due obligations and responsibilities to the total satisfaction of the Government of Kenya.

My delegation notes with appreciation that you have included in the agenda for this session of the Conference four major technical items. We note that employment promotion and social security, as well as safety and health in construction, are up for discussion for the second time with a view to adopting fully a new Convention and Recommendation to replace the labour standards adopted over 50 years ago.

My delegation believes that the creation of more employment and the alleviation of poverty remain the most daunting challenges facing the ILO today. For this reason my delegation feels that the scheduled general discussion on rural employment promotion is most timely, especially in that dynamic rural development remains crucial to progress towards reducing overall unemployment in the world.

In view of the important role that the ILO has continued to play in world affairs and in the promotion of human rights and advancement of social and economic justice in particular, Kenya will continue to give the ILO what moral and material support she can within her limited means and resources.

At this juncture, please allow me to extend my delegation's congratulations to the Government of the People's Republic of Poland for having taken a final decision to rescind its earlier notice of withdrawal from membership of the ILO. My delegation welcomes the above decision because the continued participation of Poland in the work of the ILO not only helps to preserve the universality of the Organisation but also opens the road for strengthened dialogue between the ILO and the Government, employers and workers of Poland.

Finally, the ILO as a tripartite organisation has a unique role to play in the promotion of social justice, industrial peace and stability. A great deal has been achieved. A great deal more remains to be done. My delegation would like to call upon all Members to continue supporting this worthy Organisation in its noble and difficult task of promoting social justice and improving the quality of life for the benefit of mankind in the years to come.

Interpretation from French: Mr. MARTENSON (*Director-General of the United Nations Office in Geneva*) – As United Nations Under-Secretary-General for Human Rights, it is most gratifying to me, indeed most encouraging, that human rights should be the theme of the International Labour Conference in 1988 since the whole world, this year, is celebrating the 40th anniversary of the adoption by the United Nations General Assembly of the Universal Declaration of Human Rights. Furthermore, it is entirely fitting that your Organisation should be hailed and recognised as one of the founders of the edifice which over several decades has been erected and expanded for the global definition and protection of human rights and fundamental freedoms. The Organisation of the United Nations, which has, under its Charter, a comprehensive mandate for the articulation of the whole spectrum of human rights and for ensuring respect therefor, pays tribute today to the pioneering work done by the ILO in this important field of its special competence. In 1948, that is to say the same year in which the Universal Declaration of Human Rights was being elaborated and approved, the ILO adopted one of its key trail-blazing human rights instruments, the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

This Convention is an impressive early result of the continuing undertaking to give concrete meaning and force to the words of one of the ILO's monumental and historic texts, the Declaration of Philadelphia, where it is stated that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity".

As well as formulating and codifying those human rights falling within its specific constitutional purview, in particular the rights placed within the broad framework of gainful employment, favourable working conditions, equality of opportunity, trade union freedoms and liberties, social welfare, security and justice, the ILO also has devised and institutionalised implementation procedures and supervisory machinery which are acclaimed for their impartiality, thoroughness and effectiveness and which are as pragmatic as they are judicious.

The ILO has consistently been a precious contributor to the success of the task devolving upon the United Nations to endeavour to extend the frontiers of human rights and to spread their enjoyment ever more widely. Your Organisation should be commended for proving, through its outstanding performance, its belief in what your Director-General, Mr. Blanchard, so rightly indicated in the title of his Report to you, namely that the defence and solid entrenchment of human rights is a common and, I would add, an appropriately shared responsibility.

The community of concerns between the United Nations and the ILO stems not least from the relevant articles of the Universal Declaration of Human Rights: article 23 – the right to work, to equal pay for equal work, the right to just and favourable remuneration and the right to form and to join trade unions; article 22 – the right to social security; article 24 – the right to rest and leisure; article 25 – the right to a standard of living adequate for the health and well-being of the individual and of his or her family; and other relevant articles. I need hardly recall that one of the two international conventions which emanated from the Universal Declaration – the International Covenant on Economic, Social and Cultural Rights – gives a further elaboration and a juridical framework to these guiding principles. In this context, I would like to express particular appreciation to the constructive and productive participation of the ILO in the implementation of the Covenant.

Moreover, our joint efforts and activities encompass the widest range of shared objectives, including our endeavours with respect to migrant workers, the rights of indigenous labour, the combating of all types of discrimination and the delineation of the right to development. As the United Nations Co-ordination for the Second Decade against racism and racial discrimination, nominated by the Secretary-General, I would pay a special tribute to ILO for the strong support, it has given us in the ongoing struggle against the institutionalised practice of racial discrimination that is constituted by apartheid. The latest evidence of that support is the report before you from the Tripartite Conference on Action against Apartheid held in Harare and the work you are undertaking to update the Declaration concerning the Policy of Apartheid in South Africa and to strengthen its application.

Another example of our fruitful collaboration is the in-depth consideration by your Organisation of certain social and human rights aspects of adjustment policies in which several members of the United Nations system are involved. In completing this list of ILO achievements I would mention the remarkable inventiveness shown by the Organisation in constantly refining the conceptual basis of its mandated Human Rights Programme and in enriching its dimensions for the benefit of the workers, as well as of the less privileged sections of society.

The agenda at this session illustrates just such a tendency. For example, I would make special mention of the Conference's intention to pay particular attention to the observance of human rights standards in monitoring the application of the full range of ILO Conventions and Recommendations.

I would also refer to, and salute, your welcome decision to initiate the process of revising the 30-year-old Indigenous and Tribal Populations Convention, 1957 (No. 107). It is a matter of ever-growing concern to the United Nations Human Rights Programme. Furthermore, your efforts to develop further the right to a safe working environment are indeed appreciated by all those engaged in the international human rights endeavour.

(The speaker continues in English.)

For the United Nations the promotion and protection of human rights constitute an overriding priority. The world Organisation is founded upon the

ideals of equity and justice. The equal rights of men and women, of nations large and small, are explicitly affirmed by the Charter. Indeed, discrimination of any kind is forbidden as the negation of those cardinal principles. Moreover, the same guiding precepts place the assurance of individual rights as the cornerstone of the international society which the world Organisation aims to establish.

Today, looking back over more than four decades of endeavour to meet the aspirations expressed by the peoples of the United Nations in their Charter, I believe that it has been in the field of human rights that the world Organisation has made one of its major advances. It exceeded to a great extent the hopes that first took shape in San Francisco. While much remains to be done and violations of human rights continue to beset us each day, the principles have been accepted, the machinery is in place, and an undeniable momentum of human rights is under way.

We have come to recognise that human rights and fundamental freedoms are inherent to the nature of all human beings without any distinction as to their race, colour, sex, language or religion. They are essential to the fullest development and use of the qualities and potentials that characterise human beings and that have led to the creation of human civilisation.

Yet their relevance goes still further. Lack of respect for human rights and fundamental freedoms is not only a tragedy that directly affects individuals, it is also a primary cause of conditions that often result in the outbreak of violence and conflict affecting entire societies or even nations.

Indeed, it was with the memories of a devastating and cruel war fresh in their mind that the drafters of the Universal Declaration of Human Rights – those men and women of abiding vision such as Eleanor Roosevelt, René Cassin and Charles Malik – clearly affirmed in its Preamble “that recognition of the inherent dignity of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”.

The Declaration remains the beacon that lights our path today. Every effort is being made to utilise the opportunity afforded by the occasion of the anniversary year to highlight its importance for all peoples and societies regardless of their political and geographical differences. Our aim is to help generate a universal culture of human rights. An encouraging development in this context has been the United Nations General Assembly decision to request its Secretary-General to prepare a report on the feasibility of a world-wide campaign on human rights which we will present to the Assembly's forthcoming session this autumn.

It is axiomatic that people must be aware of their rights before any real progress can be expected toward the universal realisation of fundamental rights and freedoms. The role of information and education must therefore constitute an intrinsic part of our endeavours. Communication is the heart, the catalyst and the foundation of human rights. The objective of extending and broadening the “outreach” of the United Nations Human Rights Programme has indeed been a priority concern of mine since assuming responsibility last year for this activity. It was with this aim in mind that I established a new Section for External Relations in the context of restructuring the Centre for Human Rights, which will enhance our

co-operation with that wider human rights community comprising the academic world, foundations and research institutions, the concerned media and non-governmental organisations. The latter's role in the international endeavours for the promotion and protection of human rights hardly needs to be emphasised and is indeed crucial to the success of the Human Rights Programme. Furthermore, the new section will help to generate public understanding and knowledge of human rights through a much increased programme of publications both for the Universal Declaration anniversary year and beyond, and through other activities in the spheres of information and education.

A second focus of our restructuring efforts is the provision of advisory services and technical assistance. It is my conviction that governments which are striving to meet the human rights aspirations of their citizens must be able to count upon international support and solidarity. In the final analysis it is a strong national system which is the true bulwark against human rights violations. Moreover, by assisting in laying the foundations of national institutions and mechanisms for human rights, we may contribute to the prevention of violations before they occur.

It is in this spirit that I have moved to strengthen the relevant section within the Centre for Human Rights and that we presented, at the latest session of the Commission on Human Rights, a detailed outline of activities encompassing the provision of expert advice, fellowships, training courses, seminars and other activities. The response proved most gratifying, with support expressed by all regions. The very recent establishment of a voluntary fund in this crucial sector is equally a most heartening development, as in the past too many requests for assistance have gone unmet for lack of funds.

The establishment or the strengthening of national infrastructures for the protection and promotion of human rights thus constitutes an essential priority. As one non-governmental organisation put it, such work is not the most dramatic element of our programme, but in the long term it may prove to be amongst the most enduring and valuable. We have already held extremely useful training courses for national officials in the administration of justice and the implementation of international human rights instruments this year and numerous other such courses, expert assistance and technical help are being organised in all regions of the world, taking into account the requests received and the need expressed or perceived.

These two aspects of our human rights programme which I have singled out for your special attention – advisory services and an enhanced international outreach – form an intrinsic part of the overall human rights structure, as I conceive it. Our endeavours are framed in a triangular relationship between the three poles of legislation, implementation and information. The legislative process has scored outstanding achievements since the adoption of the International Covenants emanating from the Universal Declaration. That process is not over: just last year we witnessed the coming into force of a new and most significant international instrument, the Convention against Torture. But the emphasis must lie increasingly upon implementation, whether internationally through the monitoring and control mechanisms or at

the national level, where we can assist with advisory services. And, ultimately, the success of the International Human Rights Programme may well depend upon the provision of information and education. While human rights violations and abuses thrive in darkness and silence, information and the knowledge of the Universal Declaration's principles and precepts provide a light to chase away the shadows.

In conclusion, I would recall the high priority attached by the Secretary-General Javier Pérez de Cuéllar to the attainment of universal acceptance of human rights instruments. The Secretary-General uses every opportunity to encourage governments to consider adhering to human rights instruments that they have not yet ratified. Indeed, an ever-widening adherence to the international standards which first took shape in the Declaration would give true meaning to its 40th anniversary and a fresh impetus toward the universal realisation of human rights and fundamental freedoms.

The struggle for human rights is a challenge shared by all the members of the United Nations system. The principles at stake are truly fundamental to our joint endeavours. The international society of equity, security, justice and economic and social progress which we strive to attain must be squarely based upon the conditions of dignity and human rights set out in the Universal Declaration. In this system-wide and global undertaking, I know that all the members of the United Nations family will work ever more closely together and I salute the enduring achievements of the ILO in our common quest.

Interpretation from Spanish: Mr. FRANCO MORAN (Vice-Minister of Labour and Social Welfare, Guatemala) – On behalf of the Government of Guatemala I would like to congratulate Mr. Beyreuther on his election to presidency of this session of the Conference. His election guarantees the success of the work of this Conference.

I would also like to congratulate the Director-General for his Report entitled *Human rights – A common responsibility*, which addresses an essential problem of humanity. We share the opinion of the Director-General when he says that: "Failing the requisite action, we must expect the world's economic and social stability to come under increasing strain, as the gap continues to widen between the wealthy few and the masses living in deprivation and despair. In such a setting human rights, democracy and peace itself would be at risk."

All the topics covered in the Director-General's Report are of grave concern to the Government of Guatemala.

The history of Guatemala's independence has been marred by authoritarian regimes and violations of human rights.

From the start, this legacy impelled the present Government to take effective measures to promote the education of our population so that everyone would become aware of what it means to live in a democracy; this implies a wholehearted and a positive approach to human rights. We fully agree with the Director-General when he states: "Nor will progress towards the realisation of human rights take place as a matter of course. It calls for changes in social relationships and the reconciling of conflicting interests, generally attainable only after prolonged

debate and political struggle." Guatemala is in the process of democratisation, which implies the political will to promote, develop and attain a broad consensus through intense consultations with the most representative organisations of workers and employers.

The Government of Guatemala subscribes unreservedly to the capital importance attached by the ILO to freedom of association. We are profoundly convinced of the accuracy of the observations of the Committee of Experts on the Application of Conventions and Recommendations as regards Guatemala and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). In this connection, the Ministry of Labour and Social Welfare, with the valuable advice of the ILO, has undertaken a review of the current Labour Code. International advisers, as well as representatives of all organisations of employers and trade union confederations, universities, lawyers' associations and the Committee on Labour of the Congress of the Republic participated in a seminar under the guidance of the Ministry of Labour. The seminar led to the setting up of a tripartite commission presided by the Minister of Labour, entrusted with the task of receiving even the most general proposals from each and every sector concerning possible amendments or derogations of current labour standards, on the enactment of new standards. Our objective is to submit to the Congress of the Republic this very year, a Bill which will take into account the work of the tripartite commission and faithfully reflect the objective conditions in the country, as well as the interests of all parties, and perhaps include theoretical and scientific advances in the field of labour, and reflect international labour standards adopted at the various sessions of this Conference.

For many years, Guatemala remained isolated from the international community, as evidenced by its failure to ratify countless Conventions.

The current administration has decided to analyse those Conventions in the light of national and international conditions and their political, legal, economic and social implications, and to work for the ratification of all Conventions which tend to modernise labour legislation and promote national development. As a result of this deliberate policy, we expect our Congress shortly to ratify 19 Conventions.

We know that the mere ratification of a Convention is not enough to fulfil the obligations stipulated in the ILO Constitution. We therefore wish to emphasise that the present Government has the firm political will to ensure that all standards presently in force are generally observed.

The Government of Guatemala has set itself an essential national objective: to construct a genuinely democratic system of popular participation, through which the nation will be able to solve basic economic and social problems. We have chosen the path of peace and the establishment of a political movement which will involve all sectors of our society in the search for solutions to be applied not only at the national but also at the regional level.

The establishment of the system we have set as our target necessarily implies a series of steps. In our situation the democratic process starts with carrying out free elections of political leaders, and culminates with the creation of institutions which will make it possible to build a fair and democratic society.

We believe that we cannot make economic or social progress, or create a democratic society, without a politically and socially stable basis.

In 28 months much progress has been achieved, but we cannot yet say that we have reached our goal. Concertation and dialogue with all sectors has been our method: relentless search for new solutions to deal with national problems and the implementation of concrete measures to find formulas which will relegate social injustice to the annals of history. This is what we have done to defend the rule of law; strict compliance with the law is our standard of conduct.

We have made considerable progress on the path to democracy.

In accordance with this essential political orientation, the present leadership of the Ministry of Labour and Social Welfare has, since it assumed office last October, paid special attention to defining a strategy, a policy, and short, middle and long-term actions which are described in a document entitled "Labour and social welfare policies".

In strategy, as well as in policy and action, the Ministry attaches special importance to freedom of association and collective bargaining. Although we maintain that the Constitution of the Republic has tacitly derogated a series of secondary standards relating to freedom of association, we believe that from the political point of view, an express derogation is essential, and we are prepared to accomplish this through the partial or total reform of current legislation.

As regards collective bargaining, one of the difficulties we encounter is that in most undertakings there are no trade unions. The present administration, which places a fundamental importance on concertation, is fully convinced of the need to assist the workers in their efforts to organise. The employers are organised and, in an opinion, are prepared to engage in collective bargaining. The workers, now, must organise, and the Ministry of Labour and Social Welfare, in keeping with its duty to protect workers, is ready to assist them.

Mr. ABUBAKAR UMAR (*Minister of Employment, Labour and Productivity, Nigeria*) – Before I venture to comment on the Director-General's Report, *Human rights – A common responsibility*, permit me to associate myself with earlier speakers in congratulating you, Sir, on your election as President of the 75th Session of the International Labour Conference. Your election virtually by acclamation to this exalted office, represents a historic triumph for democracy and human rights as a whole, as well as an incontrovertible proof of members' explicit confidence in your ability and wealth of experience to steer the deliberations of this Conference to a happy and fruitful conclusion. While congratulating the President and the other officers elected, it is appropriate, indeed compelling, to pay tribute to the untiring efforts of the Director-General, Mr. Blanchard, the Deputy Director-General, Mr. Kane, and their dedicated supporting staff, without whom the decisions of the ILO would merely remain on paper. I congratulate them all. I believe that I will be echoing the thoughts of my colleagues if I pray that Mr. Bayreuther's election will mark the beginning of a new era; an era when, with competence, integrity, dedication and loyalty to the ideals of this Organisation, every member can seriously aspire to this high

position without suffering any disadvantage on account of colour, creed, geographical location or any accident of history.

Once again, and for the 75th time, the "World Parliament of Labour" that is, the International Labour Conference, is convening to discuss, in addition to its standard items, the specific issues of safety and health in construction, employment promotion and social security, the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), rural employment promotion and the vexed question of apartheid. It is clear to my delegation that the task before us is enormous and to make a success of it, the ILO, its members and agencies will have to double their efforts, reiterate their commitments, continue to build bridges of true and lasting understanding and better appreciate the specific characteristics of member States. I believe that the ILO's ultimate ability to succeed in its objectives is closely bound up with its proper understanding of what really is at stake in the member States.

The Director-General's Report centres on human rights simply put, these connote the rights of each individual human being to personal freedom, justice, full and gainful employment, just and favourable remuneration as well as favourable conditions of work, social security, freedom of association and equal opportunity.

As a member of this august body, Nigeria, my country, will continue to cherish these rights and uphold them in all their ramifications. While the attainment of these ideals remain our goal, it is pertinent to point out that since societies are made not only of individuals but also of institutions, numerous and distinct groups, such as workers, employers governments, the rich, the poor and the deprived, it is obvious that in exercising these rights, individuals or even groups must be mindful of the repercussions of their action on the other constituent components of societies which are also equally entitled to the same rights. The freedoms enunciated above cannot be achieved by individuals acting alone. They are related to civil, political, economic, social and cultural rights, all of which have an international connotation. There is no doubt that civil and political rights are entirely a national responsibility which can best be guaranteed in an atmosphere of peace, without which social and economic development will continue to elude us. The development of particular States and individuals cannot be dissociated from that of other States and the world at large. For instance, the development of the Third World countries is inextricably linked with that of the industrialised nations. It is, therefore, pertinent at this juncture to highlight the economically devastating experience of developing countries at the hands of their developed counterparts as regards the debt-servicing problems and the incessant unstable weather conditions coupled with frequent disasters and calamities, which lead to perpetual uncertainties for governments and people in many parts of the undeveloped world.

Since the human being is the centre of all development, the human condition is the only final measure of development. The world's men and women are the main factors and the ends for whom and by whom the implementation programme of any development must be justified. Regrettably, over the past decade, the human conditions of many countries in

Africa have deteriorated. Real incomes of most households and families have declined sharply. Malnutrition has risen, food production has fallen in relation to the population and the quality and quantity of health and education services have dropped drastically. Famine and war have made millions of people refugees and displaced persons. Unemployment and underemployment have continued to stare us in the face. As if this were not bad enough, the price of export products from which most developing countries generate foreign exchange, vital for their real development, continues to decline while, at the same time, prices of imported goods continue to soar to the high heavens. The end result has been and continues to be crippling. How can it be otherwise when the amount of funds needed to finance the African priority programme for economic recovery between 1986 and 1990, as endorsed by the United Nations, stands at 128 billion dollars against a total of 122.58 billion dollars required by Africa to pay for servicing its debts to governments and private enterprises in the developed world? With Africa's debt now standing at over 200 billion dollars, the time has come when both partners have to re-examine the situation with a view to easing it. A situation which forces African governments to allocate up to 30 per cent of their budgets to debt servicing cannot be in the interest of the industrialised nations. Simply put, developing countries in general and Africa in particular, are now in a situation of economic slavery and abject poverty. It is therefore pertinent to remind all those gathered here of the Declaration of Philadelphia which states that "Poverty anywhere constitutes a danger to prosperity everywhere".

We appreciate the efforts and the objectives of international organisations, especially the ILO, which we believe should continue its standard-setting activities, because such standards had contributed to the social and economic development of many member States. The standards have also improved the working conditions of millions of workers all over the world and have enhanced the promotion of human rights. The ILO should contribute to the establishment of a new social international economic order. More than ever before, there is now an urgent need to correct the tendency to perpetuate the inequality existing between industrialised nations and developing countries. How can we say that a worker, whose country has to export over 30 per cent of her gross national product to service its debt, enjoys freedom? Something has to be done about the debt problem of the Third World if there is to be personal freedom, justice, productive and freely chosen employment, just and favourable remuneration, social security, equal opportunity and freedom of association for all the toiling masses in the developing countries.

The Government of the Federal Republic of Nigeria is doing its best to guarantee the political, economic, social and cultural rights of all its citizens. To this end, the President, Commander-in-Chief of the Armed Forces of Nigeria, General Ibrahim Babangida, in his 1988 budget speech to the nation outlined a comprehensive programme of complete political transition to civil rule by 1992. This was in addition to the economic recovery programme which the Government has also set for itself. Elections to various local government councils were held on 12 December 1987, while those to the Constituent Assembly were held last month. In the field of economic recovery,

the structural adjustment programme set up about two years ago will come to an end some time this year. As it is hoped that the gains of the last two years will be consolidated and further extended, the foreign exchange market will have to be adjusted to the routine working of the financial and economic system without the dramatic periodic market sessions we now have. By the time the structural adjustment programme has officially come to an end, we also expect to have put in place all the major institutional and policy reforms which constitute the essence of the programme. We strongly believe that the achievement of these reforms will guarantee economic freedom and economic advancement to one and all.

In order to alleviate the suffering of the toiling masses through the structural adjustment programme, a special reflation package to increase the sustainable level of the welfare of the people was introduced in the 1988 Budget. Under the reflationary package, generous allocations of funds were made for transport, housing, education, health and employment; furthermore, in order to reflate the economy and move it out of the sluggish phase occasioned by low consumer spending power and bring about the era of deregulation, the wage freeze which had been in force for over five years was lifted. As a result of this, workers have been and are still busy negotiating wages, salaries and fringe benefits which are sensible and feasible with their employers. Indeed, over 80 per cent success has been achieved in both the public and private sectors between 1 January and end of May 1988. By lifting the five-year-old wage freeze, we have demonstrated not only our sympathy for workers but also our belief in the fundamental principle of free collective bargaining between workers and employers.

Finally, I would like to assure this distinguished gathering that the Federal Military Government of Nigeria, believes in the ideals and objectives of the ILO and that is why we are here today. We are proud to belong to this Organisation and we shall continue to do everything possible to improve the lot of the workers in our great country.

Interpretation from Italian: Mr. FORMICA (Minister of Labour, Italy) – Mr. President, first of all I should like to express my warmest and most sincere congratulations on your election.

In September last year, at the European Regional Conference, I had occasion to express some disappointment that eight years had passed since the previous session. Italy has always been of the opinion that strengthening co-operation between the countries of Eastern and Western Europe within the ILO might be fruitful not only in terms of relations between Members but also in terms of the Organisation as a whole, particularly with respect to the expectations of the developing countries.

Your unanimous election is not only in recognition of your outstanding professional abilities and personal qualities; it is also indicative of a desire to make up for lost time so that the countries of Europe can play a more active part in the effort demanded by the ILO's objectives.

It is particularly auspicious that this event coincides with the 40th anniversary of the Universal Declaration of Human Rights and of the Freedom of

Association and Protection of the Right to Organise Convention, 1948 (No. 87).

I should also like to express my admiration for the Director-General and reaffirm our appreciation of his dedicated and perceptive work and of the clarity with which he has always guided our discussions.

The documentation we have before us inevitably requires that we ask ourselves whether the Universal Declaration of Human Rights – the indivisibility of which you were at pains to emphasise in an interview with the press – means that we can restrict ourselves simply to managing the current economic and social crisis or whether, on the contrary, it requires us to make an effort to solve the crisis.

In any society standard-setting is an index of sensitivity. In a transition period shortcomings in standard-setting may be merely symptomatic of a tendency towards adopting a wait-and-see policy. In periods of great change such as that through which we are currently passing on the technological and social level, shortcomings in standard-setting is indicative of something more – of the danger not only of standing still but also of retreating.

We have noted with concern the data provided by the Director-General. In the past few years the pace at which Conventions have been ratified has been slowing down, to the point where on average there is only one ratification per member State every four years.

Of course, this is to be seen in a macro-economic context which is characterised by a new relationship between growth and employment.

There is an example of this new relationship in Italy: since the second half of 1983 Italy has experienced a period of rigorous economic expansion. This has enabled us to overcome a number of problems: the rate of inflation has been brought down by more than ten points, firms have regained their competitiveness, salaries have kept their purchasing power.

These achievements were accompanied by a limited increase in employment, which was quite inadequate to meet the demands of the labour force which had increased not only because of demographic fluctuations but chiefly because of the greater participation of women in employment that led to an increase in unemployment in both absolute and percentage terms.

The most recent figures show that while production continues to increase the persistent contraction in employment in industry and agriculture has not been completely compensated for by an increase in the services sector and so for the first time we registered a reduction in the number of jobs overall.

The situation experienced in Italy, which is also found in other countries, has been invoked by all those who claim that the driving force of progress is to be sought chiefly in the competitiveness of firms and the free play of market forces.

According to them, politics should intervene as little as possible and should be limited in the sector we are discussing here, almost exclusively to fitting social shock absorbers.

This is a view we firmly reject, since the measures taken on behalf of the unemployed and those who seek their first jobs, however generous they may be, can never be a substitute for the right to productive work freely chosen.

It is a fundamental right of the individual, and as such it must be constantly guaranteed. In other

words, we regard unemployment, which is a waste of human resources, as a national scourge which must be fought against by mobilising all available resources while at the same time respecting the commitments undertaken and the programmes established to counter inflation.

I have mentioned the achievements of the Italian economy. A consequence was a decrease in social conflicts, in the form of a reduction in the number of working hours lost per annum from 100 million to 30 million.

But no social pact can last if it is not based on a fair distribution of costs, on the one hand, and benefits, on the other.

This principle inspired the resolution presented by the Government delegation of Italy concerning the promotion of employment and social security.

This resolution, which has been drawn up in close co-operation with the social partners, and with the aim of finding innovative solutions and developing solidarity, seeks to reconcile economic growth, the competitiveness of enterprises, the promotion of employment and the improvement of working conditions.

The Director-General's Report quite rightly drew our attention to the situation of migrant workers.

Tomorrow, in fact, a conference opens at Bari in Italy which will bring together representatives of the various foreign communities in the country.

It is taking place in a city in southern Italy, although the greatest concentration of foreign workers is in the northern regions.

The choice of this venue for the conference indicates that in facing these problems Italy, which is now a country of immigration, has not forgotten that for many decades it was a country of emigration, particularly from southern Italy.

When I take the floor in Bari, I shall say that here I became fully aware that as far as international interdependency is concerned, there is no other alternative to solidarity. Jobs in the industrialised countries are defended not by clinging to frontier controls but by fighting against poverty throughout the world and by promoting well-being.

The role of ILO in harmonising development strategies is an important one. It must formulate and ensure the application of labour standards, stimulate and channel discussions – here I am thinking in particular of the High-Level Meeting on Employment and Structural Adjustment – and, lastly, it must promote technical co-operation.

Here may I quote data which came from a meeting on analysis and orientation of ILO-Italy programmes: in 1987, Italy's contribution was 28 per cent, which made it a major contributor to technical activities co-operation in the ILO.

This was in addition to the Italian contribution of \$ 8 million per annum to the International Centre for Advanced Technical and Vocational Training in Turin.

The concept of solidarity is also behind the initiative that Tunisia and Italy are putting forward to set up an observation point for migrant flows in the Mediterranean area.

This initiative has enjoyed effective support from the ILO – I should like to thank Mr. Blanchard particularly – and it should develop with a meeting of experts of ten countries of the Mediterranean most

directly interested in the problem at the end of next month.

I should have liked to close here on an optimistic note, but we cannot overlook the reports the Director-General has given us on tragic topics: apartheid and workers in the occupied Arab territories.

In South Africa, there is increasingly open defiance of the principle of equality endorsed by the ILO. In February and March last year, President Botha adopted new repressive measures prohibiting political activities for 17 organisations peacefully involved in the struggle against apartheid. At the same time, a bill is in hand that will prevent non-governmental organisations from receiving any kind of financial help from abroad, thus doing away with any possibility of helping the democratic anti-apartheid movement.

In a joint statement, the 12 countries of the European Community severely condemned these new manifestations of political repression and requested assurances that no obstacles be placed in the way of the Community's programme for positive measures in southern Africa.

Bilaterally, Italy not only applied all the restrictive measures decided on by the Twelve but has committed itself to action in favour of the Black population in general and of the front-line countries in particular, in order to reduce their economic dependency on Pretoria.

As regards the situation of the workers in the occupied Arab territories, may I refer to the position of the European Community.

In its declaration on the Middle East at Copenhagen, on 4 and 5 December 1987, the Council of Europe stated that the Twelve reasserted their concern in respect of human rights and living conditions in the occupied territories. Without prejudice to future political solutions, the Twelve would continue to contribute to economic and social development in these territories.

At Bonn, on 8 February last, the Ministers of Foreign Affairs stated that without prejudice to future political solutions, the Twelve stood firm in their decision to work to improve the living conditions of the inhabitants of the occupied territories. The Community was continuing its programme of development in favour of those territories. It has given additional humanitarian assistance to the various Palestinian populations concerned and had decided to promote direct exports of agricultural and industrial products from those territories to the Community market.

Lastly, on 15 April, at Bonn, the Twelve deplored the deportation on 11 April 1988 of eight Palestinians from the occupied territories and Israel's threat to deport another 11. As the Twelve indicated in their note to the Israeli authorities of 12 January 1988, such action was an open violation of article 49 of the Geneva Convention of 12 August 1949 relative to the Protection of Civilian Persons in Time of War.

It therefore seems to me that the concerns and opinions expressed in the Report of the Director-General are widely reflected in the position of the European Community.

In Italy, the Middle Eastern problem, because of the initiatives of certain political forces, is at the centre of public attention. I should therefore like to request Mr. Blanchard to discuss in depth with the current president of the Community some other

points in his report. I am thinking in particular of the possibility of working out an authentic development plan for the Gaza strip, managed by those directly concerned, as well as measures that may be found necessary following the findings of the representatives of the Director-General in Gaza, to make it possible to export Palestinian products to the Community without going through Israeli middlemen.

For my part, I can assure you that I shall not fail to make the Italian Government, in particular the President of the Council and the Minister of Foreign Affairs, aware of these aspects of the report and of any proposals that might arise therefrom.

When I began, I expressed pleasure at your election and confidence in the prospect of collaboration that it opens up. I would like to recall what I said at the beginning and not conclude on a despondent note because of the problems I have just mentioned.

The Declaration on Human Rights is the compass for the course that we must follow so that the precepts of dignity, tolerance and solidarity may develop with time.

On this path we are happy in this companionship given us by this Conference.

Interpretation from Finnish: Mr. PUHAKKA (Minister of Labour, Finland) – I wish to congratulate you most heartily on your election to the presidency of this session of the International Labour Conference. My congratulations are also extended to the other Officers of the Conference.

The Government representative of Finland, together with those of other Nordic countries, has submitted to the Conference a resolution concerning the follow-up of the report of the World Commission on Environment and Development and the environmental perspective to the year 2000 and beyond. There is no doubt that the ILO has an important contribution to make to the international efforts towards sustainable development. We hope that the resolution will win wide support from other delegations at this Conference.

It is my pleasure to express great appreciation to the Director-General for his excellent Report submitted to the Conference for general discussion. This year the Director-General's Report deals with a subject of fundamental importance, namely human rights.

It is most appropriate that the ILO, on this 40th anniversary of the adoption of the Universal Declaration of Human Rights, analyses the situation today. Furthermore, this year also marks the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention 1948 (No. 87), and the 30th anniversary of the adoption of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). On the application of the latter, a general survey has been prepared by the Committee of Experts for discussion in the Conference Committee.

The Universal Declaration of Human Rights echoes the opening words of the ILO Constitution written soon after the First World War that "universal and lasting peace can be established only if it is based upon social justice".

As pointed out in the Preface of the Director-General's Report, the ILO was the first to proclaim the indivisible character of human rights which en-

compass, without distinction, civil and political rights, as well as economic, social and cultural rights. The ILO's activities have a considerable bearing on the realisation of human rights.

The ILO Conventions cover many dimensions concerning human rights such as freedom of association, freedom of labour, the elimination of discrimination and the promotion of equality of opportunity, the right to work, the right to a minimum income, the right to social security and the right to adequate conditions of work. It is quite another question how the Conventions have been implemented. In too many countries, there still exists a supremacy of the employers over the employees. Many fundamental rights pertaining to human rights have only been included in speeches at festive occasions. Humanity presupposes that the needs of man always take precedence over other needs, irrespective of the political or economic situation prevailing at any time. Democracy also involves the individual right to partake in the decision-making concerning oneself, and this undivided right must be extended to cover working life in its entirety.

As mentioned in the Director-General's Report, there has been a significant increase in the number of ratifications of ILO Conventions dealing with human rights. Yet we cannot ignore the gap between the provisions of the Conventions and the situation actually prevailing in the world today. About 900 million people are estimated to live in extreme poverty. The number of unemployed and underemployed is too high, even in the OECD countries where total unemployment has remained over 30 million and is expected to rise even further.

Despite the gap between aspiration and achievement, international human rights standards, not least those formulated by the ILO, have had a striking impact on attitudes, policies and laws and conduct. In many situations, however, these same standards, including the most elementary rights, are frequently being disregarded. Consequently, the ILO should pay more attention not only to how the Convention, adopted by the Organisation are ratified but also how the member States have implemented these Conventions. Even sustaining the appreciation of the international community demands high morals from member States in regard to the goals adopted by the Organisation. This creates a prerequisite for a fruitful interaction between different countries and cultures, now and in the future.

The promotion of human rights is a continuing process where the ILO has an important role to play. It can serve as a forum for tripartite discussions and promote useful dialogue. The system for the supervision of ILO standards is effective especially in the field of basic human rights. Yet active collaboration by all ILO constituents is absolutely necessary in order to overcome the difficulties in the implementation of these standards. I am convinced that the ratification and coming into force of the amendments to the ILO Constitution adopted in 1986 would enhance the participation, not least of the developing countries. The ILO must continue its standard-setting activities, as stated in the Director-General's Report and in the Medium-Term Plan adopted by the Governing Body last March. Increasing attention has to be paid to ways through which the ILO's standard-setting and operational activities could better complement each other.

Equality is a fundamental condition of human dignity and social justice which must at all times be borne in mind in the determination and application of social policy. It would be appropriate to consider widening the scope of ILO standards concerning discrimination in employment. My Government welcomes the adoption of the Declaration concerning Action against Apartheid in South Africa and Namibia and the updating of the Programme of Action against Apartheid. New standards might also be needed in the near future on the equal treatment of men and women in matters of social security.

It is imperative to create macro-economic conditions and to undertake the reforms in national policies and international economic relations that will make growth of employment possible in all countries. It is also necessary to establish a system of protection against unemployment which covers all contingencies.

The right to just and favourable conditions of work in a field where any new solutions should not be imposed but should be arrived at through full and genuine negotiations with the representatives of the workers' organisations concerned. The introduction of new technologies, substances and work methods should be subject to constant supervision and control and should take into account new hazards and the long-term effects they may have. It is important to safeguard the worker's right to refuse a job when it presents an imminent and serious danger to his life or health. As a matter of fact, this principle was recently confirmed by legislation in my own country.

Special attention should be given to the most vulnerable groups of workers and their social security. Society has to be constructed in such a way that it becomes impossible to split citizens into A and B-group persons. In practice, this requires solidarity in the implementation of social policy.

The functional possibilities of the labour union movement in multinational enterprises and groups of companies with production activities in several countries is also an issue of current interest. The collective agreement mechanisms and labour legislation have been established on a national basis with a view to national needs. The international flow of capital and more and more open capital and stock markets have changed the situation radically. Discussion about this issue and action for developing negotiation and collective agreement systems to meet the needs of the modern world form a task which is compatible with the role of the International Labour Organisation.

At the initiative of the Nordic countries, the Fourth European Regional Conference last year adopted a resolution concerning the status of migrants. The Nordic countries have also brought up the issue of the status of so-called project-tied workers, which is at the moment under review in the Organisation. The changing structure of the labour market will increase the amount of temporary work performed by special groups of workers in countries other than their own. Increased co-operation in the field of practical training and education should also be taken into consideration. Conditions should be made such that the labour force and trainees moving from one country to another would enjoy "migration security". Any person moving to another country should be aware that he is transferring to a labour market where he is protected by an established social system and by labour legislation. He should also be

able to return to his country of origin. Furthermore, it is important to guarantee immigrants the right to study the language of the country of employment, as well as their right to their native language and culture in all member States.

Efforts to secure the enjoyment of human rights involve the entire international community. It is therefore important, as I have already said, to harmonise ILO's action with the efforts of other organs of the United Nations. Collaboration among nations is vital in trying to achieve our common goal: greater respect for human rights and enhanced well-being.

I hope that this will be our common future.

(Mr. Tsujino takes the Chair.)

Mr. LEE (*Minister for Labour, Singapore*) – On behalf of the Singapore delegation, I wish to congratulate the President on his election to chair this Conference. Under his able leadership, I am confident that this Conference will be a success.

Forty years have passed since the United Nations proclaimed the Universal Declaration of Human Rights. This conference is therefore taking stock of the action taken by the ILO to promote and protect the enjoyment of human rights.

As fellow human beings, we are naturally drawn to concepts such as human dignity, natural justice and civil liberties. However, one should be wary about imposing one's own ideals or norms on other countries and peoples without realising that there are important differences in their political, economic and social set-up. There can be no human rights if law and order break down and anarchy prevails. Then, it is back to the law of the jungle.

Amongst the most basic of human rights must surely be the right to live in security within one's own boundary, the right to work and the right to bring up one's family in peace and harmony. Yet, today, in the Third World alone, more than 900 million people are still living in poverty.

The Director-General of the ILO correctly pointed out in his Report that the human rights debate must be placed in the context of the harsh realities of daily lives. People the world over aspire to a decent standard of living.

Governments are therefore duty-bound to create the environment and the opportunities for social and economic advancement.

It is ironic that some of the most vocal of human rights activists come from countries where the citizens dare not walk the streets at night, for fear of being mugged. Some of their laws seem more concerned with protecting the rights of criminals, rather than those of the vast majority of law-abiding citizens.

Singapore is a small country where 2.6 million people are crammed into an island of only 620 square kilometers. Like other people, we aspire to rising standards of living for our people and for continued social and economic progress.

Singaporeans are fortunate to have enjoyed political stability and rapid economic progress over the last two decades. Despite its small size, Singapore ranks nineteenth in the world in terms of per capita income. Any Singaporean who wants to work can get a job in Singapore today. We have to admit foreign workers to overcome our labour shortage. Our standard of living is second only to that of Japan in Asia.

Two reasons account for our happy state of affairs. Firstly, the Government enjoys the support and confidence of the people. Secondly, it has committed itself to the basic objective of building a better life for all Singaporeans through economic expansion and social advancement. We have built up the political, social and economic institutions which best suit our unique circumstances without trying to ape other countries.

As a small trading nation, Singapore's economic future is very much linked to the world economy. We are concerned with continuing uncertainties in the world economic outlook. The basic problems remain intractable. A concerted effort by the world community is needed to overcome the difficulties caused by the large imbalances in the international payments system, volatile exchange rates, the huge indebtedness of Third World countries, high unemployment and rising protectionism. Slower economic growth has strengthened the forces of protectionism in the industrialised countries. Instead of seeking out new sources of growth, protectionist policies are being advocated to protect industries that may have lost their competitiveness. There is a worrying trend among some countries to link international trade with preconceived notions of human rights; this is merely another form of protectionism in disguise. International trade problems are multi-dimensional and complex. Resolving them requires political will and the willingness to tackle fundamental problems. We should not be barking up the wrong trees.

The ILO should express its serious concern at the increasing trend of protectionism in the world today. Urgent measures are needed to preserve and promote free trade. Only with free trade will we be able to create employment opportunities and a better life for our peoples.

Mr. KHAN (*Minister of Labour and Manpower, Bangladesh*) – It is a great honour and pleasure for me to address the 75th Session of the International Labour Conference as the Minister of Labour and Manpower and leader of the Bangladesh delegation. On behalf of my delegation and on my own behalf, I would like to congratulate Mr. Bayreuther on his unanimous election to the presidency of this session of the International Labour Conference. My delegation is confident that with his rich experience and under his able leadership the International Labour Conference will be steered to a successful conclusion. We also congratulate the Vice-Presidents on their unanimous election.

My delegation would also like to take this opportunity to convey our deep appreciation and thanks to the Director-General of the ILO for presenting his thoughtful Report.

Having associated myself with the trade union movement over the past few decades, it has been my pleasant duty to watch the performances of this international organisation with keen interest. Needless to say, the ILO has been able to take firm root in almost all the countries of the world and it deserves our compliments for the remarkable contribution it has made to the upholding of the dignity, rights and the noble cause of labour. The Organisation has lived through considerable changes, gathering strength and prestige over the past seven decades, and the ILO is almost a household name with workers, employers and trade unions all over the world

today. Its success story lies in its very character – tripartism.

Today most of the developing countries have been experiencing enormous social and economic problems. Deficits in the balance of payments, low growth rate, low capital formation, heavy external debts, unabated inflation, low prices for primary produce, protectionism, high rates of demographic growth, famine, drought, floods and natural calamities are common characteristics of the economies of those countries. The burden of debt has become unbearable and the net transfer of resources from developing countries to developed ones has reached alarming proportions. These factors hinder the progress of the developing countries and compromise their capacity of investment and employment, creating social tensions and undermining living standards and human dignity. Against this backdrop, the ideals and objectives of the ILO must be translated into practice for the welfare of the toiling masses.

In his Report, the Director-General identified the crucial areas of strain in the world economy. He has correctly pointed out that workers' rights relating to freedom of association, equal opportunity, minimum wage protection, working conditions and social security do not fare well with the existing economic conditions in the member countries. I hope the distinguished delegates will consider the points raised in the Director-General's Report and will come up with concrete proposals for obliterating the baneful effects of the "pursuit of self-interest" and "unfettered competition".

I may add that the noble ideals and objectives of the ILO cannot be materialised without bringing about the new world economic order which would bring North and South closer materially, mentally and spiritually, physically and philosophically, thereby overcoming their apparent contradictions.

Bangladesh, with 105 million people, is faced with an uphill task of creating employment opportunities for its ever-growing workforce and adequate training facilities for this workforce. The Government has initiated a series of forward-looking innovative measures with a view to creating new employment opportunities. One of these is our self-employment programme. We deeply appreciate the assistance received from various bilateral and multilateral sources which have contributed to its successful implementation. However, given the enormity of the problem of unemployment of Bangladesh today, a lot more remains to be done. We hope the generous assistance received by us so far from the international community and various international organisations, including the ILO, will continue to be extended to us to bolster our national efforts to solve our most formidable unemployment problem.

Bangladesh has taken measures to ensure freedom of association of workers and employers. There are as many as 18 national federations in the country; there are also some craft federations. These federations are in constant touch with the Government and the employers in the country and thereby work as a sentinel of the rights and interests of workers. They have in recent years also entered into national agreements for the furtherance of workers' legal, financial and social benefits. They are also represented in the national Tripartite Consultative Committee (TCC) which offers guidance to the Ministry of Labour and Manpower in the field of development planning, leg-

isolation and international standards. The TCC also reviews matters relating to labour-management relations, employment and unemployment, with a view to helping the Government to take appropriate measures.

The question of equal opportunity is very close to the heart of the people of Bangladesh. Provision is made in the Constitution for equal opportunity, irrespective of sex, caste, creed or religion. Employment is open to all and the Government has adopted measures for helping the disadvantaged groups, including the tribal people and the less educated and unskilled workers, to find employment through special quotas.

Working conditions in factories and establishments are under constant review and inspection. The Government has sought multilateral support for the establishment of centres for occupational health and safety measures.

In the area of social security, Bangladesh is yet to have a comprehensive social security plan for the entire population. Nevertheless, workers in factories and establishments are covered under duly constituted provident fund and pension schemes. The Conference would be happy to know if even workers who have been dismissed are now entitled to all these benefits. In this particular case, Bangladesh seems to be in a unique position; indeed, this was one of the provisions of the national agreement which the federations of workers entered into on 21 May 1984 with the Government. As a signatory to that agreement on the side of the workers, I find this very gratifying.

Developing countries have common problems and they need resources – technical and financial. World resources have been diverted for the continuing arms race which threatens mankind and civilisation as a whole. But, however, some light is in sight in the tunnel following the signing of the Intermediate-Range Nuclear Forces Treaty by the superpowers last December. I would also recall the Brandt Commission in its report stated that a mere 0.5 per cent of the resources spent annually on world armaments would be enough to finance Third World food imports by 1990. In this regard, the ILO has a positive and effective role to play.

I would like, at this point, to congratulate the Director-General on his fair Report entitled *Human rights – A common responsibility*. Everyone knows what has been happening to human rights in the occupied Arab territories and in South Africa. The Israelis have been killing and wounding Arabs in occupied Arab lands. They are being permanently maimed. These are not isolated incidents. They are emanating from a systematic policy decision of the Zionist authorities.

Atrocities perpetrated by the Israeli authorities have shocked the world conscience. They must stop their arbitrary acts and policy of terror in Palestine and other occupied territories, release the Palestinian trade unionists and discontinue forthwith displacement and expulsion policies which are contrary to human rights, the Philadelphia Declaration and ILO ideologies. We reaffirm our solidarity with the oppressed people of Palestine and hope that the ILO will intensify its efforts to ensure the full respect of the legitimate rights of the Palestinian workers in the occupied territories.

The universal conscience also continues to be afflicted by another tragedy resulting from the policy of apartheid being pursued by the racist regime of

South Africa. The Director-General in his Report has aptly stated that “the most persistent and profound challenge to ILO principles on equality has come from South Africa’s policy of apartheid”.

We renew our solidarity with the people who are fighting apartheid. We firmly believe that racial discrimination in any form is a serious affront to human dignity and constitutes a grave threat to global peace. We condemn firmly and unequivocally apartheid and all other forms of racial discrimination as being in direct contravention of the United Nations Charter.

Bangladesh holds the ideals and objectives of the ILO in high esteem and has been persistently endeavouring to implement the ratified Conventions of the ILO. We appreciate the importance of standard setting and the adoption, ratification and implementation of standards. However, we would like to stress that economic development is a precondition for the implementation of the ratified Conventions. The Third World’s – particularly the LDC – economic condition is anybody’s guess. The mere will of the member States to change the situation coupled with the ILO’s assistance for implementing the ratified Conventions, is probably not enough. Capacity for that must exist. Capacity of the member States varies among nations in terms of economic development. It is, therefore, perhaps not wise for the ILO to adopt the same set of standards for an African or Asian LDC as for an industrialised nation. This aspect of the question should be addressed whenever appropriate.

Member States having divergent socio-economic backgrounds, local conditions and employment practices are facing insurmountable obstacles to the implementation of the ratified standards. The ILO, with its effective system of supervision of standards and rich experience in this field, may help adopt more flexible and implementable standards, by discarding, revising and updating the old ones....

THE PRESIDENT (Mr. TSUJINO) – Your statement has already exceeded your time by two minutes, so will you please conclude now.

Mr. KHAN – Bangladesh attaches great importance to the early entry into force of the amendment to the Constitution of the International Labour Organisation. Accordingly, we have already ratified the amendments. We sincerely expect and hope that other member States will take soon complete the ratification process.

To conclude, I would like to reaffirm our confidence in the efforts of the ILO to promote international economic policies which may contribute to equity and social justice. In fulfilling this objective, the ILO has to take adequate measures for implementing its own resolutions, including those which call for a major world-wide structural adjustment to reduce the large imbalances in the world economy, for national and international action to achieve employment by ensuring that international agencies promote employment-generating growth and for greater and more convergent efforts by international agencies to promote employment and alleviate poverty.

In doing so, the ILO can achieve social security and thereby foster socio-political stability and progress in the world. Without resolving these basic, vital issues of international relations, there can be no

stable peace on our planet or substantial progress anywhere.

We look forward to the 75th Session of the International Labour Conference with renewed hope and wish the Conference every success.

Mr. PRASHAD (*Government delegate, Guyana*) – Mr. President, I should like first of all to extend to the President and the Vice-Presidents my heartiest congratulations on their election to office. Their election is an assurance that the tasks we must pursue, and which are aimed at achieving the social progress of the countries we represent, will be fruitful.

I would like to compliment the Director-General for his very excellent and comprehensive report, and in particular to commend him for choosing human rights as the subject for Part I of his report. The respect for human rights is consistent with the objectives of governments and freedom-loving institutions all over the world, but it has a special meaning for the International Labour Organisation. Since its inception in 1919, and even before that formal beginning, the framers of the ILO and its forerunners have always sought to protect the rights of citizens, particularly the workers of this world, and they have always endeavoured to guide the patterns of behaviour of governments and employers and to foster respect for such rights. Many of the Conventions, Recommendations and resolutions of the ILO have as their underlying concept the rights of freedom of association and freedom of choice. The ILO therefore stands as a bastion for the protection of human rights, and it will continue to do so, as long as the opportunity afforded me today continues to be offered also to the representatives of workers and employers to make known their points of view before this august body. The ILO will continue to do so as long as it continues to review and update the standards embodied in its Conventions and Recommendations.

It is therefore with the greatest pleasure to myself and my country, the Co-operative Republic of Guyana, that I take advantage of this occasion to address this august and distinguished body. I am accompanied by a truly tripartite delegation which comprises government, employers' and workers' representatives. I know that we will be given adequate opportunities to be fully involved in the various sessions of the Conference.

Let me say from the very outset that the Government of Guyana values highly its association with employers and workers. The Employers' Confederation especially has contributed immeasurably to training, retraining and the development of skills in national industry, services and commerce. The Government considers prior consultation and collaboration with the Trades Union Congress and the private and co-operative sectors in high esteem and treasures its relationship with the trade union movement, which it views as a partner in national development.

I have to refer to the address of the Honourable Prime Minister of India, at the 71st Session of the International Labour Conference on 17 June 1985, when he alluded to the larger problems of the world. He said: "It is in this large perspective that we have to consider the role of the ILO. What we do here must relate to the major issues of our time, else our work and our achievements will not endure."

Today, the major issues are still war and peace, prosperity and poverty, development and underdevelopment. In effect, structural imbalance in the Third World leads to economic instability. I trust that we in our debates will not lose sight of these objectives.

It is apposite to note that the ILO, because of its plurality – a representation of different, divergent interests – draws its strength from its apparent international contradictions, thereby ensuring its continuity and longevity.

But the basic objective of the ILO is to secure social justice and peace through international co-operation. Hence, the struggle to provide for the basic human needs of the poor and hungry must be intensified. The Government of Guyana believes that such goals can only be realised through dedication and renewed commitment to the cause of humanity.

For poverty is a function of growth and since, as it is said, "poverty anywhere constitutes a danger to prosperity everywhere", the alleviation of poverty should be the focus of government action.

The most enduring institutions of the world are plagued with doubt, discord and dissent on the issues of world peace and economic prosperity. Some countries have set up barriers to trade, while others are asked to open up their economies.

The adverse policies of some nations have had catastrophic effects on job opportunities in the developing countries. Protectionism often appears in the guise of a demand for fair labour standards.

No country is immune to international crises which threaten global economic stability. By country, Guyana, gained its political independence in 1966, 22 years ago. Twenty-two years is a short time in the life of any country, and in that period my Government has worked strenuously to restructure the economy and the nation's social institutions to reflect the wishes and aspirations of its people.

We are a country which exports primary products, mainly agricultural and mineral, while importing finished capital and consumer goods and technology. In that pattern, we share the fate of most developing countries. Our economy has been bedevilled by low export earnings and high import prices. That situation has worsened owing to the rising cost of fuel which we must import as we are not yet an oil-producing country. Nevertheless, we have a high rate of literacy, with sound educational institutions from primary to university level, which have produced a versatile and well-trained labour force. We must develop our country by the application of the talents of our people to the resources with which we are endowed.

Guyana is therefore in need of an injection of technology and investment in its wider frontiers of development. In pursuance of this, Guyana is prepared to do business with all those who are ready to engage in legitimate, purposeful business. Moreover, Guyana treasures the contribution of overseas investors who are prepared to honour their social responsibilities.

We in the Government appreciate and acknowledge the necessity for both overseas and local investment. Hence, we are proceeding apace with the task of attracting investors.

To this end, the Government and people of Guyana, under the able leadership of the President,

Hugh Desmond Hoyte, are mobilising all positive factors in their assiduous efforts to implement policies of reform and achieve the goal of national economic development.

The President has repeatedly stressed the importance of the private sector in economic reinvigoration, by identifying areas for investment by local entrepreneurs or joint ventures by local and overseas investors.

The pitiless logic of the facts indicates the preponderance of an all-pervasive mood of optimism, which has taken control of the entire country. It is our considered conviction that the whole edifice of society obviously lies in the foundation of a structured economy. It is a belief that makes and seals destinies. The inflow of investment and its concomitant benefits will serve to galvanise the people into feverish endeavours to reinvigorate the economy.

I wish to assure all those who are interested that we in Guyana stand as a people united, single of purpose and ready to sacrifice all our energies in order to set the wheels of industry and commerce rolling. In the words of the President, Hugh Desmond Hoyte, "there is business to be done in Guyana and Guyana is ready to do business". The Government of Guyana is most appreciative of the work of the ILO, more especially of its support and assistance in the field of labour, co-operatives and industrial and vocational training.

The work of the ILO in the promotion of small enterprises is commendable. Over the years, there has been a tendency to provide institutional support only to organised labour. In Guyana, organised labour represents about 33 per cent of the total labour force. Hence, there is a large body of productive people in need of protection, particularly in both the rural and urban informal sectors. There is a need for further assistance in co-operatives, cottage industries and other crafts. The creation of employment and self-employment must no doubt be part and parcel of a deliberate government policy.

More specifically, there seems to be a definite need for help from the ILO in the area of labour standards. More and more countries are finding it difficult to make a meaningful contribution to the promotion of new instruments. Fewer instruments are being ratified and there must be more flexibility in the approach to matters through general discussions and resolutions. In our opinion, it would be opportune for a regional adviser in labour standards to be based in the Caribbean Office to facilitate member State's compliance with the relevant requirements.

Certainly, in this harsh economic era, one must resolve the conflict between idealism and reality. In this, my first Conference, I look forward to action-oriented deliberations, for when the pendulum swings, it will swing not in favour of empty rhetoric but of positive action.

I would like to express the sincere hope that our Organisation, through its standard-setting activity, through programmes in promoting employment and social security, through exploratory discussions on the development of rural employment and its technical co-operation programmes, may make an even more lasting contribution to safeguarding and strengthening peace, social justice and freedom, consistent with the ideas that brought it into being and have guided its progress in the past. In this regard,

we must be ever grateful to the Director-General for committing these ideals to posterity through the splendid construction of his Report to which I have already referred. May this 75th Session advance our efforts towards democracy, international solidarity and happiness for all people.

Mr. ROWE (*Employers' adviser, New Zealand*) – The Director-General has this year provided us with another thoughtful and thought-provoking Report. I should like today to comment on some of the issues raised in the Report, partly with the intent of narrowing the gap which the Director-General has emphasised between words and actions, rhetoric and reality.

In particular I shall touch on the reciprocal nature of rights and responsibilities, the interdependence of macro- and micro-policies in social as well as economic matters, the possible – nay, probable – incompatibility of some multiple goals which are often rolled off the tongue in international circles, the elusiveness of national and international consensuses and finally the strictly limited power of governments to do good.

The Director-General ends his Report with a plea for renewed dedication to the vision of "a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want". This is indeed a noble vision, not generally realised, but it needs to be said that in some countries it has been substantially realised – to an extent never before seen. They are our exemplars.

Rights and responsibilities are inseparable. Rights are not a free good, manna for heaven. Indeed, one has rights only to the extent that one fulfils one's obligations. It is here, I think, that something has gone badly wrong in the human rights debate.

Rights and responsibilities are inseparable for organisations as well as for individuals, and in particular for trade unions as for workers – the two being not identical, as is sometimes assumed in this Organisation.

Rights and responsibilities go together fairly evidently in social matters. Their inter-relationship is not so obvious in economic affairs. Still less well appreciated is the interaction between social rights and economic performance.

To take a few examples: full employment is impossible unless people are prepared to work and to be trained for it; trade unions have a responsibility not to make the world of work so rigid as to inhibit the economy's ability to cope with technological or market changes impacting on it; and too much emphasis on the exercise of human rights today may gravely impair the economy's prospects tomorrow. One must not put the social cart before the economic horse.

As it touches on economic issues the Director-General's Report has a *déjà vu* Keynesian flavour, in an increasingly post-keynesian world. Thus there is great emphasis on macro-policies and actions along with an implicit faith in governmental and international initiatives.

So it is said that "although faster growth and expanded employment are clearly necessary, the fight against inflation has emerged as a greater pre-occupation for many of the world's policy-makers" and that "less costly means of curbing inflation than recession and unemployment must be found".

The question immediately arises: what if less costly means cannot be found? Governments of whatever hue would love to be able to solve their economic problems at no cost, and often try to do so by borrowing too much.

Despite the superficial attraction of inflation, it is to the credit of many countries that they are really trying to stamp it out. Inflation solves nothing; it only creates more problems, for tomorrow as well as for today. The sooner it is eliminated the better for everyone.

In discussing social security, the Director-General asserts that it is everyone's right but he accepts that this implies extensive social solidarity – a big assumption. He clearly regards as intolerable the persistence of poverty in affluent societies which have the resources and the potential administrative skill to remove it. Unfortunately people are involved as well as resources and administrative skills. I really doubt whether it is possible totally to eliminate poverty in any society.

Certainly I believe this to be impossible at the national level. Ultimately, "human rights" means caring for people, and it is becoming increasingly clear that this is best done as close to people as possible – at individual, family, voluntary organisation and local authority level rather than nationally, still less internationally.

Multiple goals feature largely in the Director-General's survey of human rights discussions. The key issue from an ILO standpoint is the famous trilogy "full, productive and freely chosen employment". Their compatibility is far from obvious, however well they sound together. They constitute a grand goal but they await a new technology, so to speak.

Let us be frank: some people do not want very much to work nor to prepare themselves for work, and it may simply not be possible always to anticipate technological, demographic or societal changes. To talk of "societies' failure to ensure full employment" is to impute blame for what in the circumstances may be unavoidable. Human societies are complex and seldom flexible.

We must also accept that the economic problems of today are sometimes the social mistakes of yesterday. The Director-General himself draws attention to the rigidity of social and economic structures.

It would be nice if everyone in the world could have satisfying, productive and remunerative jobs, but to think that this will result automatically from governments giving adequate weight to and promoting employment, human resource development and poverty alleviation is not realistic.

Perhaps we should be fairer on governments than we sometimes are! Surely they would do good things more often if they were more easily done.

The answer lies in recognising that economic growth and social advancement share the same road – they are not on separate routes; either without the other is unstable, together they reinforce each other.

Implicit in many of the things which the Director-General has said is the question whether social consensus exists, is possible, or even if it is desirable. In the ILO, where the term consensus is a little carelessly used, we need to remember that there are many consensuses in the world which others regard as detestable. Everyone agreeing – or, in practice, not disagreeing too vocally – is not necessarily a good state of affairs.

In this house we should also ask ourselves whether tripartism is compatible with pluralism. Looking further afield: is global solidarity a sensible goal? I hope that the enjoyment of human rights by those who presently are denied them will not have to await the achievement of global solidarity.

The strictly limited power of governments to do good is a prominent notion of Sir Kark Popper. With it goes his conviction of the almost unlimited power of governments to do harm, economically, socially and in terms of national security.

This pessimistic view of governments, and by extension of supranational agencies, is not of course popular with politicians or bureaucrats, but it fits the facts better than starry-eyed faith in actions from on high. Leaving aside motive, Popper cautions us not to ask, or expect, too much from governments.

Popper's pessimistic or realistic view leads him to believe that the ability to get rid of a government without bloodshed is the essence of democracy. Looking around the world, there are not many countries that satisfy that criterion. Perhaps this is the first and most important human right that has somehow been lost sight of.

So far as I am concerned, of the elements in another famous trilogy "liberty, equality and fraternity" I have no hesitation in plumping for "liberty".

Interpretation from French: Mr. BARNABO (*Workers' delegate, Togo*) – Mr. President, on behalf of the workers of Togo grouped together in the National Confederation of Workers of Togo (CNTT), of the workers' delegation to this 75th Session of the International Labour Conference and on my own behalf, I should like to congratulate the President on his brilliant election to preside over this Session and on the excellent way in which he is conducting its debates.

My congratulations are also extended to all the Vice-Presidents – those who represent the governments and the employers, and particularly the Workers' Vice-President, my dear comrade Adiko.

I should also like to congratulate the Governing Body on the very efficient part it is playing in the general management of our Organisation and particularly in the good organisation of the present session of the Conference.

Finally, I should like to congratulate Mr. Francis Blanchard, Director-General of the International Labour Office, on the quality and clarity of his Report.

The agenda of the present session has very important items on it.

As regards the matters on the agenda every year, the Director-General's Report on the activities of the ILO in 1987 takes up some points of the utmost importance to my organisation. I refer to the World Employment Programme and the sectoral and regional activities of our Organisation.

The 75th Session of the International Labour Conference is taking place at a time when the whole world is going through a generalised crisis which shows no sign of ending. In these unsettled times, the workers of the industrialised countries are suffering great hardship as a result of economic recession which is leading to dismissals and retrenchment. Most economic sectors are affected, even ultra-modern industries such as electronics, while the financial sector is at its wit's end to recover from this situation.

The dollar, which is the benchmark currency, is undergoing major fluctuations. Investments for the creation of new jobs are jeopardised and as a result world unemployment has reached a very high rate.

The developing countries feel the effects of the crisis even more keenly. Many workers are losing their jobs, and young people who have acquired skills find no jobs in which to exercise them on the employment market.

In Africa, the countries south of the Sahara are forced to acquiesce in the economic recovery plan recommended by the International Monetary Fund and the World Bank.

All over Africa, this period is characterised by the closing down of state enterprises, privatisation leading to misunderstandings between the trade unions and political leaders, on the one hand, and between trade unions and employers on the other. The workers in certain African countries are paid no wages for two or three months at a time or even longer, while others receive only half their wage at the end of the month. Agreements between employers and employees are being revised in certain countries to take account of the economic context; in others they are purely and simply ignored.

The situation cannot improve unless a solution is found to the problems of the deterioration in the terms of trade and the burden of public debt for our countries.

In this difficult economic environment, trade unions must feel more concerned and must define their role in dealing with this phenomenon which seems to be enduring and to have become a fact. In our humble opinion, that role ranges from the settlement of collective or individual disputes with employers to the development of national and international employment policies. For these reasons our trade union confederation has been fighting since it was founded in January 1973 to secure the adoption and observance of collective contracts and agreements which will ensure a guaranteed career, fair wages and better social security. This is being done within the context of a policy of responsible participation involving consultation, negotiation and persuasion. In this context the trade unions greatly appreciate the understanding that prevails among all the social partners in our country.

The activities of the ILO concerning public works programmes, manpower planning and employment, information systems, the employment market, appropriate technologies, rural development, the situation of women workers and refugees and population questions are of great interest to us. We have greatly appreciated the special programmes of the ILO on basic problems of institutional support, the maintenance of infrastructures and the involvement of the people, as well as technical co-operation projects dealing with vocational training, programmes for co-operatives to formulate policies and co-operative strategies, revise legislation, train trainers and members of committees and the staff of the co-operative division. We have also greatly appreciated the programmes of action for the informal sector which are designed to promote employment and economic growth.

As concerns co-operatives, we consider that they afford effective means for enabling workers of both sexes in our developing countries to fend for themselves and improve their conditions of work and life.

For these reasons the National Confederation of Workers of Togo has faith in co-operative ventures and spares no effort to promote the development of co-operatives, especially consumer and production co-operatives.

Finally, our trade union confederation supports the ILO's programmes of action for the informal sector designed to promote employment and economic growth. It is in this spirit that we have helped to form several craft unions: for dressmakers and tailors, hairdressers, jewellers, mechanics, surveyors and topographers. At present, these unions are all grouped together in the National Federation of Arts and Crafts.

I should like to conclude my remarks by congratulating the Director-General of the ILO on everything that is being done to combat the policy of apartheid in South Africa, assuring him of the unswerving support of the workers of Togo. Apartheid has lasted too long and we make an earnest appeal to all the groups – Governments, Employers and Workers – to redouble their vigilance in the areas within their competence, to put an end to the regime of apartheid which is a blot on the civilised world. I wish every success to the 75th Session of our Conference, and reiterate the congratulations and support of the workers of my country to the Officers of the Conference, to the International Labour Office and to its Director-General, Mr. Francis Blanchard.

Interpretation from French: Mr. MAHMOUD (Minister of Employment and the Public Service, Mali) – It is great honour for me to address the 75th Session of the International Labour Conference and I take this opportunity of congratulating Mr. Bayreuther on his brilliant election, on behalf of the Government of the Republic of Mali and the Malian delegation, which I am leading at this session, and on my own behalf.

This election is a sign of confidence in Mr. Bayreuther's abilities and a well-deserved tribute to his country.

I should also like to congratulate the eminent persons who have been entrusted with assisting the President during this session. We are persuaded that our debates will take place in excellent conditions.

I also extend my warm congratulations to the Director-General of the International Labour Office and all his officials for the exceptional quality of the Report before us.

The wealth and relevance of the matters dealt with in this report augur well for an exceptionally fruitful debate, if only because this year the Report takes up the difficult problem of human rights.

This is of course no accident in so far as this year we are celebrating the 40th anniversary of the Universal Declaration of Human Rights and the anniversary of one of the key ILO Conventions in the field of human rights. I refer of course to the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

My country attaches special importance to the application of this Convention. Indeed, only if it is observed can there be any effective defence of workers' and employers' interests and a guarantee that they participate actively in economic and social life.

The universal value of the principles enshrined in this Convention has been often stressed at previous sessions of the Conference.

Only recently the 73rd Session adopted a resolution concerning the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

As regards my own country a law recently adopted by Parliament has reinforced our arsenal of legislation concerning this matter.

What is more, a point of no less importance is being taken up, namely employment promotion and social security.

The creation of productive employment and reduction of poverty are the principal challenges which the ILO has to face. It is for this reason that the general discussion on rural employment promotion is very timely. Dynamic rural development is vital to our country because the majority of its active population live in rural areas. This initiative would certainly go a long way towards solving the problem of unemployment which arises in our countries.

However, in addition to this, our countries are now faced with grave problems such as the world economic crisis, drought and the burden of debt.

Any improvements in working conditions, the promotion of employment, social justice – the prerequisites of peace – and the fulfilment of men's aspirations are, alas, imperilled by the difficulties which I have just mentioned.

Like you, Mr. Director-General, we believe that the Conference must be a means whereby we can more effectively tackle the problems and policies of rural employment in our member States.

In this connection, my country has taken a decentralised and interdisciplinary approach to get village communities involved in their own development.

The ILO will, of course, draw strength from its ability to adapt and the quality of the answers it gives to the basic preoccupations of its member States, particularly the developing countries.

The international community, engaged in an effort to ensure peace and economic development, must struggle against the forces which deny human dignity to many thousands of human beings.

These retrograde forces, which we will continue to denounce, are Zionism and apartheid.

My country, while highly appreciative of the considerable efforts made by the ILO through its technical co-operation programmes for the benefit of both rural and urban peoples and while warmly thanking the Director-General and all his officials for making themselves available at all times, would express the hope that the ILO should be endowed with greater resources in order that it may undertake and pursue specific actions in favour of our countries.

(The Conference adjourned at 5.45 p.m.)

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Second item on the agenda: Programme and budget proposals and other financial questions

First Report of the Finance Committee of Government Representatives

1. The Finance Committee of Government Representatives met on 2 June 1988 with Mr. D.M.P.B. Dasanayake (Sri Lanka) as *Chairman* and *Reporter*, and Mr. J.P. Labat (Uruguay) as *Vice-Chairman*.

I. REQUEST OF THE GOVERNMENT OF THE REPUBLIC OF CHAD, UNDER PARAGRAPH 4 OF ARTICLE 13 OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION, FOR PERMISSION TO VOTE

2. The Committee had before it a request from the Government of the Republic of Chad for permission to vote at the Conference. This request was referred to the Finance Committee as a matter of urgency in accordance with paragraph 1 of article 31 of the Standing Orders of the Conference.

3. The text of the request, dated 28 March 1988, is as follows:

(Translated from French)

The Ministry of Labour and Employment N'Djamena
Republic of Chad

N'Djamena, 28 March 1988

Dear Mr. Director-General,

I have the honour to refer to the arrangement for the settlement of the arrears of contributions due by the Government of the Republic of Chad to the International Labour Organisation that was approved by the 69th Session of the International Labour Conference in June 1983, under which an amount of \$18,762 was due to be paid to the ILO before 31 December 1987.

I would now advise that due to extremely severe economic and financial conditions confronting my country, the above amount due to be paid in 1987 was paid on 18 January 1988, which represents a delay in payment of 18 days.

In the light of the very short delay on the above payment and as my country wishes to participate fully in the work of the International Labour Organisation, I would request that you transmit to the International Labour Conference my Government's request that its delegation to the 75th Session of the Conference in June 1988 be granted permission to vote in accordance with article 13, paragraph 4, of the Constitution of the Organisation.

Yours faithfully,

(Signed) ROUTOUANG YOMA GOLOM

a.i. The Minister of Labour and Employment
The Minister of the Civil Service

The Director-General
International Labour Office
Geneva

II. REQUEST OF THE GOVERNMENT OF POLAND, UNDER PARAGRAPH 4 OF ARTICLE 13 OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION, FOR PERMISSION TO VOTE

4. The Committee also had before it a request from the Government of Poland for permission to vote at the Conference. This request had been referred to the Committee as a matter of urgency in accordance with paragraph 1 of article 31 of the Standing Orders of the Conference.

5. The text of the request, dated 16 February 1988, is as follows:

(Translated from French)

Ministry of Labour and Social Policy Warsaw

Warsaw, 16 February 1988

Dear Mr. Director-General,

I should like to thank you for your letter of 16 December 1987 to Ambassador Bogumi Sujka, Permanent Representative of the Polish People's Republic to the United Nations Office in Geneva, in which you provided specific and valuable information regarding Poland's contributions to the ILO which have been in arrears since 1980.

You will recall that this issue was raised during your visit to Poland and later, towards the end of last year, in meetings between representatives of the International Labour Office and Mr. Zbigniew Borawski, Director-General in the Ministry of Labour and Social Policy. During these meetings, Mr. Borawski described the complex economic and financial situation in Poland and outlined Poland's proposals regarding settlement of its outstanding contributions.

I should like also to stress that the Polish authorities are making every effort to ensure that, in the second stage of the economic reform, it will be possible not only to improve the living conditions of the population, but also to fulfil our country's financial commitments abroad.

Bearing in mind the difficult situation in our country, I should like to submit the following proposals regarding payment of contributions to the ILO in arrears since 1980:

1. to pay the contributions due for 1980-87 in instalments, amounting to US\$9,039,336 (US\$8,229,228 plus US\$810,048);
2. to spread the payment of the sum of US\$9,039,336 over 20 years;
3. to pay in 1988 the contribution due for the current year and to continue regular payment of forthcoming contributions, together with that of contributions in arrears, in accordance with the decision to be taken by the Conference in June 1988.

I should like to assure you that, as the economic situation in our country improves, we shall adopt appropriate

measures to shorten the period of settlement of our obligations towards the Organisation.

I should like to express the hope that our consultations and a favourable decision of the General Conference, together with your personal involvement, will make it possible this year to restore a situation in which Poland may enjoy full rights as a Member of the ILO.

Yours faithfully,

(Signed) IRENEUSZ SEKULA
Minister of Labour and Social Policy

The Director-General
International Labour Office
Geneva

6. The Committee noted that paragraph 4 of article 13 of the Constitution of the International Labour Organisation provides as follows:

4. A Member of the Organisation which is in arrears in the payment of its financial contribution to the Organisation shall have no vote in the Conference, in the Governing Body, in any committee or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years: provided that the Conference may by a two-thirds majority of the votes cast by the delegates present permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

7. The Committee also noted that article 31 of the Standing Orders of the Conference provides as follows:

ARTICLE 31

Procedure where proposal is made to permit Member in arrears to vote

1. Any request or proposal that the Conference should nevertheless permit a Member which is in arrears in payment of its contributions to vote in accordance with article 13, paragraph 4, of the Constitution, shall be referred in the first instance to the Finance Committee of the Conference, which shall report thereon as a matter of urgency.

2. Pending a decision on the request or proposal by the Conference, the Member shall not be entitled to vote.

3. The Finance Committee shall submit to the Conference a report giving its opinion on the request or proposal.

4. If the Finance Committee, having found that the failure to pay is due to conditions beyond the control of the Member, thinks fit to propose to the Conference that the Member should nevertheless be permitted to vote in accordance with article 13, paragraph 4, of the Constitution, it shall in its report -

- (a) explain the nature of the conditions beyond the Member's control;
- (b) give an analysis of the financial relations between the Member and the Organisation during the preceding ten years; and
- (c) indicate the measures which should be taken in order to settle the arrears.

5. Any decision which may be taken by the Conference to permit a Member which is in arrears in the payment of its contribution to vote notwithstanding such arrears may be made conditional upon the Member complying with any recommendations for settling the arrears which may be made by the Conference.

8. The Committee had before it the following table showing the amounts due by the Republic of Chad for each of the years 1983 to 1988, together

with the amounts paid during this period and the amounts remaining unpaid at the present time.

Year	(a)	Amounts of instalments due under the 1983 arrangement	Amounts paid	Amounts unpaid
	(b)	Assessed contributions		
	(c)	Amount paid 18 January 1988		
		US\$	US\$	US\$
1983	(b)	12 338	12 338	-
1984	(a)	6 105	6 105	-
	(b)	12 737	12 737	-
1985	(a)	6 105	6 105	-
	(b)	12 737	12 737	-
1986	(a)	6 105	6 105	-
	(b)	12 657	12 657	-
1987	(a)	6 105		6 105
	(b)	12 657		12 657
	(c)		18 762	(18 762)
1988	(a)	6 105		6 105
	(b)	16 243		16 243
1989-2003	(a)	91 582		91 582
Total				113 930

9. The Committee recalled that the International Labour Conference at its 69th Session (1983) adopted an arrangement proposed by the Government of Chad for the settlement of the arrears of contributions due for the period 1975-82 amounting to \$122,107. The terms of the arrangements were:

- (a) in 1983 the Republic of Chad will pay in full its contribution for the year 1983, amounting to \$12,338;
- (b) in subsequent years the Republic of Chad will continue to pay its current contribution in full in the year for which it is due;
- (c) The Republic of Chad will settle the arrears that have accumulated up to and including 31 December 1982, amounting in total to \$122,107, by the payment of 19 equal annual instalments of \$6,105 beginning in 1984 and a final instalment of US\$6,112.

10. The Committee noted that the Government of Chad had explained in its letter of 28 March 1988 why it had been unable to pay the amount of \$18,762, due before 31 December 1987 by that date, and noted further that it had been paid on 18 January 1988.

11. The representative of France said that the request put forward by the Government of Chad merited special consideration and he strongly supported the proposal before the Committee.

12. The Committee being satisfied that the failure of the Republic of Chad to pay its arrears was due to conditions beyond its control, in accordance with the provisions of paragraph 4 of article 31 of the Standing Orders of the Conference, reports to the Conference as follows:

- (a) the Committee finds that the failure of the Republic of Chad to pay the amounts due in 1987 in conformity with the arrangement set out in paragraph 9 above is due to conditions beyond its control; these conditions are summarised in the letter appearing in paragraph 3 above;

- (b) the financial relations between the Republic of Chad and the Organisation for the past ten years have been as set out in paragraphs 8 and 9 above.
- (c) the Government of the Republic of Chad has paid the amounts due in 1987 on 18 January 1988, thus bringing itself up to date within the terms of the arrangement for the settlement of the Republic of Chad's arrears approved by the 69th Session (1983) of the Conference.

13. The Committee accordingly recommends unanimously the adoption by the Conference of the resolution concerning the granting to the Republic of Chad of permission to vote under paragraph 4 of article 13 of the Constitution of the International Labour Organisation, the text of which appears at the end of this report.

14. The Committee also had before it the following table showing the amounts due by Poland for each of the years 1978 to 1988, together with the amounts paid during this period and the amounts remaining unpaid at present.

Year	Contributions assessed	Amounts paid	Contributions due
1978	1209 815	1 209 815	—
1979	1 664 534	1 664 534	—
1980	1 874 768	514 768	1 360 000
1981	1 180 341	—	1 180 341
1982	1 463 986	—	1 463 986
1983	1 517 632	—	1 517 632
1984	904 341	—	904 341
1985	904 341	—	904 341
1986	898 647	—	898 647
1987	810 048	—	810 048
Total	9 039 336

15. As at 2 June 1988 the total arrears of Poland amounted to \$9,039,336. The amount of the contributions due from Poland for the last two full years (1986-87) was \$1,708,695. Since the total arrears outstanding exceeded the last two full years' contributions by \$7,330,641, under paragraph 4 of article 13 of the Constitution Poland was not entitled to vote unless the Conference should decide, in accordance with that article, to grant the permission to vote.

16. The Committee, being satisfied that the failure of Poland to pay its arrears was due to conditions beyond its control, in accordance with the provisions of paragraph 4 of article 31 of the Standing Orders of the Conference, reports to the Conference as follows:

- (a) the Committee finds that the failure of Poland to pay its arrears is due to conditions beyond its control, as explained in the letter appearing in paragraph 5 above;
- (b) the financial relations between Poland and the Organisation for the preceding ten years have been set out in paragraphs 14 and 15 above;
- (c) the measures which should be taken in order to settle the arrears are as set out in the resolution concerning the arrears of contribution of Poland, the text of which appears at the end of this report.

The Committee accordingly recommends unanimously the adoption by the Conference of the resolution concerning the granting to Poland of permission to vote under paragraph 4 of article 13 of the Constitution of the International Labour Organisation, the text of which appears at the end of this report.

17. The representative of Poland expressed his appreciation of the Committee's decision to recommend to the Conference the adoption of the resolution which would give his country permission to vote.

III. ASSESSMENT OF THE CONTRIBUTION OF POLAND FOR 1988-89

18. The Finance Committee had before it Report II, *Information concerning the Programme and Budget for 1988-89 and other financial and administrative questions*, containing a recommendation from the Governing Body concerning the assessment of the contribution of Poland for 1988-89.

19. The Committee recommends to the Conference that the assessment of the contribution of Poland to the 1988-89 Programme and Budget be fixed at 0.64 per cent.

Geneva, 3 June 1988

(Signed) D.M.P.B. DASANAYAKE
Chairman and Reporter

Resolution concerning the granting to the Republic of Chad of permission to vote under paragraph 4 of article 13 of the Constitution of the International Labour Organisation

The General Conference of the International Labour Organisation,

Having regard to the terms of the financial arrangement adopted by the Conference at its 69th (1983) Session for the settlement of the arrears of the Republic of Chad,

Having regard further to the fact that the Government of the Republic of Chad has brought itself up to date within the terms of the said financial arrangement by payment of the amount due in 1987 on 18 January 1988;

Decides that the Republic of Chad shall be permitted to vote in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organisation, it being understood that the aforesaid financial arrangement shall continue to apply.

Resolution concerning the arrears of contributions of Poland

The General Conference of the International Labour Organisation,

Having regard to paragraph 6 of article 10 of the Financial Regulations;

Accepts the arrangement proposed by the Government of Poland for the settlement of the arrears of contributions due for the period 1980 to 1987 to the effect that:

- (a) in 1988 Poland will pay in full its contribution for the year 1988;
- (b) in subsequent years Poland will continue to pay its current contribution in full in the year for which it is due;
- (c) Poland will settle the arrears that have accumulated up to and including 31 December 1987, amounting in total to US\$9,039,336, by the payment of 19 equal annual instalments of US\$451,967 beginning in 1988 and a final instalment of US\$451,963.

Resolution concerning the granting to Poland of permission to vote under paragraph 4 of article 13 of the Constitution of the International Labour Organisation

The General Conference of the International Labour Organisation,

Having regard to the terms of the financial arrangement adopted by the Conference at its present session for the settlement of the arrears of Poland;

Decides that Poland shall be permitted to vote in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organisation.

Resolution concerning the assessment of the contribution of Poland for 1988-89

The General Conference of the International Labour Organisation,

In accordance with article 9, paragraph 2, of the Financial Regulations;

Fixes Poland's contribution to the budget of the International Labour Organisation for 1988 and 1989 at a rate of 0.64 per cent.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Fifth sitting

Friday, 3 June 1988, 10 a.m.

President: Mr. Beyreuther

SECOND REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

Interpretation from German: The PRESIDENT – The first item on the agenda is the second report of the Selection Committee. I call on Mr. Vargas, Government delegate, Nicaragua, Chairman of the Selection Committee, to submit the report.

Interpretation from Spanish: Mr. VARGAS (Government delegate, Nicaragua; Chairman of the Selection Committee) – It is my honour to submit to the Conference the second report of the Selection Committee, found in *Provisional Record* No. 5A.

This report refers, firstly, to the composition of the Committee on Apartheid. The Selection Committee recommends that the Committee on Apartheid be composed of 20 Government members, 14 Employers' members and 20 Workers' members. The list of the members of the Committee on Apartheid is appended to the report.

Secondly, the Committee recommends that the resolution concerning employment promotion and social security, which was published in *Provisional Record* No. 1, be referred to the Committee on Employment and Social Security.

The Selection Committee further recommends that the Palestine Liberation Organisation be invited to be represented in the Committee on Apartheid and the Resolutions Committee, in accordance with article 56, paragraph 10, of the Standing Orders of the Conference.

The Committee also recommends that a number of non-governmental international organisations should be invited to be represented at the 75th Session of the Conference and in one of its committees.

Finally, at the Committee's meeting, the Employers' spokesman mentioned that the late arrival of delegations' credentials is causing problems, inasmuch as it prevents us from knowing the exact composition of the Conference. His statement was supported by the Workers' group. It would be appropriate in future for governments to make a special effort to ensure that their credentials reach the Director-General within the time provided for by the Standing Orders.

I would like to recommend the adoption of the report to the Conference

Interpretation from German: The PRESIDENT – The second report of the Selection Committee is now before the Conference. If there are no objections, I take it that the report is adopted?

(The report is adopted.)

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (cont.)

Interpretation from German: THE PRESIDENT – Before we begin the general debate I would like to remind delegates that, in accordance with the Standing Orders, their statements should not exceed 15 minutes. I urge them to keep to this limit.

We now move on to the next item on the agenda, the discussion of the reports of the Governing Body and of the Director-General.

Interpretation from Arabic: Mr. AL ANSARI (Minister of Labour and Social Affairs, Qatar) – In the name of God, the Merciful, the Compassionate!

I am very happy, Mr. President, to begin my statement by congratulating you most heartily on behalf of the Qatar delegation and on my own behalf on your election as President of this session of the Conference.

Allow me also to express our complete confidence in your competence and wisdom, which will undoubtedly contribute, with the assistance of the various delegations, to the success of the session and to the achievement of the objectives it has set itself.

At each session the Director-General has presented us with a General Report dealing with the main problems facing our Organisation in the various fields of its activity. The Report is an objective one and remarkable by virtue of its overall approach and scope. It draws on the efforts made by the Members of our Organisation and the views they have expressed concerning the improvement of the working conditions, well-being and standard of living of all mankind.

This year, the Director-General has chosen as the theme of this Report one of the most noble causes in the long history of mankind. He has made a fervent plea on behalf of man, who finds himself confronted by forces responsible for developing general policies and taking decisions which touch upon the fate of society and individuals who make it up and which determine international social relations. The Report is dedicated to the cause of human rights as defined in the Universal Declaration of Human Rights which was proclaimed 40 years ago and which has guaranteed the dignity of man and his freedoms, and has established a link between the meaning of his existence and his ability to express himself freely in an atmosphere of dignity, freedom, security and peace.

The International Labour Organisation, with its achievements both before and after the Universal Declaration of Human Rights, is seen as the conscience of mankind, bearing the brunt in dealing with

the problems faced by societies, groups and individuals, particularly with respect to the rights and freedoms connected with the problems of labour, and at the same time bearing responsibility for finding the best solutions to those problems through reliance on the Organisation's own efforts and abilities and on international efforts that might contribute to alleviating the problems and their effects upon the lives of individuals and upon peace and stability in social relations. The rights and freedoms relating to labour problems are, as the Director-General says, an integral part of human rights; they are indivisible and inalienable.

The International Labour Organisation, due to the human spirit which has been a distinguishing feature throughout its history, and due to its active role, has succeeded in dealing with the problems of labour and the rights of workers and in establishing an impressive array of international labour standards in the form of Conventions and Recommendations, each of which can be regarded as a declaration of principles, a plan of work, an equitable solution for all the interested parties and a detailed, practical manifestation of human rights. In the light of these standards, the Organisation has endeavoured to improve the working conditions of workers as far as is possible.

However, we need only to look at the realities of life for people on this globe to realise that, despite the achievements already made in questions of the rights, freedoms and safeguards necessary for a dignified life, there is still a great deal to be done before the body of principles, standards and objectives set by the international community for the purpose of assuring rights, freedoms, security, peace, justice and well-being can be put into effect. There are still numerous areas where people are living in deplorable conditions and where their basic rights, freedoms and dignity are trampled upon. This situation should prompt us, as well as all the forces and institutions concerned, to redouble our efforts to eradicate injustice and to create the requisite conditions to enable people to enjoy their rights and freedoms in a climate of peace and stability.

The Director-General also referred to a basic truth that must be taken into account in dealing with human rights. Certain States are faced with very difficult economic and social conditions that prevent them from strictly observing the standards and rights established. In some cases conditions may even have deteriorated with regard to acquired rights.

The logical approach to such situations would undoubtedly be an objective assessment of the specific conditions and a wholehearted response in the form of co-operation and assistance to enable those countries to overcome their difficulties.

We would like to point out here that rigour as well as flexibility are required in examining the application of international labour standards since the ratification of Conventions, although a definite indicator, is not the only one to take into account. If delays occur in ratifying Conventions, this does not necessarily mean that the members concerned are not applying all or some of the standards set. This is the approach that has been adopted by the ILO authorities and is deserving of our gratitude and appreciation. Qatar, for instance, has not yet ratified certain international labour Conventions but this in no way diminishes our concern to respect their provisions in our practical labour relations. For example, we take

pains to make job opportunities available to all our citizens, to provide social security and medical insurance, to make monthly financial payments to the handicapped, old people, widows, orphans and divorced women, and to assure everyone of a dignified life. It goes without saying that the precepts of our religion, as well as those of other revealed religions, teach social solidarity, the need to help those in want and the combating of poverty by all possible means, since we believe that poverty is a fearful phenomenon which we hope will shortly be eradicated from the face of the earth. Apart from the sufferings it inflicts, poverty represents an enormous waste of energies that could otherwise be used to contribute to development and progress in the world. I should perhaps mention in this connection that one of the problems with which mankind must deal is the arms race and the development of weapons of mass destruction while millions of people are suffering from hunger, every sort of privation and even from the lack of the most basic human needs.

Human rights must in fact be a common responsibility, not in the academic sense but in the sense of a specific and practical commitment to safeguard them. In this domain the ILO has a special mission and role. The Director-General, in speaking of equality of opportunity and treatment in employment alluded to the situation in the Arab territories. He stated that the continued occupation was leading to a deterioration of the situation and that the ILO should continue to give assistance to Arab workers so long as the occupation remained in force. In speaking of human rights there inevitably come to mind the revealing pictures of the violations of human rights and the inhuman practices used with regard to the citizens of areas such as Palestine, the occupied Arab territories and South Africa.

While thanking the Director-General for the position he has taken, we consider that the action of the International Labour Organisation should be commensurate with the acts committed by the occupation authorities. For more than 40 years the Arab people of Palestine have been the victims of the harshest forms of oppression both within and outside the occupied territories. This is confirmation of the fact that their enemies have a premeditated plan to eliminate them. Their terrible sufferings have taught the Palestinians to regard life and death in the same light, and that is why they have risen up as one man to lay claim to their freedom and to a dignified life on their land. The response has been a resurgence of death, repression, arrests, confiscation of land, the destruction of houses and banishment. Through force of circumstances it is not possible to recognise the right of this people to self-determination in the same way as other peoples since, in the view of Zionism, that would constitute proof of the existence of a Palestinian people and of a Palestinian homeland.

If we are really seeking to respect human rights, the least we could do is to cry out the truth in the face of the oppressor and the aggressor and stand by an oppressed and attacked people. We consider that the least we could do would be to take similar measures to those that have been taken against the racist regime of South Africa, especially in view of the fact that Zionist policy and Israeli practices are of an even more aggressive nature since they are aimed at ridding the land of its inhabitants, not merely ex-

plotting them and violating their rights and freedoms. This prompts us to reappraise Israel's participation as a Member of this Organisation.

An another subject, we consider that it is necessary at this session of the Conference for us to take a stand on the continuing war between Iraq and Iran and the danger it poses to our entire region. This danger has recently assumed new proportions with the extension of the so-called "war of the cities", in other words the death of civilian populations not participating in the war. A war at this level is without doubt a threat to the most important of human rights, namely the right to life. There is also, of course, the threats to shipping in the Gulf and the damage suffered by States which are not party to the conflict.

This is why we consider it our duty, in the International Labour Organisation, to condemn those who insist on pursuing this war and to call for an immediate halt to this devastating war and for the establishment of peace and good-neighbourly relations between the peoples of the two warring countries.

This august international assembly gathered here at this session of the Conference, when discussing the question of human rights, can only express its disquiet at the assaults upon those rights which are taking place in various regions of the world, and call for measures to be taken to deter those who are continuing their acts of aggression, repression and humiliation against third parties, and declare that it is time for the international organisations to be open henceforth only to the good citizens of the world. In that way we shall preserve the pure image which the peoples of the world have of these organisations, just as we shall preserve the hopes which they place in them to guarantee their freedom and dignity.

In conclusion, I should like to express once again my profound gratitude and esteem to the Director-General for his excellent Report and wish this session of the Conference every possible success in its work.

Mrs BAPPOO (*Government delegate, Mauritius*) – I am honoured again, this year, to be given the opportunity to address the impressive gathering of member countries of the International Labour Organisation at the 75th Session of the International Labour Conference.

On behalf of the delegation of my country and in my own name, I join the preceding speakers in congratulating you warmly on your election to the chairmanship of this Conference. We are confident that your leadership will bring our discussions to a successful conclusion.

Again this year, my Government has respected the Constitution of the ILO and has sent a fully tripartite, albeit modest, delegation to the Conference. My Government will continue to press for some form of financial assistance to be given to faraway countries to attend our meetings in Geneva. Otherwise, the effective participation of many countries may soon be lost.

This year, our work will centre around employment creation and social security, a burning subject. As we have already seen, it is of particular relevance to young people, for whom a reorientation of educational and training patterns is essential. We place great hopes in the ILO's contribution to the fundamental human problem of job security.

Another item of special interest to my country is safety in construction. I will readily admit that the rate of accidents is high on construction sites in my country and I hope that we will come out of this meeting with positive measures to reduce suffering and improve productivity in this sector.

Apartheid, yet another item on the agenda, is now recognised as the most loathsome legalised system of treatment of human beings in the twentieth century. Our stand is clear on this issue. We will co-operate with all countries of Africa to eradicate apartheid from our continent.

All these issues will require international co-operation so that we all learn from one another and use our knowledge for the benefit of our countries and our peoples.

I had barely reached Geneva when delegates were teasing me on our "economic success". It is true that we have experienced a certain progress. The recipe which we used was quite simple, after all – a full dose of political stability by democratic means, a total belief in the Government's will to development, a vigorous push towards a mixed economy, quick adaptation of the population to modern methods of production, friendly relations with all countries and a matching policy of social justice.

I must lay stress on the last ingredient – that is the element of social justice. Not only have we reduced unemployment from 22 per cent to 4 per cent, inflation from 18 per cent to 2 per cent, while maintaining a rate of growth of over 5 per cent, but have given substantial wage increases and fringe benefits in the most important economic sectors and also an increase across the board for everybody. Our policy of sharing the national wealth with its producers has resulted in an increase in the total wage bill by 37 per cent within five years.

We are now consolidating and broadening the economic base, and going forward with intensive training to meet the increasingly complex needs of our agricultural and industrial development.

Again, we will match economic development with social considerations. We are conscious of the turmoil created within the workforce by the restructuring of the agricultural sector and by rapid industrialisation. With the assistance of the ILO, we have launched an intensive workers' education programme so that workers and their representatives can face the situation of today and of years to come. The credibility of the project has been achieved by the presence of the head of the relevant department of the ILO in person at its launching.

We are also upgrading our legislation and the level of training of our technical staff in factory inspection so as to provide a healthier and safer working environment, and here, too, the ILO is proving to be of immense help.

We are also progressing with our policy of providing better welfare well beyond the workplace, and the two most important economic sectors now have the financial resources to look at the welfare of workers within the family and the community.

These examples demonstrate our will to bring about social justice in our country, for we believe that progress has, as its ultimate aim, the improvement of the quality of life of the whole population.

While taking all these measures, we have created the mechanism for harmonious relations. Only 50 years ago, the workers of my country had to shed

their blood and life to be recognised as human beings and to have a labour office created for them. Today, every citizen enjoys freedom, equality and dignity. An impressive set of labour laws provides for fundamental rights, basic conditions of employment in all sectors and a comprehensive system for industrial relations. For a potential working population of 432,000, my service covers the whole of the country's 2,000 square kilometres with 40 sub-officers and a technical staff of 118 to provide law enforcement, health and safety at work, good industrial relations and workers' education. This infrastructure and the degree of maturity of our society enables us to say that confrontation among the social partners, which we used to have in the 1970s, can and must be replaced by consultation.

We are introducing the concept of consultation wherever possible so that, even where consensus is not reached, the final decision is taken after all voices have been heard. This is our practice of tripartism which, to us, is the path of harmonious relations where the combining of efforts is leading to socio-economic progress.

If I have dwelt somewhat on my own country, it is because I wish to point out that my Government believes profoundly in social justice obtained through social peace and in social peace obtained by social justice. We will continue with this policy because we think that it will continue to pay dividends, and yet, our efforts may be shattered by happenings in the international field in so many countries.

We all honour one another by joining together, year after year, to participate in the shaping of a just and peaceful society for our countries. If we all work effectively towards the aims we agree upon here, our individual societies will continue to evolve for the upholding of the dignity of man in freedom and equality, for mixed economy to prosper, for the working class to have its voice heard, and for the people to be cared for by its true representatives. The 40th anniversary of the Declaration of Philadelphia this year should remind all of us that a society can change only in peace, harmony and mutual respect.

The International Labour Office can play a positive role in this respect. In my country, for example, it is helping in our development and the maintenance of social peace in many areas like workers' education, health and safety. I take this opportunity to express my deep gratitude to Mr. Francis Blanchard, the Director-General, for his keen interest in Mauritius. Indeed, he was represented by his Deputy to participate in the local celebrations which we organised last month to mark the Golden Jubilee of the Mauritian Labour Administration.

We have, in our Office, a tremendous wealth of knowledge, expertise and guidance which we could use more effectively for our socio-economic progress. My country can boast of having positive and friendly relations with all the departments of the Office. It is these very harmonious relations which allow me to invite the attention of the Director-General to the need for restructuring his women's department.

Thus, if we have the will, we also have the mechanism of this august institution to work towards the happiness of our people, on the one hand, and towards dialogue among our countries, on the other hand.

(The speaker continues in French.)

Because my country is multilingual, I should like to end my statement in French. We, the representatives of governments, the employers' organisations and the workers' organisations, are all constantly searching for justice, peace and harmony. Man will be increasingly enlightened by this search. Let us therefore combine our efforts and strengthen the links of a lasting chain of world brotherhood. Small and humble Mauritius, the meeting-place of tolerance, stretches out the hand of friendship to all peoples, so that man's happiness on earth, which we have all come to seek here, may be ensured.

Interpretation from Spanish: Mr. GOMEZPERALTA DAMIRON (*Under-Secretary for Labour and Social Welfare, Mexico*) – Mr. President, the Mexican delegation would like to express its most cordial congratulations to you on your election.

It is now 40 years since the Universal Declaration of Human Rights. There is no denying the close link between the activities of the ILO and the enjoyment and preservation of human rights, as the Director-General of the ILO has emphasised in his Report.

Today, the world of work is facing different but no less serious problems from those of the time of the Declaration; a generalised crisis, recession, structural readjustment, demographic trends and new technologies.

Their effects are disrupting the standard of living and preventing access to indispensable goods and services. Shortages make poverty all the worse and raise the spectre of social disruption. Structural changes taking place, involving extreme, irrevocable decisions and increasing uncertainty as regards the future. Demographic trends complicate forecasts, given the disparity of measures envisaged to achieve ideal population models. Incessant technological and scientific progress in many of its aspects overtakes existing structures and changes the very concept of labour. We think that life is organised by science, whereas in fact life orders itself according to its own values.

Today, the standard of living is a global concern. But it is not the only problem. Where all ought to have the same rights, we can still see differences on the one hand and, on the other hand, unequal opportunities.

Every State is working to overcome the evils of our time. Every State, with its own instruments and resources and with its own formulas, is taking up the challenge of inflation and unemployment, insecurity, lack of social protection, malnutrition and bad health conditions.

In Mexico, once again it has become clear that concertation is the way to find a solution to the problems caused for our country by the major economic crises of recent years.

In 1917, 71 years ago, minimum labour standards and rights were included in the Constitution, as a true expression of the values of a culture in which equity and concertation constitute the source of peace and social harmony. Equity is the basis of justice; concertation has characterised the solutions we have found to social problems, based on combining the interests of capital and labour. Its role is the establishment of working conditions and solidarity to oppose the great evils besetting us.

Therefore, Mexican labour law, a synthesis of equity and concertation, has been rather more than just a code that has to be respected; it has been a combination of standards which help us to live; a combination of voices answering the questions which these times of crisis pose for us today.

In the last year, in the last few months, when we were running the risk of seeing progress that we have made in the structure of the Mexican economy nullified, and in the face of the need to provide a more definite prospect for foreseeable economic evolution and effective protection for the purchasing power of incomes, the Government, the workers, the peasants and Mexican entrepreneurs combined in an action reflecting our realities, different from the actions taken in other latitudes and appropriate to our own way of life: to work out and agree a covenant pooling and strengthening each one's efforts against inflation, loss of real income, the shortcomings of the market and the problems of public finance.

This Covenant of Economic Solidarity, resulting from a renewed effort of national concertation, with the aim of attacking the roots of inflation and avoiding reduced purchasing power or worsening conditions of employment for the low-income population, particularly workers with fixed incomes and the middle class, has been able to reassure producers, traders and providers of services that the evolution of their costs will generate a favourable environment which will avoid a change in prices. Thus, it has been possible in a period of five months to reduce inflation from the 15.5 per cent recorded in January to 8.2 per cent in February, 5.1 per cent in March, 3.1 per cent in April and 1.7 per cent in May. And thus, we were able to provide support for everybody's attitude regarding the protection of real income and to fight for the elimination of extreme conditions leading to injustice and disturbance.

The economic panorama in Mexico is now different. Once again, equity and concertation have put us on the right road to finding a solution.

I think I may say that amongst the economic difficulties that we are now decisively attacking through the Covenant and in order to counteract the effects of the crisis, we have strengthened our capability for action in labour institutions such as social security, housing programmes, income and consumption protection for workers, the system of profits and benefits distribution and the promotion and development of co-operatives and other ways of establishing enterprises in the social sector.

We have not allowed our productive basis to be destroyed. The employment index, based on a clear method of determination using social security records applying only to new permanent posts, has shown an average of 3.5 per cent growth in the last five years.

In the 75,000 strikes that have taken place in the federal jurisdiction in the last five years, the success of conciliation has been such that only 1.4 per cent created major problems. Practically 5,000 collective agreements under the same jurisdiction, on the other hand, show advances in economic and labour benefits.

The creation of productive jobs and reduction of poverty, as the Director-General of the ILO says in his Report, continues to be one of the most difficult problem facing the Organisation today.

The Organisation's task is to propose solutions to the working world which are practical at all times and for everybody, not simply pie in the sky, that would include the worker, the lynchpin of our time.

Without justice the word "progress" has no meaning. Justice is the basis of progress in social security and employment in all its aspects, freedom of association, equality of opportunity and treatment. No crisis, no new technology can supersede the enjoyment of human rights. Nothing should prevent the growth and development of countries.

As the President of Mexico has said. Nothing should be done to reduce the standard of living of the peasants or reduce the real incomes of workers.

We must not forget that this would be a different world without the economic disruptions that we have suffered in the last few years which so far have not been combated by a global policy of justice and equity, a policy to distinguish our time not by reason of the problems assailing us but by reason of the just means, over and above the proclamations and declarations, that we may find of resolving them.

Mexico has taken part in international forums with the inspiration of free men to achieve the agreement of all nations in the search for the material and spiritual welfare of all peoples; that is why we support the international organisations which propose and seek the universal good.

Mexico joins each one of you in solidarity, in our struggle against inequality and in favour of justice in the working world. That is the reason for our coming here today. Between all of us, for all of us, let us protect human rights.

Mr. LEE KIM SAI (*Minister of Labour, Malaysia*) - Mr. President, on behalf of the Malaysian delegation to the 75th Session of the International Labour Conference I wish to congratulate you on your election as the President of this Conference. I am confident that you will steer the proceedings of this Conference smoothly and bring it to a successful conclusion. I also wish to take this opportunity to offer my congratulations to the three Vice-Presidents who have been elected to assist you.

The Report of the Director-General gives a clear and comprehensive account of the wide-ranging activities of the ILO both in the fields of human rights and of technical assistance. The ILO is not specifically charged with responsibility on human rights; nevertheless, on account of its role in the cause of workers and their rights, matters concerning human rights feature prominently in the work of the Organisation. As the Director-General states in his Report, though the expression "human rights" as such does not appear anywhere in the Constitution, the concept nevertheless pervades the constitutional objectives and principles of the ILO, and all ILO activities are related to matters concerned with human rights in one way or another.

As a representative of a developing country, permit to express some of my views on these and other issues that are before us. Since attaining independence in 1957, we in Malaysia have devoted our attention and energies to the building of a united nation of peoples of divergent race, culture and religion. This is not an easy task, but it is made even more difficult by the fact that in Malaysia race is generally identified with economic functions. Thus, we are also engaged in restructuring Malaysian soci-

ety so as to reduce and eventually eliminate the identification of the different races with wealth or affluence. Our economy, which is an open one and dependent on international trade, is also subject to the fluctuations of international markets.

Our policies on trade, investments, national development and other questions have contributed to the overall economic growth of the country. This has led to the creation of many jobs for our growing workforce. However, in the past few years, we have been faced with difficulties due to the global economic downturn which has seriously affected the Malaysian economy and caused a considerable increase in the rate of unemployment.

Despite these setbacks, our overall success hitherto has contributed towards the improvement in the general standard of living of our people, including our workers. Today we have succeeded in reducing the incidence of poverty to about half of what it was when we achieved independence in 1957. There have also been considerable improvements in income distribution which have led to the emergence of a growing middle-income group.

Policies on labour and labour legislation, while basically safeguarding the rights and interests of workers, are also designed to contribute to overall economic growth. Malaysia's labour laws are tailored to ensure the adequate protection of our workers as well as to maintain industrial harmony. Malaysian employers and their interest are also protected. Tripartite consultation and co-operation is practised in Malaysia in the formulation and enforcement of labour legislation at the highest level through the National Labour Advisory Council under my chairmanship.

As with all other aspects of Malaysian society, the freedom, rights and privileges accorded to our workers and employers are not unlimited. Nevertheless, the freedom and benefits enjoyed by all workers have led to the growth of a strong and independent workers' trade union movement in Malaysia. Most of our trade unions are affiliated to a variety of international trade union organisations. These organisations have in turn appointed a number of Malaysian trade unionists as their regional or area representatives to propagate and further develop the trade union movement in the countries of Asia and the Pacific region. This is a clear acknowledgement by these international organisations of the strength and progress of the Malaysian trade union movement and is a clear testimony to the freedom and rights that it enjoys in our country. Similarly, the Malaysian employers, too, have well-developed organisations that have also come to be recognised internationally as being some of the premier organisations in the region.

There are different approaches and methods in addressing issues of human rights and freedom of association. In Malaysia they have evolved and developed in the context of local cultures, customs and habits and in keeping with the socio-economic and political features of the country. They no doubt differ from those of Western democracies, but then we should not be judged by Western standards and values. In our context the right to employment and the right to a decent standard of living are the more important aspects of human rights.

In considering human rights issues I observe that the recommendation of the Brandt Commission has called for internationally agreed fair labour standards

as a means of facilitating trade liberalisation. However, taking into account the tremendous disparity between the developed and developing countries in so many areas, it is, in my view, not possible to draw up internationally acceptable fair labour standards. What is considered fair in one country may not be so in another. Fair labour standards, being subjective, are really determined by various factors such as the prevailing economic and social conditions and the state of development of a country. While labour standards as an ideal are objectives that nations should aspire to achieve, the imposition of certain standards on developing countries appears to me to be a perpetuation of the disparity between the developed and developing countries.

I am convinced that the ILO has a great role to play in contributing to reduce global inequalities. For example, as the Report of the Director-General states, the activities of the Organisation during past years show the considerable scope and potential that the ILO possesses in rendering technical assistance. Malaysia has also benefited from such assistance which is greatly appreciated. In my view there ought to be a greater intensification of such activities in providing pragmatic assistance to Third World States. Such assistance should be given liberally without any conditions such as their linkage to issues related to international labour standards.

The International Labour Organisation can and should transform itself into a dynamic and vibrant institution through its technical assistance programmes. There is a great deal of technical expertise and professionalism within the Organisation which are needed in developing countries. The ILO should be clearly seen as playing a complementary and supplementary role in the overall development of the developing countries rather than being seen in a role that is inconsistent with national priorities or the more urgent needs of these countries.

This calls for a shift in emphasis in the programme of activities of the International Labour Organisation from those concerned with standard-setting activities to those of technical assistance based on the needs and priorities of the developing countries. We must acknowledge the growing necessity for this change which can go a long way in reducing friction and confrontation between the developed and developing countries.

The Director-General in his Report also states that those who proclaimed the aim of universal enjoyment of human rights needed to prove their sincerity by greater efforts and greater sacrifices to reduce the gap between rich and poor, between the developed and developing countries of the world. Previously the Director-General had called for faith in multilateral co-operation as the means of promoting universal peace and understanding.

However, many of us from the Third World are becoming more disillusioned and disappointed with the existing political, economic and social order of the world. While not all the blame for our plight today can be placed on the developed countries there is no denying that there is a lack of understanding and goodwill in these countries in truly wanting to assist in the development of less developed countries. Such an attitude has manifested itself very often in multilateral negotiations.

The ILO, which was established in 1919, is today a global organisation. The critical issues confronting

many of us in the Third World are far removed from those of the founding fathers. While the high ideals and noble aims and objectives of the ILO may be as valid today as they were when first established, the means of achieving these objectives have changed drastically.

The differences in perceptions and approaches to these and other issues have led to the development of a North-South debate in a number of ILO meetings in recent times. Such confrontations clearly stem from a sense of frustration and disenchantment on the part of the developing countries. It is my view that the International Labour Organisation, being the oldest United Nations agency, should take heed of these developments and respond in a more positive manner to the aspirations of the developing countries. This is the only way to ensure the continued strength and unity of the Organisation.

The Director-General states that the slowing down in the rate of ratification of ILO standards in recent years is not unrelated to the economic difficulties faced by many countries. I fully agree with him. It is the economic, social and political development of the countries of the Third World and the narrowing of the gap between the North and the South which are the real key to the greater attainment of human rights, social justice and the universal observance of international labour standards.

In conclusion, I call upon the ILO to display greater pragmatism in the efforts to achieve the objectives of the Organisation in its future programmes and activities.

Interpretation from Arabic: Mr. AL-KHALIFA (Minister of Labour and Social Affairs, Bahrain) – In the name of God, the Compassionate, the Merciful! Mr. President, on behalf of the Bahrain delegation and in my own name it gives me pleasure to congratulate you on your election to the presidency of the 75th Session of the International Labour Conference, wishing you every success in running the affairs of this session, and in reaching its objectives.

I would also like to express to the Director-General of the ILO our deep appreciation for the clarity and objectivity that characterise his Report on the question of human rights and on the great challenges facing the ILO in its endeavours to make social justice, equality and human dignity the fundamental principles of human rights and the basis of all activities undertaken by the Organisation.

We agree with the Director-General that the major challenges facing the ILO in its promotion of human rights require effective political will and sincere international solidarity in order to consolidate world economic co-operation and counteract the adverse impact of economic protectionism, indebtedness and unemployment. Moreover, we support the Director-General when he says that the ILO must reinforce the defence of human rights through a positive dialogue concerning international labour standards and technical co-operation activities in the next few years. We also support the conclusions of the High-Level Meeting on Employment and Structural Adjustment which was held in November 1987, and the concern it expressed over the adverse impact of economic policies adopted by the major industrial countries and the increasing indebtedness of the Third World countries. We wish to stress another conclusion reached by this meeting, namely the role

of the ILO in such circumstances, in terms of efforts to increase the rate of growth and the creation of employment, thus complementing the activities of the other international organisations. I am confident that this Conference will be able to launch new initiatives and adopt guidelines that will help the ILO to consolidate human rights in the Medium-Term Plan 1990-95.

Appendix III of the Director-General's Report contains an account of the conditions of Arab workers in Palestine and the other occupied Arab territories. In this context, I should like to refer to the findings of the ILO mission, namely the continued policies of the Israeli authorities who are guilty of discrimination and violation of human rights and fundamental freedoms, and the adverse impact of this policy on local possibilities of development. These practices are a flagrant violation of all international norms – customs charters, agreements and conventions – and contradict the letter and spirit of the ILO Constitution, Conventions and Recommendations. I would appeal to this Conference to condemn these Israeli acts of oppression and terror which are designed to deprive thousands of young Palestinians of work by breaking their arms and legs and thus disabling them for life. I also call upon this Conference to denounce the continued refusal of the Israeli authorities to abide by the two resolutions adopted by the ILO Conference in 1974 and 1980. I am fully confident that this Conference will endorse the proposals of the Governing Body and the Director-General and international funds for development, so that efforts may increase to extend all forms of support and technical assistance to the Arab workers and employers in Palestine and the other occupied Arab territories. I should also like to point out that it is important for the Conference to set up a special committee at each of its sessions to study the periodic reports submitted by the Director-General to the Conference on the condition of Arab workers and employers in Palestine and the other occupied Arab territories, the assistance granted them and the reports submitted by other international organisations. This committee could submit a report on its conclusions for discussion by the Conference at one of its sittings.

Mr. CHRISTOPHIDES (Minister of Labour and Social Insurance, Cyprus) – Mr. President, may I join all those who preceded me in congratulating you on your election to the presidency of this session of the International Labour Conference. The Cyprus delegation is confident that under your experienced leadership and patient guidance this session will be led through constructive debate to effective and substantive conclusions.

At the threshold of the twenty-first century numerous and grave are the problems which are threatening international peace and the political and social stability of many developing countries.

Despite the scientific and technological progress accomplished during the twentieth century and the abundance of food and goods it has produced, the majority of mankind lives under degrading conditions of poverty.

The ambitious target of the United Nations to build a world based on peace, security and justice is far from being realised. Despite the principles and efforts of the United Nations, foreign aggression,

occupation, racial discrimination and violation of human rights continue unabated.

The Declaration of Philadelphia affirms that "all human beings, irrespective of race, creed or sex, have the right to pursue their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity". These noble aims remain for the majority of mankind a remote and unseizable hope.

It is against this background that we view as very pertinent the decision of the Director-General to select human rights as the central theme for his Report. Cyprus, which has experienced massive and flagrant violations of the human rights of its people as a result of the tragic events of 1974, is particularly sensitive to this matter.

We fully agree with the Director-General that there is a gap between the principles laid down in the wealth of international texts dealing with human rights and the reality prevailing in the world. To bridge this gap a sustained and global effort is needed. Particularly, the ILO should continue its important role in the promotion and defence of human rights by strengthening even further the links between international labour standards and technical co-operation activities, and by harmonising its efforts with those of other components of the United Nations system. Equally imperative in promoting the enjoyment of human rights is international co-operation and international solidarity: as rightly pointed out by the Director-General, human rights are indeed a common responsibility.

The Republic of Cyprus from the outset of its independence has pledged its full commitment to the cause of human rights. Both internally and externally we have worked energetically and consistently for the promotion of the principles contained in the Universal Declaration of Human Rights and other relevant international instruments.

The central aim and ultimate objective of the social and economic policy of the Government of Cyprus has been the achievement of social justice and the improvement of the quality of life for all through employment, education, training, social security, the establishment and operation of free and independent social institutions, the promotion of tripartite co-operation and the observance of human rights in general.

More specifically, to follow the points made in the Report, freedom of association is guaranteed by article 21 of our Constitution and safeguarded through the ratification of Conventions Nos. 87 and 98. Our system of industrial relations, governed by the procedures stipulated in a freely agreed upon Industrial Relations Code and based on free negotiations and freely concluded collective agreements, is a model of tripartite co-operation.

Equal opportunity and treatment are guaranteed by article 28 of the Constitution, the right to freely chosen employment by article 25 and the right to just and favourable remuneration by article 26, which protects the citizens from exploitation and recognises the right to freely concluded contracts.

Cyprus has ratified and observes fully the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Employment Policy Convention, 1964 (No. 122). A major development in Cyprus, since the last session of the Conference, for the promotion of equality among men and

women in employment opportunities and benefits has been the ratification of the Equal Remuneration Convention, 1951 (No. 100).

The right to just and favourable conditions of work is realised through specific legislation and the ratification of the appropriate Conventions including the Labour Inspection Convention, 1947 (No. 81), the Guarding of Machinery Convention, 1963 (No. 119), and the more recent Occupational Safety and Health Convention, 1981 (No. 155), to mention but a few.

Finally, the right to social security is recognised in article 9 of the Constitution of the Republic of Cyprus as one of the basic human rights to which everyone is entitled.

From the very beginning the Government of Cyprus set, among its development priorities, the progressive improvement of social security. The limited personal and material scope of the Social Insurance Scheme, which Cyprus inherited from the colonial government, was gradually, but steadily, extended to protect adequately every person gainfully employed on the island. Moreover, through legislation introduced in 1975, a minimum standard of living is guaranteed to every citizen who cannot secure for himself and his family the basic necessities of life.

We, therefore, fully share the view of the Director-General of the ILO that in determining the measures to be taken in all fields of social security, three basic principles should be borne in mind: universality of protection, equality and solidarity among the members of society.

What I have said so far provides, I believe, sufficient evidence of the importance which the Government of Cyprus attaches to human rights and of the significant contribution of the ILO in their realisation.

By the above I am, by no means, suggesting that everything possible has already been achieved. We are well aware that social economic realities keep changing. Foreseeing, facing and influencing the implications of the new realities leaves much scope for action both at the national and international level.

At this point, and bearing in mind the statement of the Director-General that human rights are indivisible, I believe that it would be an omission not to express my Government's regret that a large number of the people of Cyprus are still deprived of the enjoyment of certain basic rights and fundamental freedoms such as the right to property, freedom of movement and freedom of settlement in one's own country because of the continued occupation for 14 years now of approximately 37 per cent of the island.

In conclusion, I would like to express my Government's appreciation for the ILO's significant contribution in the realisation of human rights, and to congratulate the Director-General for his thought-provoking Report.

The common objective of all Members of the ILO should be to streamline our actions in the field of human rights with the ultimate aim of creating a world community in which freedom, human dignity, justice and peace will prevail.

Mr. YAHAYA (*Government delegate, Ghana*) – Mr. President, allow me first of all to extend to you, on behalf of my delegation of Ghana, on my own behalf, my warmest congratulations for your well-merited election to this high office. I am confident

that your wide experience and knowledge will lead the discussions of this session to a very successful conclusion.

My heartiest felicitations are also due to the Workers', Government and Employers' Vice-Presidents and finally to the Director-General and his staff who have as always worked hard to keep our Organisation on an even keel.

The Director-General has presented us with an extremely interesting Report on a problem which, as the title of the Report indicates, is of concern to millions of people throughout the world. Human rights is truly a common responsibility of us all and so it is opportune that on the occasion of the 40th anniversary of the adoption of the Universal Declaration of Human Rights and one of the ILO's key human rights Conventions – the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and 20 years after the International Year for Human Rights, we should reaffirm our faith in these codes and the Declaration of Philadelphia and take stock of our performance in their implementation. The Report of the Director-General gives us a wide and thorough basis for this important exercise.

By its Constitution, the ILO undertakes to ensure that all people, irrespective of race, creed or sex, enjoy reasonable living and working conditions, economic security and develop intellectually in freedom and dignity. The Declaration of Philadelphia also basically enjoins the ILO to work towards the freedom, equality, economic security and dignity of man. These aims and objectives are as relevant today as they were at the time of their formulation as reflected in the ILO's Medium-Term Plan for the period 1990-95. The Medium-Term Plan stresses that the Organisation's future activities will be concentrated in the following areas: encouraging employment growth, vocational training, the improvement of working conditions, living standards and economic security and the defence of workers' rights.

Since its inception, the ILO has done a great deal for the promotion and protection of human rights. Many Conventions relating to human rights have been ratified by States Members and many legislative systems have followed recommendations in this respect. In fact, to date, the ILO has adopted 166 Conventions and 174 Recommendations on a very varied range of subjects on social policy and labour issues. They have contributed significantly to the improvement of the living and working conditions of workers as well as raising their economic security. I am proud to be able to say that within the limits of its resources, both human and material, and having regard to its present stage of development, my country has not failed in its obligation to ratify and implement those Conventions and Recommendations which deal with such fundamental human rights as freedom of association, equality of opportunity, the right of collective bargaining, the advantages of a social security system and a system of wage protection. In addition, Ghana can take legitimate pride in the fact that within its territory there is no form of forced labour, and no kind of discrimination with regard to employment or occupation.

In a developing country such as ours, there is always the risk that some firms might be tempted to apply terms of service which are less favourable than local law and ILO standards require. To prevent this,

my country attaches great importance to labour inspection to ensure that basic standards are at least maintained. And here I must express my country's appreciation of the help which the ILO has given to Ghana in this field through the fellowships and training courses offered to our labour officers under its technical assistance programme.

It is not at all difficult to see that all the activities of the ILO, operational and standard-setting, contribute both directly and indirectly to the realisation of the rights and freedoms within its special competence. The experience of history and our new understanding of the process of development have shown us that certain basic problems must be identified and tackled if the gains so far made are not to be eroded. As the Director-General himself recognises, in adverse economic conditions ILO standards come under strain. Freedom of association, the right to work, for example, can hardly be guaranteed and protected when there is no work available. How far can or should the struggle for greater benefits and better conditions of employment of organised labour be harmonised with the basic aspirations of the rural poor for a life free from the fear of hunger, disease and squalor?

While we in the developing countries have been no less ardent in our recognition of and support for the various rights and freedoms that form the theme of the Conference this year and agree that we must persevere to make these ideals a reality, we have had to contend with a not so propitious international economic environment. The international trading environment has continued to deteriorate. Notwithstanding the solemn pledges of the developed industrialised countries to remove discriminatory protectionist measures, the developing world's share of international trade continues to decline at an alarming rate. Developments in the Uruguay Round of Multilateral Trade Negotiations indicate that some developed countries are more concerned with their own interests and mutual relations to the detriment of developing countries. Commodity prices are at an all-time low. Our economies are stagnant; in some cases even negative growth has been recorded.

In my own country, the reversal of more than a decade of national economic decline has been a major preoccupation of the Government of the Provisional National Defence Council since its accession to office on 31 December 1981. Throughout the 1970s and early 1980s real incomes fell substantially. The vast majority of Ghanaians, many of whom were already in difficult economic conditions, experienced a decline in living standards; the social and economic infrastructure fell into disrepair; and high inflation and a fixed nominal exchange rate contributed to declining exports and periodic foreign exchange crises. The Economic Recovery Programme (ERP), initiated in 1983, has managed to reverse this trend and place the economy once again on the growth path. But despite promising medium- to long-term growth prospects, the economy is still fraught with widespread poverty and economic hardship. Moreover, the Economic Recovery Programme will not be able to alleviate the economic hardship of many of the poor in the short run. Indeed, some components of the Economic Recovery Programme have and will exacerbate the economic problems of certain vulnerable groups in the short run, and this may impede the sustainability of the recovery programme itself. With

international support, therefore, we have embarked upon a programme of action to mitigate the social costs of adjustment and developments known as PAMSCAD for short. PAMSCAD seeks to address the needs of vulnerable groups who are in a precarious condition due to the adjustment programme or due to earlier period of economic decline through direct assistance as well as creation of new jobs for the unemployed. But however much we try to assuage the difficulties of these vulnerable groups our efforts are hampered by resource constraints arising from the continuing drop in world price of cocoa – our major commodity – and the commitment of large resources to debt-servicing obligations.

The debt problems of developing countries remain at the forefront of our concern by reason of their devastating impact on the economic, social and political stability of the debtor countries. It is against this background that we ask for urgent measures to alleviate the crushing debt burden of developing countries.

The truth is that we cannot improve the international economic and trading environment and thereby ameliorate the working conditions of workers without an honest review of the current inequitable international economic order. The call for a new international economic order is as relevant today as it was in the early 1970s. Genuine efforts should therefore be made by all sides to find solutions to all the issues currently before the Uruguay Round of Negotiations.

The ILO should continue to seek the co-operation of other international agencies concerned as called for by the High-Level Meeting on Employment and Structural Adjustment and to impress upon them the social and economic consequences and the threats to the cause of social justice and human rights that would inevitably arise if the legitimate needs of the developing nations continue to be ignored.

In his Report the Director-General very rightly says that the right to employment and decent working and living conditions implies a right to vocational training and education. Indeed the ILO has assisted in the establishment of vocational training institutes in some countries and sent experts to teach in others, but very much still remains to be done if we are to achieve the high and laudable objectives we have set ourselves.

In the field of social security, my Government is studying proposals to convert our Social Security Provident Fund into a National Pensions Scheme.

If human rights are to be successfully protected and extended, international peace is needed. It will be a serious mistake to imagine that the social and economic problems considered by the ILO can be solved outside the political events taking place in the world. As the Director-General has rightly pointed out in his Report, "the most persistent and profound challenge to ILO principles on equality" and, I would add, freedom "has come from South Africa's policy of apartheid". The White minority in South Africa continues to enforce the apartheid system despite international condemnations. Week by week, the scaffold receives its batch of Black workers brave enough to rebel against the implacable cruelty of their oppressors. Not content with enforcing their supremacy within South Africa itself, the racist tyrants of Pretoria have ignored the resolutions of the United Nations and the ILO to leave Namibia,

where they have extended their system of discrimination and oppression. The war being carried out by the racist regime against the peoples of Angola, Mozambique and Botswana are all examples of a policy of violence and brutal violation of human rights. We join with all peace-loving peoples in the condemnation of the apartheid policy of South Africa and reiterate our call for mandatory comprehensive sanctions against the South African regime.

Recent acts of aggression in the occupied Arab territories cannot go without condemnation. Hundreds of thousands of Arabs in the occupied territories face a hopeless future in the land of their birth. International action seems to be impotent in the face of this systematic oppression, this continuous violation of human rights and freedoms. To achieve a comprehensive, just and lasting peace in the Middle East, it is necessary for all parties, including the PLO, the acknowledged representatives of the Palestinian people, to come to the negotiating table on an equal footing. The massive uprising of the Palestinian people in the occupied territories is the expression of a people who are determined to fight for their freedom.

How can the activities of the ILO in defence of workers' rights be truly successful, without active endeavours to stop aggressive war, to liquidate all the remnants of colonialism, and to ensure a lasting peace? Wars and the arms race, and the militarist fever which accompany them increase fear and hatred throughout the world. In addition, they consume national resources which would be better used in improving the lot of the poor and deprived.

It is impossible to implement a policy of human rights unless we are prepared to wage a decisive battle against the ideas and policies of oppression and racialism. It would be improper for this 40th anniversary year to come to an end without a serious and determined effort to liberate the working populations of South Africa, Namibia and the occupied Arab territories from the clutches of oppression.

The Director-General has rightly pointed out that the promotion and realisation of human rights within the ILO's competence will continue to tax the ingenuity, resolve and resources of the Organisation for generations to come. This is a challenge and an obligation we cannot and should not shy away from. We hope that we will all together strive to make this 40th anniversary of the Declaration of Human Rights a watershed in its true observance in all fields of human endeavour.

Interpretation from German: Mr. TIMMER (Workers' delegate, Hungary) – Mr. President, on behalf of my organisation and on my own behalf, I would like to congratulate you on your election as President of this International Labour Conference.

First of all, I would like to pay tribute to the ambitious, truthful and substantive Report of the Director-General. Contrary to the Report of previous years, the contents and tone of this year's Report is more optimistic and more encouraging. If one considers the main topics of the last Conference and Regional Conference, i.e. international co-operation, the protection of human rights in particular with regards to freedom of association, the link between structural adjustments and employment, I think we can see that our discussions focus increas-

ingly on really important question which are directly related to our goals and affect the workers and trade unions. If the statement made by the first Director-General of our Organisation, Mr. Albert Thomas, applies and our Organisation can be compared to a machine where the driving force is provided by the workers' organisations – and history has testified to the accuracy of this statement – it should be added that it is more relevant than ever today for the solution of the serious problems affecting our times. The elimination of lasting world-wide inflation and unemployment, as well as development and stability, can only be achieved through strong, effective and unified trade unions. The main prerequisite for this is the full implementation of trade union freedoms. Trade union rights also represent the rights of humanity, those of the working population. Their implementation influences the organisation of our work, our social situation, our cultural life and our lives as a whole. I am convinced that on behalf of their millions of members, the unions will follow this course more or less successfully, with an occasional setback.

We should not, however, overlook the fact that, alongside the trends pointing towards progress, co-operation and development, there are also opposite trends. In more than one country, trade union rights and their activities have been curtailed through political pressure and even through physical means. A further reason for concern is the fact that the Committee on Freedom of Association of the Governing Body has to deal with an increasing number of serious complaints related to the violation of trade union rights which are in fact often flouted. This increasing trend threatens everything that has been achieved by trade unions and the workers often as a result of bloody struggles.

One of the greatest shames in the world today, the apartheid system in South Africa, is quite unbearable. It has managed to continue thanks to the open or covert support of certain circles, despite the resolutions of the United Nations and the ILO.

In this connection, I think it would be justified to ask and examine whether trade unions with their present structure and with the powers their officials have can meet the major challenges of our times.

As I see it, we still have a great deal to do in this respect. This is a highly complex question which can be seen at the regional level and it often manifests itself in a different way in various countries. Some countries still have to set up strong effective trade unions whereas others are faced with an increased demand for trade union participation in the decision-making process. I think it is a sign of success that trade unions are now able to participate successfully in collective bargaining in a number of countries. We are still far from a situation in which trade unions can bring influence to bear on the development of policies on such complicated matters as, for example, economic development, social programmes, stabilisation and anti-inflationary programmes, the development of employment and advances in social security. In the light of this changing situation and with a view to solving these problems, efforts will have to be made by the International Labour Organisation, both in the field of international labour standards with regard to freedom of association and in the field of training programmes for workers and supervision of these programmes.

Concerning the other technical items on the agenda of the Conference, the Hungarian trade unions agree with the adoption of international labour standards governing employment promotion and social security just as we agree with the proposed revision to the Safety Provisions (Building) Convention, 1937 (No. 62) and to the Indigenous and Tribal Populations Convention, 1957 (No. 107). We feel that the draft documents provided give us a suitable basis for discussion. We believe that the application and implementation of these documents will contribute towards overcoming the problems in this area.

In our statement in the general discussion on rural employment promotion, we have based our arguments on the premise that agricultural workers still represent the majority of employed persons throughout the world. At the same time, their organisations and system of representation are not highly developed and their working and living conditions are the most backward. As I see it we should place priority on land reform and the setting up of co-operatives and organisations based on the principle of self-help in agriculture; we should also concentrate on the improvement of working and living conditions, the meeting of basic needs, and the organisation and strengthening of representative organisations, primarily trade unions; we must also foster equal treatment and an improvement of equal opportunities for women occupied in agriculture, whose lot is even more difficult than that of men.

I note with great satisfaction that the Organisation has given clear priority to these questions in its past activities, as well as in the new draft Medium-Term Plan.

I should like briefly to refer to the Medium-Term Plan for 1990-95. I welcome the fact that the draft programme was made available by the Office on time, which enabled governments, employers' and workers' organisations to submit their comments and proposals on the draft before the deadline and in a proper manner.

At the 239th Session of the Governing Body the draft was already before us for discussion, and further deliberations are still being held on the subject. As we have already explained, we would once again like to express our support for the draft as well as for the questions and topics that serve the cause of workers and give them priority. May the Report of the Director-General submitted to the Conference provide us with an opportunity to lay even greater stress in the draft programme on trade union freedoms and human rights on the development of the economy and social welfare and on the training and further training of all workers.

The international conditions for the solution of our problems are most auspicious. We are on the way to achieving and securing peace. We welcome the negotiations and the results achieved in the field of disarmament, which also represent a contribution to increasing international solidarity. The extent to which we succeed in creating a world of lasting peace will also depend on us and the solidarity we achieve, and it is a prerequisite for fulfilling the task we have set ourselves.

Interpretation from Arabic: Mr. GLAIEL (Government delegate, Syrian Arab Republic) – Allow me first of all to convey to the President my sincerest

congratulations on his election as President of this Session on which we place high hopes. We hope that the items discussed, the views exchanged and the opinions expressed will all contribute to producing resolutions and Recommendations enshrining the principles of the Organisation and reflecting the noble ideals that it pursues. I am happy on this occasion to state that in the Syrian Arab Republic we attach particular importance to our co-operation with this Organisation. We respect and will continue to respect all its Recommendations, Conventions and decisions, past, present and future, because they serve the interests of the workers and encourage development within the framework of the sovereignty and the economic and social system of our country, Syria, and all Arab nations. We will work to continue and constantly increase such co-operation. In our country, Syria, we have a special regard for labour and, as the President of our Republic Hafez el Assad, has said, "we pay tribute to work and to workers, and we resist exploitation and exploiters, and we consider work to be an honour. The workers are the very basis of life and its development, and it is they who ensure its permanence and progress."

Our Organisation, in accordance with its Constitution, has the duty to protect not only work and workers as such, but also human rights, as the Director-General of the ILO stated in the first part of his Report submitted at this Session under the heading *Human rights - A common responsibility*.

Here, I would like to express my thanks to the Director-General of the ILO for the efforts that he has made in preparing this Report and its Appendices, which describe the efforts, the activities and also the achievements of the Organisation and which, of course, deserve our closest consideration.

I would like to stress in particular certain aspects of the Report that "the whole range of ILO activities was in fact related to the promotion of human rights", since the realisation of such rights is an integral part of the efforts deployed to ensure the material well-being and spiritual development of man, and the protection of human rights is a continuous process which require constant renewal by the International Labour Organisation of its commitment to achieve a common standard for all peoples and all States as set out in the Universal Declaration of Human Rights.

I would also like to pay tribute to the Director-General's comments in the Report, particularly those relating to human rights and, in Appendix III, the situation of Arab workers in Palestine and other occupied Arab territories. He affirms that the expression of human rights forms the basis of all the activities of the International Labour Organisation, which was the first organisation to proclaim the indivisible nature of all civil, political, economic, social and cultural rights, without any distinction. The Director-General also stressed that fundamental human rights, freedom and dignity are sometimes derided rather than respected and recognised and that there exists a wide gulf between ideals and realisation. Despite the many standards established by the United Nations to strengthen human rights, beginning with the Universal Declaration of Human Rights, and despite the many countries which respect them, there nevertheless exist innumerable situations in which these rights are completely denied. Many people, including the most vulnerable, are subject to

violation of these rights. Many people are disgracefully exploited.

This situation, as reported by the Director-General, compels us to take note of such violations of human rights, particularly the suffering of the Arabs in Palestine and other occupied Arab territories, which are due to Zionism. These violations are universally known. Murders and persecution take place with no regard for the principles and feelings of peace-loving peoples.

In his 11th report on the Arab workers in Palestine and the occupied Arab territories, the Director-General notes that their situation is well known to the Conference. However, their situation has been aggravated by the uprising, the clashes and the consequent repression. The Commission of Inquiry which visited the occupied territories was able to observe this directly. Its report mentioned that the situation of the Arab workers, which is already affected by the occupation, could deteriorate considerably in the near future if the present situation continues. All this might well have very serious consequences for employment, and for conditions of life and work.

I am sorry that because of lack of time I am not able to describe in detail the various inhuman practices to which the Arab workers of Palestine and the occupied Arab territories are subjected. But I would like to confirm statements in the report to the effect that Israel has installed a military regime in the occupied Arab territories with all the consequences as regards civil freedoms and the exercise of trade union rights, and that it applies a policy of discrimination and unequal treatment against Arab workers, enterprises and employers, and confiscates agricultural lands, water resources, and threatens privately owned farms.

Despite all the appeals made by the international community to the Israeli authorities to reconsider their position, the Zionist leaders' persistent refusal reflects Israel's crisis and blindness to reality. Israel continues to close its eyes to the realities of history.

The Arab workers, and the youth in particular, see history more clearly; stone by stone, they are undoing the fragile structure that Israel has built in the last twenty years: the youth of the occupied Arab territories have a rendezvous with history. But still, the Israeli leaders, full of arrogance, have remained deaf to the call of reason, prisoners of their pride, and unwilling to see the truth, even at the cost of their existence. Instead, the Israeli leaders redouble their acts of racism, persecution and oppression.

That is the situation of the Arab workers and citizens living under the Israeli occupation of Palestine and other Arab territories. What, then, should be the task of the ILO, as a specialised agency within the United Nations system, established to preserve the rights and freedoms of workers and employers, and to protect their interests in the face of racism, oppression and terrorism which threaten their employment, their conditions of life and work and their livelihood?

Our Conference must condemn the Israeli oppression and terrorism, and condemn also the efforts of Israeli authorities to prevent thousands of young Arabs from working in Palestine and the occupied Arab territories by stoning them and mutilating them for life.

Notwithstanding the ILO's resolutions of 1974 concerning the policy of discrimination, racism and

the violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories, and the resolution of 1980 concerning the implications of Israeli settlements in Palestine and other occupied Arab territories in connection with the situation of Arab workers, Israel continues to pursue its policy of expansion and its violation of the fundamental rights and freedoms of Arab workers and employers in Palestine and the occupied Arab territories. Israel refuses to implement the Fourth Geneva Convention of 1949, continues unabated in its racist and arbitrary policies against the workers and population of Palestine and the occupied Arab territories, particularly in violation of article 147 of the Fourth Geneva Convention; these grave actions constitute serious violations which are considered as war crimes, as confirmed in article 85 of the Protocol to the Geneva Convention. Israel has refused to apply Security Council resolutions 605 of 1987 and 607 and 608 of 1988, which affirm the applicability of the Fourth Geneva Convention to all the Arab territories. There is nothing surprising in this because the Zionist regime has always ignored the United Nations and ILO resolutions for the very simple reason that these resolutions are in contradiction with the objectives of international Zionism and American imperialism which installed Israel at the very heart of the Arab homeland as a military bastion of aggression to be used by imperialism for its own plans. Israel is the instrument of this policy, which is directed against the liberty of the Arab people, the security of its territories and of its children.

For all these reasons we have come to this Conference to ask it to shoulder its responsibilities in dealing with the acts perpetrated by the Israeli authorities, which continue their occupation by expanding to the detriment of neighbouring lands, and continue to violate the freedoms, destroy the productive enterprises and jeopardise the interests of the Arab labour force and the Arab workers and to deprive them of their fundamental rights, including social security. They also discriminate against these workers and exploit them systematically. These acts are contrary to the spirit and the letter of the Constitution of the International Labour Organisation, the Philadelphia Declaration, and international conventions and recommendations. This Conference must therefore reconsider the participation of the Zionist entity as a Member of this Organisation.

We call upon this Conference to intercede rapidly with the Israeli authorities to put an end to the arbitrary and barbarous acts against our children and our brothers in Palestine and the other Arab occupied territories, to free the trade union workers who have been detained, and to cease their terrorist practices and their policies of deportation and expulsion which are contrary to the most basic fundamental rights and freedoms laid down in the Constitution of the ILO, the Declaration of Philadelphia and the international labour Conventions and Recommendations.

The Syrian Arab Republic, with full faith in the principles of freedom and peace, reaffirms the need to pursue the efforts to convene an international conference with the participation of all the parties involved in this struggle, including the Palestine Liberation Organisation and the permanent members of the Security Council. This Conference must be effective.

It must have full powers to bring about a just and comprehensive peace on the basis of the principles of the United Nations Charter and the resolutions of the United Nations concerning the Israeli-Arab conflict, and on the basis of Israel's withdrawal from all the Arab occupied territories including Jerusalem, and the recognition of the inalienable rights of the Arab people of Palestine, in accordance with the resolutions of the United Nations.

We in Syria are fighting for peace, freedom, the advancement of the people, and the protection of basic human rights, and we strongly support the struggle against racial discrimination in all its forms, as the principles of freedom, dignity, equality and fraternity have been rooted in our Arab nation since time immemorial.

For 25 years the International Labour Organisation has concerned itself with the question of Apartheid in South Africa and Namibia – on which the Director-General is presenting a report to this Conference – but to no purpose, as the Government of South Africa continues to practise racial discrimination in all its forms and to deprive the Black peoples of their legitimate rights despite all the resolutions and appeals of the international organisations and regardless of the international community. This is why we affirm that the delegation of the Syrian Arab Republic upholds and endorses all resolutions directed towards contributing to put an end to racial discrimination in South Africa, in Namibia, and elsewhere in the world.

The Syrian Arab Republic has given priority attention to development problems, and believes that work and workers are a basic prerequisite for the achievement of the objectives of development plans. This was borne out by our President and guide, Mr. Hafez El-Assad, when he said: "We consider that man is the cornerstone of the development edifice just as we consider that the labour force is one of the main pillars of development plans. Our development strategy is aimed at mobilising all the national resources and energies so as to put them to the best possible use in the promotion of employment and social security."

Lastly, I wish our Conference every success and hope that its work and resolutions will realise the objectives for which we have come together here.

I would like to congratulate all those who have taken part in the preparations for this Conference under the leadership of the Director-General.

Interpretation from French: Mr. CARRENARD (Minister of Labour, Social Affairs, Social Security, Women's Affairs, Youth and Housing, Haiti) – I feel privileged, in my capacity as Minister of Labour, Social Affairs, Social Security, Women's Affairs, Youth and Housing, to extend on behalf of my Government, under President Leslie F. Manigat, and on behalf of the Haitian delegation to the 75th Session of the International Labour Conference, the fraternal greetings of the Haitian people to the distinguished members of the delegations meeting here in this august assembly.

I would like to take this opportunity, Mr. President, to extend to you the sincere and warm congratulations of my Government and my own on your election, and wish you the greatest success in conducting the deliberations of this important meeting.

Our congratulations, of course, are also directed to the Vice-Presidents and other distinguished officers.

We have read the eloquent report of the Director-General entitled *Human rights – A common responsibility* with great interest, and find it praiseworthy.

First of all, we are struck by the forcefulness, clarity, nobility and humanism evident in this document to which we fully subscribe. We would like to recall the universal legal instruments from which this report draws its inspiration: the Universal Declaration of Human Rights, proclaimed 40 years ago by the United Nations; the adoption by our Conference of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the adoption in 1958 by the International Labour Conference of an equally important instrument – the Discrimination (Employment and Occupation) Convention (No 111); and lastly, the designation of 1968 as the International Year for Human Rights.

This report, which is of the greatest interest, clearly sums up the results of the ILO's broad efforts in various fields which aim at guaranteeing full enjoyment of fundamental human rights, be it from the point of view of standards which have had an irreversible influence on the updating of a number of national legislations as regards labour and social security, or from the practical point of view of technical co-operation in the field aimed at solving certain technical or other problems which impede the full enjoyment of human rights. The document goes beyond pure human rights, as it extends to social, economic and cultural rights and, quite rightly, establishes a common responsibility for the implementation of policies to guarantee the triumph of these rights.

In this respect, co-operation and solidarity – as the Director-General has emphasised – are undeniably vital elements for access to the enjoyment of human rights in the broadest sense of the term.

At this dramatic turning-point in the life of peoples, when unemployment, underemployment and poverty are the world's scourges, we feel that it is appropriate to put an end to these violations of fundamental human rights. In order to achieve a natural balance of the world's peoples, we urgently need a global strategy for employment, especially productive employment.

This not only implies national political responsibility, but also requires urgent measures of solidarity by the industrialised countries, given the negative effects on human rights in developing countries of external debt, world prices of raw materials and structural adjustment policies which are often imposed; these conditions have disrupted or stopped economic growth, worsened unemployment and lowered the standard of living of many unprotected populations abandoned to their dismal fate.

These are the realities we in Haiti face, following the recent elections. The Government is completely and transparently committed to a process of democratic transformation, and seeks to modernise outdated structures which are based on a system of inequality and age-old social injustice.

For the Government which it is my honour to represent, the moment of truth has come: it is now the time to turn to concertation and dialogue to establish a state of law, for without it, democracy cannot flourish.

We are determined to succeed. Appropriate measures and policies are being updated within the context of a healthy management of the country in all fields.

For instance, strategic priority is to be given to agriculture, while we intend to recognise agro-industry as the engine of planned development: the possibility for young people and women especially the long-term unemployed, to acquire new skills; the creation of new institutions, such as the Ministries of Culture and Co-operatives, and the Secretariat for Women's Affairs and Youth; the development of the informal sector, because it can help to generate durable employment; updating labour-intensive community projects; reorganising the machinery of administration according to the specific criteria of competence, efficiency and honesty.

At the same time, the fundamental objective of the Haitian Government is growth with fairness.

In the light of this political philosophy how can we not jealously guard respect for the rights of the individual?

The Government's quiet struggle against unemployment and poverty, the Government's daily fight for the dignity of the Haitian born at home and abroad, and the Government's organised battle for the necessary social redress, form the backdrop of our everyday work. In this respect, we should like to mention the authorities' sincere appeal to the nation for a collective debate on a clearly thought out and viable agrarian reform to set up, on the basis of the distribution of state-owned land, a co-operative, inalienable and indivisible rural heritage.

As regards my particular field, I should like to mention the strengthening of the administrative and technical machinery of my Ministry, which has now in fact become the Ministry of Labour, Social Affairs, Social Security, Women's Affairs, Youth and Housing. Before, it was only the Ministry of Labour and Social Affairs.

On the basis of this approach, we are now implementing the necessary processes, namely: the revision of the Labour Code which will give the country a balanced, fairer, more human and realistic labour legislation taking account of the specific features of Haitian society; the reorganisation of the management of social security institutions, by setting up a tripartite administrative council and reforming the system to make national coverage gradually available to workers and provide automatic protection for those who have been forgotten by society; promotion of tripartism through dialogue and consultation between the main social partners: the public authorities, the workers and the employers; support for the rural and urban informal sectors, to create new jobs and improve incomes.

I should not wish to conclude without formally reiterating, on behalf of my Government, Haiti's full and complete dedication to the equitable concept of tripartism which, as we see it, is the basic element of the ILO's foundation.

We solemnly subscribe to the principle of human rights, the implementation and viability of which can only be expressed through a vast and noble movement of fraternity and solidarity between the peoples of the earth, without exception.

Mr. HASAN (*Employers' delegate, Bangladesh*) – I am very pleased to have this opportunity of ad-

addressing the 75th Session of the International Labour Conference.

Let me begin by congratulating you, Mr. President, on your election to the esteemed office of President of the 75th Session of the International Labour Conference. I have also much pleasure in offering congratulations to the Vice-Presidents.

The Director-General deserves appreciation for presenting once again an erudite report to the Conference. His Report has outlined the importance of universal human rights in the realisation of the ILO's objectives. He has also enumerated the forms of ILO action to promote and safeguard human rights. I hope that the discussion of the Report will lead to a common endeavour to improve human rights in member countries.

We fully agree that human rights issues ought to be debated in the context of the harsh reality of daily life in low-income countries, a reality of widespread underdevelopment and undernourishment. In many parts of the low-income countries the employment and poverty situation has worsened in the 1980s. As pointed out in the Director-General's Report, in the Third World countries there are over 70 million unemployed, 500 million underemployed and 900 million are living in extreme poverty. In such a situation, how can one ensure universal enjoyment of human rights?

The Director-General has correctly highlighted the fact that efforts to secure the enjoyment of human rights involve the entire international community. Indeed, the international politico-economic environment is a major factor in economic growth, which must be improved to ensure progress in the promotion of universal human rights. The unfavourable world economic climate, rising protectionism and adverse terms of trade have been the principal cause of the widespread threat to the efforts of developing countries to improve the lot of the teeming millions referred to in the Director-General's Report. The achievements of some of these countries have been remarkable, but the low-income developing countries still have a very small share in world manufacturing output. Many such countries have diversified from traditional labour-intensive products to higher-value-added engineering and electronic products. There are now fears that micro-electronics and robotics will reduce the labour advantage which many low-income countries have exploited to expand their role in world manufacturing.

The ILO has adopted various human rights Conventions covering freedom of association, freedom of labour, promotion of equal opportunity, the right to work, the right to a minimum income, the right to social security, etc. Nearly all low-income countries tend to see most of the ILO standards in the above areas not as positive factors of development but as affecting their industrial viability vis-à-vis the developed countries. Moreover, the ILO's human rights standards mainly protect the interests of those who are privileged with employment. As such, the standards have very little relevance to the plans and programmes of low-income countries where workers constitute an insignificant portion of the total population and employable labour force. In the developed countries, where the workers constitute an overwhelming majority of society, the ILO's standards in the fields of human rights have prima facie relevance to the plans and programmes of development in

socio-economic fields. The problems, priorities and nature of the economies of developed countries are therefore different from those of developing countries, particularly the low-income countries.

In the developed countries where workers are more or less fully employed in the organised sector, the main problem is to maintain a marginal increase in the level of employment through demand management. In these countries increases in productivity are assured through continuous investment in research and development; social and political stability is hardly threatened. The adoption and implementation of international labour standards for the protection of workers and the improvement of their conditions pose no major problems in these countries, because the necessary resources are generated by the workers in their respective places of employment. The main problem in such a situation is the distribution of the GDP among the population, which is marked either by no growth or by very marginal growth. Standards formulated on the basis of objective conditions in developed countries often become the target set by labour and political agitators.

We do not agree that the protection provided to the working class through various ILO standards can be depended upon to be conducive to social development and in turn provide an impetus for higher productivity. Improved benefits and welfare facilities do not automatically increase productivity. What is required is the reconciliation of sectoral interests with national development requirements. There is a need at least for the low-income countries to make a bold departure from the academic approach to issues such as the creation of a congenial atmosphere through better facilities, job protection, etc., that has been pursued in the past. It is essential to recognise that better facilities and job protection will continue to have only a marginal impact on industrial harmony and productivity so long as the labour movement suffers from structural and functional weaknesses such as a low rate of literacy of workers, the multiplicity of unions and the politicisation of trade unions. The long-term welfare of the workers will greatly depend on how the trade unions and their leaders change their attitudes towards the national interest as against sectoral interests.

The ILO's efforts to secure respect for human rights should be so designed as to ensure that countries at different stages of development are not handicapped in extensively using their abundant supply of workers. The best security can be provided to the workers only when a country is economically developed and reaches a stage where it can offer employment opportunities to all who want to work. At a time when the ILO is engaged in a review of the operation of its standards, the long-term interest of low-income countries must be kept firmly in view. It should be borne in mind not only when formulating and adopting international labour standards but also when supervising the application of ratified Conventions and when including the revision of old and adoption of new standards in the agenda of the Conference.

Despite serious resource constraints deriving mainly from the adverse international economic environment, our country, Bangladesh, has been sparing no efforts to provide the people with the fundamentals of human life – food, employment, shelter. During the past three years about 3 million new jobs

have been created, though there are still over 10 million waiting for employment opportunities. The workers as a community have also shared the success which has been achieved in improving the value-added in the industrial sector. The workers' wages now constitute 32 per cent of the value added generated in the manufacturing sector as compared to 26 per cent in the early 1970s. Real wages have also registered a significant improvement, rising by almost 20 per cent in the manufacturing sector during the past three years. Workers also been given a statutory right to organise themselves, join trade unions of their choice, elect their own leaders for trade union activities, bargain freely and exercise the right to strike. As correctly stated by the United Nations Secretary-General, "human rights violations do not occur in a vacuum". The rights and privileges presently enjoyed by those who are fortunate enough to be employed can continue and improve if injustices and inequalities can be eradicated from socioeconomic fields through the creation of new opportunities of employment and livelihood for the teeming millions who are still waiting for jobs. Any impatience or excesses by those who are fortunate enough to have employment can be a major setback for the promotion and safeguard of human rights.

Finally, the deterioration in the world politico-economic environment confirms that the nations of the world have nearly reached the limits of international co-operation. But the world community cannot remain oblivious to the consequences of those limits. We must find a common path of action for the prosperity of all nations. This will be the best guarantor of universal human rights.

Interpretation from German: Mr. THIEL (*Representative of the International Social Security Association*) – It is a great honour and pleasure for me to speak on the Report of the Director-General of the ILO as representative of ISSA, the International Social Security Association.

Seventeen years ago I took part in the preparation of the Benzene Convention, 1971 (No. 136), at the International Labour Conference as a Worker representative and member of a chemical workers' union.

Since then I have devoted my undivided attention to the question of health and safety at work and during leisure time.

In my institution in Austria, the Austrian Accidents Insurance Institution, we lay great stress on prevention. In the ISSA International Section for the Prevention of Occupational Risks in the Metal Industry top priority is given to safety in the metal industry and to the health of metalworkers.

In the ISSA Permanent Committee of Experts on Prevention of Occupational Risks which I have the honour of chairing, all activities are devoted to this worthy goal of health and safety. I am therefore very grateful to be able to pursue these personal aims of improving the safety and health of workers in a world-wide organisation, the ISSA, and to do this in close co-operation with the ILO.

Humane, safe jobs, secure lives, good health, work for all and guaranteed retirement are our goals. It is the objective of ISSA to attain these goals. ISSA makes a world-wide contribution to social security with a small secretariat and a minimum of expenditure. We do this in a spirit of universality, equality and solidarity as mentioned in the Report of the

Director-General. We constantly discuss these questions in symposia, in conferences and in round-table talks. This requires money. ISSA is financed through contributions from its members and the ILO also makes a major contribution by providing means and making resources available to us directly. For the staging of conferences and publishing of documentation, a number of ISSA Members make voluntary contributions over and above their membership contributions.

ISSA was founded just over 60 years ago in 1927. Its tasks were defined in conjunction with the ILO and aimed at supplementing the latter. Looking back over this period of 60 years we can say that the basic principles are still relevant and a great deal has been done and much has been achieved. However, there have also been a number of changes. ISSA has grown; it now includes 300 members from 125 countries. Workers' problems and the problems of the working environment are dealt with in ten technical committees. Within the framework of the Permanent Committee of Experts on the Prevention of Occupational Risks we have nine international sections working on the improvement of occupational safety in specialised areas. They are working on improving information and provide information on the research done on occupational safety and health.

ISSA also holds meetings and discussions and does research work. These findings are made available to all interested parties, throughout the world, through the media, through publications and through conferences. I would like to thank the Director-General of the ILO for having given a full account of ISSA's activities and paid tribute to them, in his Report to the International Labour Conference.

In his Report, the Director-General also refers to our joint activities. In the framework of permanent co-operation on the questions of training and information, we should mention our joint meeting on occupational safety. An international congress on occupational safety is held every three years. The last World Congress on the Prevention of Occupational Accidents and Diseases, organised jointly by the ILO and ISSA, was held in Stockholm in 1987 and enabled 2,000 participants from more than 70 industrialised and agrarian countries to hold a useful exchange of views for the improvement of health and safety for all human beings.

The special interest of the ILO in this subject, which is so important for social security throughout the world, can be seen from the large number of conventions on safety as well as from the present agenda of the International Labour Conference.

As we know, on account of constantly changing working conditions, construction work remains one of the most dangerous branches of industry, despite the fact that occupational safety has improved considerably as a result of the efforts of the ILO and ISSA and that the number of accidents has been reduced considerably.

These achievements have been possible because experts in the field of health and safety in the ILO and ISSA have striven jointly to make the world a healthier, safer place.

Recent industrial disasters have shown that danger knows no borders; therefore there should be no ideological or geographical borders in our struggle to overcome these dangers. We should not be restricted in any way in our attempts.

Some 17 years ago in Geneva we spent a whole month discussing the dangers of benzene. Today, every day, I repeat every day, two new potentially dangerous substances are introduced into the working world or put into the market and there is no single laboratory in the world which could carry out the necessary tests alone and produce them in time. These changes are not only seen in the increase in potential dangers but also in the development of comprehensive safety programmes.

At the last meeting of the Permanent Committee of Experts on the Prevention of Occupations Risks in Helsinki, we discussed the development of safety policies. An ISSA study involving 53 countries showed that out of 100 fatal accidents, seven occur at work, 37 are traffic accidents and 56 occur in private life – during sporting activities or at home. This was different in the past, when most accidents occurred at the workplace. We have successfully reduced the dangers on the job; however, accidents are expensive no matter where they occur. A further study has shown that several per cent of GNP are devoted to accidents. It is usually young people in the prime of life who are struck down by accidents. Sound occupational safety and health policies are not only humane, they also contribute considerably towards financing social security.

In Helsinki the role of management and supervisors was stressed in connection with healthy, safe jobs. Most industrial accidents can be attributed to bad management. This applies to all spheres of life. Everyone, regardless of where he works, should serve as an example when it comes to health and safety and when it comes to adopting a humane attitude towards legislation, economic and environmental questions. Only then will we be able to convince others and put our world into practice.

All of us who have the honour of expressing our thoughts in this international body hold the great responsibility not only of promoting dignified living conditions accompanied by social security and freedom and of establishing a framework for these standards and laws, but we must also adhere to this attitude at all times, and this task is so difficult that it can only be achieved jointly, inspired by the example of others and strengthened by your co-operation.

Today there is no human being, no enterprise, no country and no international organisation that can solve our problems alone. Our planet has become very small. We recognise its limits, but we are also aware of our big family, our brothers and sisters, fellow sufferers, from whom we can learn much. In the same way that we learn from each how to live a healthy, safe life and how not to extend the limits of prosperity where they are no longer within the reach of all, or deplete the finite resources of the world in the permanent committees, sections and working groups of ISSA, this International Labour Conference, aware of its world-wide social responsibility, deals with questions such as tribal populations, the rural population, full employment and repressed persons; all these questions are vital in a world which goodwill and peace could make so wonderful if there were no fears, distrust, or refusal to consider others as brothers and sisters.

It gives me great pleasure to take this opportunity as a member of ISSA, to assure you that our members have identified with and will continue to identify with the concerns of the ILO and that we support

them wholeheartedly. If we unite our forces we should succeed in creating a world in which all human beings who wish to work can work; a world characterised by social responsibility towards all human beings.

This principle has been emphasised by the Director-General in his Report, *Human rights – A common responsibility*, and I would like to thank him personally for that. We all want a world in which we harm neither those who produce or those who consume; a world which leaves the water, air and soil intact as they are the very source of life and in which the sky is the limit for man's ideological concepts.

Let me come back to earth, to what is feasible and can be achieved. The vision of a perfect world on earth and beyond has motivated mankind for thousands of years. In the 60 years of ISSA's existence we have taken a number of steps together to move towards this lofty goal.

As I have already mentioned, every three years ISSA organises a joint meeting with the ILO and organises a world congress on occupational safety. The next World Congress on the Prevention of Occupational Accidents and Diseases will take place in Hamburg in 1990 and the next General Assembly of ISSA will take place in 1989 in Vienna in my home country. At all meetings we discuss questions of social security and occupational health. I only hope that many persons from throughout the world will participate at these meetings and I help us attain the goal of universal health and greater safety.

At this turning point in history we must look towards the unknown future and help shape it in a responsible manner and in compliance with human rights. Let us choose life instead of death; peace and freedom instead of danger, and provide an all-encompassing network of social security which we have the privilege of contributing towards in accordance with our capabilities.

Interpretation from German: The PRESIDENT – In accordance with the Standing Orders, I give the floor to Mr. Danieli, Government adviser, Israel, to exercise his right of reply.

Mr. DANIELI (*Government adviser, Israel*) – In reply to the statement delivered in the course of this morning's session by the Ambassador of Syria, my delegation first wishes to emphasise that the allegations, accusations and defamations introduced by the Syrian Ambassador in to his speech are baseless and totally rejected by us. I am sure that every one of you is aware of the real facts regarding the true situation of the Arab workers in the territories administered by Israel. Furthermore, my delegation expected that on such an occasion the Ambassador would refer at length to the situation of Palestinian workers and trade unionists, who have long been subject to harsh measures and persecutions in Syria. The degree of this harassment obliged even the recent meeting of the Arab Ministers of Labour held in Baghdad last March to issue an appeal to the Syrian Government to release imprisoned Palestinian trade unionists. Suffice it to say in this regard that Syria has not ratified the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), in fact prohibits any trade union activities.

This example marks only the visible tip of an iceberg of daily and constant violation and deprivation of the very few rights that the Syrian workers have been granted. The very fact that Syrian delegates preach labour standards in this forum makes a mockery of the very spirit of the ILO. Advocating draft resolutions of the kind that the Government of Syria is sponsoring jeopardises our good prospects of making some real progress in our deliberations in this Conference.

(The Conference adjourned at 1 p.m.)

Sixth sitting

Friday, 3 June 1988, 3 p.m.

Presidents: Mr. Beyreuther, Mr. Adiko

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (cont.)

Interpretation from German: The PRESIDENT – We shall now continue our discussion of the reports of the Governing Body and of the Director-General.

Interpretation from French: Mr. HABİYAKARE (Minister for the Civil Service and Vocational Training, Rwanda) – Allow me, Mr. President, to offer you my warmest congratulations on your election as President of this assembly and also to salute joyfully the holding of this remarkable 75th Session of the International Labour Conference, which gives representatives of States and peoples the world over the opportunity to hold discussions on a topic of such importance as human rights.

May I take this pleasant opportunity to express my gratitude to Mr. Francis Blanchard, the Director-General of the International Labour Office, and, through him, to the whole of our illustrious Organisation for the dynamic efforts which they have been tirelessly deploying in order to establish throughout the world the basic rights of the citizens of our planet.

The initiative taken by the Director-General to present for the Conference's observations and reflection such a thorough and moving Report on human rights, comes at an appropriate and crucial time in the history of humanity when the peoples of the world feel, although in different degrees, a real and immense need for it. We are living, in fact, in an unusual and controversial era when human conscience is constantly disturbed, even tormented, by the many conflicts of interest which govern relations among individuals, peoples and nations, when, in many places, the concept of basic human rights has been eroded to the point at which total confusion reigns and when uncontrollable social differences are undermining humanity's essential confidence in itself.

While universal solidarity conceived of and practised according to the precepts of the most elementary natural justice calls for the exercise and promotion of a spirit of tolerance and equity for the greater well-being of the human community, we note, here and there, the rule of dehumanised and anonymous justice, fragmented by the divergent interests of the great and powerful who are waging an unequal and all too often unjustified struggle against the small and weak.

While the fundamental mission of all men and women on our planet is to develop it and to make it bear fruit and, in order to do so, it is each person's

inalienable right to develop fully without any limit other than that inherent in the faculties of each individual and in the social order. Certain groups in the human community still cling to the old and degrading theories of predestination which claim that certain so-called elite classes possess discretionary powers over the rights of the people, reserving for themselves the right to grant or to refuse these. Armed with these theories and others of the same kind, they ruthlessly impose on peace-loving underprivileged and defenceless people political and social economic conflicts justified by ephemeral ideologies.

We are all aware of the fact that it is not the poor and the under-privileged who are responsible for social unrest, disputes and fratricidal wars which plunge the world into mourning each day. They are not the ones who reject and trample upon the right of equality, fraternity and solidarity among people, because all they ask of fortune is to be able to live their lives in an atmosphere of peace, serenity and harmony.

It is in this perspective of universal peace and harmony for all people, culminating in the restoration of the human rights of each citizen of each country, that we should thoroughly and objectively consider the Report of the Director-General so that, after conscientious reflection, we can arrive at firm and feasible resolutions. In the absence of this perspective, negotiations, alliances and other treaties of friendship, non-aggression and mutual assistance among peoples and nations will be devoid of all meaning.

Any step of this kind should have as its aim the liberation of man whoever he is and wherever he may be. The benefits and enjoyment of human rights should no longer be monopolised by anyone and the obligation to fight for the protection of such rights should be incumbent upon each member of the human community.

This is why Rwanda is profoundly indignant at the attitude of certain backward regimes such as that of apartheid in South Africa which we condemn unreservedly for its disregard of the human rights of Blacks which it wants to maintain in slavery.

Since its creation, the ILO has been the champion of human rights and has never ceased to promote solidarity and unity in the diversity of member States. One of its principal merits is that, despite everything, it has remained faithful to its ideal of justice and equity, so much so that it has been prepared to reform its most fundamental structures in order to comply with the legitimate expectations and rights of its member States. Rwanda has deeply appreciated this long-awaited reform and has not hesi-

tated to ratify the Instrument for the Amendment of the Constitution of the Organisation, 1986, thus becoming, since November 1987, one of the first member States to have positively honoured its commitments.

My delegation would like to express its surprise and concern at the indifference and reluctance of those member States which refrain from ratifying that instrument of amendment, thus risking its becoming purely and simply inoperative, and consequently nullifying the good wishes expressed through the majority vote of the assembly at the 75th Session of the Conference. We would like to think that these hesitant or completely negative attitudes do not reflect an unadmitted position in some cases when the question of their contribution to the defence of human rights is at issue. We therefore appeal to all those States so that, over and above their individualistic preoccupations, and for the sake of international solidarity, to which more than lip service should be paid, they should specifically manifest their attachment to the innovative ideals of our Organisation by promptly ratifying this instrument.

Our country, Rwanda, is a young and independent State and has not yet acquired enough years of experience to be in a position to lecture to any other States on human rights as they are envisaged in modern democracies. Nevertheless, for us, the people of Rwanda, one thing is certain: Rwanda can only be developed by the sum of the efforts, of all its sons and daughters. We cannot afford the luxury of dispersing our energies in the pursuit of adventurous or illusory objectives. The modest nature of our means forbids us to do this, and our socio-cultural identity does not permit it.

We are convinced that misery, poverty and want are one of the greatest challenges facing fundamental human rights and freedoms, and that, wherever there is fear, resignation and silence, justice and law no longer have a place.

It is with this in mind that the Government and people of Rwanda under the auspices of His Excellency Juvenal Habyarimana, President of the Republic and Founder President of MRND, have undertaken a far-reaching reform of the mentality of society in Rwanda by mobilising all the living forces of the nation with a view to greater and more satisfactory production, this through the strictest and well-founded observance of the basic principles of human rights and the rights of every citizen living under the rule of law in a State such as the present-day Rwanda.

Concerning the situation of human rights in Rwanda, we can rejoice at the remarkable progress that has been made in that respect in our country which, after all, is not sheltered from the adverse and limiting events of our times, and, more particularly, repercussions of the world economic crisis, from which we have not been spared.

In its constant effort to develop, Rwanda is moving ahead and has recorded a succession of important achievements. The struggle continues to gain new victories, and the people of Rwanda, convinced of the justice and validity of its fight for progress and for the enjoyment of civil and political rights as well as economic and social rights, are currently conducting a campaign for the association and integration of all the children in our country in the common effort for self-development.

Like all peoples enamoured of peace, justice and liberty, the people of Rwanda will no longer traffick with its dignity. The strict and judicious observance of universal principles of fundamental human rights are for us a prerequisite for survival and one of the best possible investments for the well-being of present and future generations.

We believe that in the sound application of the precepts of international solidarity, our partners, regardless of their trends and ideologies, should always take account of realities and national possibilities such as ours.

It is through respect for the right to differ, mutual understanding and tolerance that peoples and nations will make it possible for the cause of peace and human rights to triumph on earth, by and through universal solidarity.

Interpretation from German: Mr. DALLINGER (Federal Minister for Labour and Social Affairs, Austria) – Allow me first of all to congratulate you on your brilliant election to the presidency of this session of the International Labour Conference. Your election is an expression of the co-operation of all groups within the International Labour Organisation and a sign of the recognition which this Organisation and its principles, particularly the tripartite principle, enjoys throughout the world. Indeed, you spoke only recently along these same lines in a highly acclaimed interview.

The International Labour Organisation was the first international organisation to focus international efforts on the protection of individual human beings, their rights and their dignity. Since then, it has been making a decisive contribution to the protection of human rights and freedoms in the social and labour fields. It is continuing to do so with a new approach that brings nations closer together.

The Director-General of the International Labour Office was therefore quite right to choose "Human rights - A common responsibility" as the theme of his Report to the Conference this year. However, it is all the more painful to see that the actual situation in many parts of the world is in stark contrast to these ideas. It would seem as if the gap between this reality and international human rights standards cannot be reduced; on the contrary, it is becoming ever wider, and the fundamental basic rights of many human beings are being violated more than ever before.

In addition to this, technical development is not only opening up new opportunities but also new dangers and these both extend beyond the borders of States and the divides between the various political and social systems.

I believe that the implementation of human rights and attempts to bring them closer to changing economic, social and cultural realities can no longer be left solely to individual States. We must work together for these improvements; we must endeavour together to change unfavourable social or economic relationships in such a way that the people who live in those States can live in dignity and have a proper job in humane conditions.

The enormity of these tasks was made quite clear in the figures published recently by the International Labour Organisation: in the next four decades an average of 47 millions jobs must be created throughout the world if the millions of unemployed and underemployed are to find work and be able to live

in dignity. That means that if we are to achieve full employment by the year 2030, we need 2,000 million new jobs.

If we look at the current situation, this goal seems just as unachievable and utopic as other goals: a truly lasting and just peace for all people or the re-establishment of an ecological balance.

But we must be quite clear that the achievement of these utopias cannot be left to chance; they are decisive for the future of our planet and the people who live on our planet.

The social policy of the past few years has been shaped by the problem of unemployment and we can expect this problem to continue for many years.

This fact has obviously not yet been understood fully by the general public as indeed it should; and the fact that this has not led the industrialised countries to take political measures and strategies to try to give the fight against unemployment some chance of success seems to me to be an alarming sign that they are turning away from their humanitarian and political responsibilities. It is for this reason that we seem to be as far away as ever from a solution to the global employment crisis. National measures appear to be too weak to provide an effective solution to regional problems. We therefore need more international co-operation. This can also be seen in OECD statistics: the figure of 30 million unemployed people will increase; in the next year it is expected that there will be 32 million unemployed, of which 20 million alone will be in Europe.

Unemployment is increasing in Austria as well. The unemployment rate of 2.4 per cent in 1981 rose to 5.6 per cent last year. We do not expect to exceed the 6 per cent mark but unemployment will continue to grow.

Apart from the increase and the rate of increase in unemployment, the structure of unemployment itself is a good reason to reinforce labour policy measures in Austria. Young people, women, the disabled, foreign workers and people whose subjective qualifications do not meet current needs of the labour market are particularly hard hit.

A whole series of measures have been taken against this development in Austria: for instance, youth labour programmes have enabled us to cut unemployment amongst young people by about 2 per cent; the labour programme for women offers help to all women who want to return to the labour market after a long absence or who have had particular problems in the past; a new regulation on foreign workers has made it easier for people who have been living in Austria for a long time to enter the labour market, particularly the second generation; an energetic skills upgrading campaign has improved the individual chances of workers; special measures taken in the steel industry, ranging from early retirement to special qualifications programmes, have helped to curtail unemployment.

All these measures have not, however, put an end to unemployment in Austria; all the best training measures in the world cannot fill such a marked gap.

Last year, there were six applicants for every job. But our measures have contributed to keeping the level of unemployment as low as possible and to attenuate the impact of unemployment.

Today, we are faced with a new phenomenon; today's unemployment is quite different from unemployment before the Second World War. First, the

standard of living is much higher and social security is far more extensive. Second, today's unemployment is, to a certain extent, structural rather than cyclical.

This development is made more difficult not only because of the increased competition from threshold countries, but also about by advances in microelectronics in the industrialised countries.

The technological revolution of the present far exceeds, in terms of its scope and repercussions, any structural changes we have hitherto witnessed. In the past, the production sector absorbed all those who left agriculture. Up until the present day, there has been a massive shifting of workers from the production sector to the services sector; however we have yet to see a "fourth" sector which could absorb people who are entering unemployment.

Aside from this shifting trend, social policy must also take on the challenges arising from demographic developments.

Whatever measures are taken to alleviate pressures on the labour market – especially as regards young people – inevitably create problems with respect to old-age insurance.

According to current predictions from the Austrian Statistics Office, the number of people of working age will go down over the next three decades, whilst the number of people of pensionable age will increase considerably. The share of the population over 60 years of age will rise from 18 per cent at present to around 38 per cent in 30 years' time.

This trend gives us some idea of what demands are going to be made on the financing of the social security system in the future. We therefore need reforms but if they are going to be both effective and socially acceptable they must be implemented slowly but surely over a long period of time. These figures forced us to make measures towards reform in the past few years.

The Austrian system of social security is very closely related to the participation of the labour force. It could be said that effective full employment is the alpha and omega of an acceptable social system.

An employment policy, which clearly sets out to attain full employment once again is therefore of key concern to us.

This, however, does not exclude structural changes; neither does it require a naive fetishism of growth which sees a rapid quantitative growth as being the only solution to our labour market problems. The growth rates attained earlier in industrialised countries are probably – and have been for some time – a thing of the past; and we must ask ourselves whether – when we consider our limited resources and the state of our environment – whether we really want to reach them again.

Even if we rule out this way to full employment, we still have, alongside educational policies and job-creating measures, the option of a fairer distribution of the available volume of labour. This can, above all, be achieved by a reduction of working time.

I am quite aware of the fact that labour market policies and to cut working time often conflict with the desire of individual workers to raise their incomes. However, I believe that a reduction in weekly hours of work would be a gesture of solidarity on the part on those who still have a job towards those young people who do not have a job.

I feel that it is quite right and timely to discuss a possible Convention dealing with employment at this Conference. I welcome the discussion on a Convention on safety and health in construction. This sector is vital in the economies of all countries and safety measures must be taken on all sites. However, there can only be a reduction of accidents if all participants – employers, workers and the relevant authorities – fulfil their responsibilities as regards the implementation and control of protective measures.

This, however, does not help only individual workers but rather society as a whole. I therefore acknowledge and welcome all efforts which the International Labour Organisation undertakes to improve the working and living conditions of each and everyone. This theme is particularly relevant now that we are in a tense labour market situation; for an increased reserve of labour could lead to an elimination or a deterioration of social law and protective measures. Under greater pressure of competition, ever more workers are prepared to work for wages and under conditions which do not meet proper standards. We must decisively work against such dangers in our international co-operation.

In the same way, efforts to improve human rights in all parts of the world can only bear fruit if they are part of an international process.

The Report of the Director-General refers to the indivisible character of human rights which encompass, without distinction, civil and political rights and economic, social and cultural rights. However, this implies that the dignity of human beings cannot be guaranteed if the necessary economic, social and cultural conditions have not been met. Adverse social and economic relationships can never justify the rejection of individual basic freedoms and rights.

We must not forget that relations between these two groups of human rights are both complementary and strained; whilst civil and political rights guarantee freedom from the State, economic and social rights provide security for individuals in the event of danger and other contingencies through the State. The first category requires a withdrawal of the State, while the second category demands its intervention.

However, there is a correlation between a policy that respects the value and dignity of individuals and a policy that strives to maintain peace. If human rights are constantly flouted and ignored, there can be no real peace. The demand for international peace and the demand for the recognition of human rights are therefore complementary.

A basic principle for peace is the inner peace of each society, i.e. social peace. This not only involves the will of governments and political systems, but also a greater understanding on the part of people in all countries of human rights, thereby making them more tolerant. Only then can we achieve the goal in Article 1 of the Universal Declaration of Human Rights: "All people... should act towards one another in a spirit of brotherhood".

It is time now that the international society reinforces its efforts to reach this goal. Let us work together to achieve this great objective.

Interpretation for German: The PRESIDENT – May I take this opportunity to remind everyone that the speaking time is limited to 15 minutes.

Interpretation from Korean: Mr. CHOI (Government representative, Republic of Korea) – It is a great honour and pleasure for me to speak on behalf of the Government and people of Korea at the 75th Session of the International Labour Conference.

At the outset, I should like to extend my heartfelt congratulations to you, Mr. Beyreuther, on your unanimous election to the presidency of this session. I am confident that this Conference will be guided, under your distinguished leadership, to the most productive conclusion.

Examining the Report of the Director-General, I was impressed by the outstanding performance and progress achieved by the ILO during the past year. I should also like to pay special tribute to Mr. Francis Blanchard, Director-General of the ILO, and his staff for their tireless efforts in preparing for this session.

This year marks the 40th anniversary of the proclamation by the United Nations of the Universal Declaration of Human Rights as well as of the ILO's adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), which is one of the principal human rights conventions.

In this respect, I believe that the Director-General's Report on human rights is indeed timely and fitting, as this Conference touches upon these fundamental issues.

As the Republic of Korea has made sustained efforts in pursuit of economic and social development since the early 1960s, Korea today is recognised as one of the successful newly industrialised countries in the world. In the course of continued socio-economic development, the working conditions, income distribution and standard of living of workers in my country have steadily improved. Furthermore, the efforts to improve worker's welfare continues to be a major policy concern for Korea.

As you may recall, however, labour-related issues have become a central concern for Korea with the changes in the socio-political environment which were brought about in the course of more active liberalisation and relaxation measures taken since the democratisation initiatives of last year. Over 3,700 labour disputes occurred in 1987 – a record in our recent history. These developments could be regarded as an unavoidable transitional phase in my country's industrialisation process. Meanwhile, the event we experienced last year may reflect the fact that workers, employers and Government have not paid sufficient attention to the changing environment surrounding labour-management relations.

In an effort to use these experiences to develop more mature labour-management relations in Korea, labour laws – including the Trade Union Law and the Labour Dispute Adjustment Law – were amended to reflect the views and opinions of all concerned. Under the new legal safeguards, exercise of basic labour rights by Korean workers is now further ensured. As a matter of fact, trade union activities in Korea have been greatly strengthened recently, with more than 1,400 establishments being newly organised, a 34 per cent increase in a year. Their collective bargaining has also been more fully activated. Another significant point is that the Equal Employment Law was passed and became effective from this year so as better to protect female workers from discrimination.

On the basis of Korea's recent experience, I believe that in order to guarantee basic labour rights and promote industrial peace in developing countries not only should the labour laws be properly instituted but also the importance of labour issues should be fully recognised by society as a whole and continued efforts made to establish institutions and practices through which labour problems can be effectively resolved. Such practices and institutions cannot take root in a short period of time; however, by experimenting, a country can find the solutions best suited to its culture, social laws and traditions.

I strongly believe that the wisdom and experience of the ILO will be of great value in these efforts, and I am convinced that the ILO will continue to support and co-operate with developing countries in these matters.

In accordance with the spirit and guiding principle of the ILO, more than 80 ILO Conventions have been incorporated into Korean labour legislation. Specifically, the right of association and collective bargaining, mentioned in the Director-General's Report, have already been fully ensured.

As long as the vast majority of workers world-wide are deprived of opportunities for a decent life, their freedom, their dignity as human beings and stability in their daily lives cannot be guaranteed. In this respect, the activities of the ILO, including the role of standard-setting, supervision and consultation, should be further strengthened in order to guarantee basic labour rights and promote workers' welfare.

I should like to make a brief observation on the agenda of this session. Agenda items on employment promotion, social security, and safety and health in construction were discussed as central issues at the 73rd Session of the Conference by my predecessor on behalf of the delegation of the Republic of Korea.

Therefore, I should like to speak on the issue of rural employment promotion, which is one of the main subjects for general discussion at this session.

In the course of industrialisation, rural workers migrate towards urban areas to seek employment and better incomes. However, this phenomenon, which is generally observed in all developing countries, results in various socio-economic problems such as overpopulation in urban areas and the relative decline of rural areas.

A similar situation is observed in Korea. As the young labour force moved to urban areas during the industrialisation process, rural areas experienced a marked decline in the quality of the labour force, with a rising proportion of the elderly and females.

Faced with such problems, the Korean Government has been pursuing a vigorous rural industrialisation policy since the early 1980s. The Government has built small and medium-sized "rural industrial estates" and the infrastructural facilities required to provide inexpensive industrial sites. Also, in order to induce manufacturing industries to move to these estates, the Government has provided various incentives in terms of financial support, tax exemptions and technical and managerial assistance services.

In addition to the direct effect of increased rural household income through the creation of additional manufacturing jobs in rural areas, this policy will also encourage a variety of private-sector investments as the rural infrastructure improves. This will generate additional employment in tertiary sectors and also improve the provision of leisure and cultural facilities,

thereby controlling outmigration and eventually promoting more balanced regional development.

The Korean Government plans to develop more than 200 rural industrial estates in 152 cities and counties by 1991, the target year of the 6th Five-Year Economic and Social Development Plan period. It is expected that in line with this programme, around 3,000 factories will be in operation with over 410,000 jobs being created.

Furthermore, since the 1970s vocational training centres have been established in rural areas to make better use of the rural labour force. The programmes in these training centres are designed to promote rural employment by providing vocational training that caters to local manpower needs.

In most developing countries, rural households rely heavily on farming activities for their income, and other types of job opportunities are limited. Therefore, I am of the view that in pursuing projects related to promoting rural development, the ILO should place greater emphasis on the promotion of rural industrialisation and the transformation of the rural employment structure.

Today the world is faced with problem such as slow economic growth, unemployment and poverty, and to solve them more effectively co-operation between nations must be closer than ever. The Republic of Korea is committed to promoting international co-operation and to consolidating closer ties with ILO member-countries in order to help solve these problems. In this spirit, Korea is ready to co-operate with any country in the world, regardless of ideology and political system.

Also, the Republic of Korea wishes to play a more active part in all ILO activities as a responsible member of the international community and to share with all other developing countries the experience and know-how we have acquired in the course of our socio-economic development. In this respect, I hope that we shall be able to join the Organisation as a full member in the near future.

It should be noted that, in pursuance of the principle of universality, the desire of the Republic of Korea to be a full Member of the ILO has been widely recognised and has received favourable responses in such international forums as the Eleventh Conference of Asian and Pacific Labour Ministers.

Before closing, I should like to extend my sincere wishes that this Conference will be a valuable occasion to seek ways and means for the further improvement of the human rights of workers and for closer international co-operation on labour issues and, in the long run, will prove to be a step forward for the common prosperity of all mankind.

I look forward to welcoming many of you in September, on the occasion of the Seoul Olympics, and thank you very much for your kind attention.

Interpretation from Arabic: Mr. ARIQAT (Minister of Labour and Social Development, Jordan) – In the name of God, the Merciful and Compassionate! Mr. President, it is a pleasure for me, on behalf of the Hashemite Kingdom of Jordan and on my own behalf, to congratulate you on your election as President of this session of the International Labour Conference. This is proof of the confidence we have in you and your wide experience in the field of labour. I wish you every success in carrying out your task, of

conducting this Conference to a successful conclusion.

This session of the Conference is taking place at a time when we are celebrating the 40th anniversary of the Universal Declaration on Human Rights proclaimed in 1948. This is why the Director-General's Report, *Human rights – A common responsibility*, is of particular importance. It deals with human rights issues in all their various aspects in an objective manner which reflects full awareness of the importance of this issue and the adverse effects it can have on the security and welfare of man as well as on the economic, social and political stability of the people of the world, and on peace.

The Report of the Director-General is in full conformity with the principles in which Jordan believes. This is why Jordan has always sought and will continue to seek greater progress in the implementation of human rights and the principles of justice and equality at both national and international levels. It has constantly endeavoured to develop and update labour legislation to ensure welfare and social justice without discriminating between individuals or groups on the basis of race, language, creed, ideals or sex.

Jordan has always condemned and will continue in all its forms to condemn the policy of racial discrimination throughout the world. It supports the efforts of the international community to eradicate this policy for the benefit of peace and human welfare.

Jordan has also ratified the major ILO Conventions directly concerned with human rights because of its firm belief in the need to protect these rights in order to ensure the social and economic development of the human being.

We therefore support the Director-General's invitation to take stock of the general situation of human rights on the occasion of the 40th anniversary of the Universal Declaration. This is particularly important since the ILO's resolutions and labour standards have clearly emphasised its vital interest in the human rights issue, especially the rights of workers such as freedom of association, protection against forced labour, against discrimination in employment and occupation, the right to work, trade union rights, the right to organise, the right to collective bargaining and so on.

In this context, it would be appropriate to recall the following. First, in 1961, the International Labour Conference strongly condemned the policy of apartheid. In 1964, the Conference adopted the Declaration concerning the Policy of Apartheid in South Africa. This Declaration was renewed in 1981. It called upon member governments, workers' and employers' organisations to make more effective measures to combat the policy of apartheid in South Africa. Second, in 1974, the Conference, in one of its resolutions, condemned racial segregation and racism, the flouting of trade union rights and freedoms by Israel in Palestine and in the other occupied Arab territories. In 1980, the Conference adopted a resolution condemning the Israeli settlement policy applied in Palestine and the occupied Arab territories and the effect of that policy on the situation of Arab workers living under the occupation.

This session of the Conference coincides with the continued uprising and revolution of the Arab Palestinian people who have been living under the yoke of Israeli occupation in the occupied Arab territories for more than 20 years. They are having to cope with

the ugliest methods of repression, savagery and racism. This uprising of the Arab Palestinian people is a veritable revolution which is aimed at putting an end to the Israeli occupation, using the means available to recover their freedom and their legitimate rights.

It is important here to refer to certain passages of the Report of the Director-General's mission this year on the situation of Arab workers in Palestine and the Arab occupied territories. The Report contains detailed information and facts on the systematic policy of the Israeli occupying authorities and on their repressive and arbitrary practices against the workers, employers and institutions living under the yoke of the occupation. This well-calculated policy and the inhumane practices have resulted in a deterioration of the economic, social and labour conditions of workers and employers, and violations of trade union rights and freedoms are increasing.

We should like to mention the following facts which were contained in the Report.

First of all, the mission confirmed that the Arab workers working in the Israeli economy are still employed in low-paid jobs needing few qualifications in order to meet the specific needs of the Israeli economy. The mission acknowledged in its Report that this situation has affected the sectoral structure of the labour force in the Arab occupied territories; employment in agriculture has decreased, the industry and services sectors are totally stagnant.

Second, the mission pointed out that equality of opportunity and treatment between Israeli and Arab workers living in the Arab occupied territories is far from being achieved, especially in the fields of employment and vocational training, social security and job promotion. Furthermore, they are continually exposed to arbitrary firing.

Third, the mission confirmed the findings of the reports of previous missions, that the majority of Arab workers in the occupied territories and working in the Israeli economy are doing so on an irregular basis. This means that they are exploited, that their working conditions are unfair: working hours are long, wages are low and safety conditions are practically non-existent, which is contradictory to the human rights and international labour standards. Most of these workers are employed in seasonal work which gives them absolutely no opportunity of improving their qualifications, technical skills and income.

Fourth, the mission confirmed the continuous flouting of trade union rights and freedoms as well as human rights by the Israeli authorities. Trade union headquarters are practically all closed down and most trade union leaders have been expelled, arrested or placed under house arrest.

Fifth, with regard to the establishment of settlements and their effects on the situation and way of life of Arab workers under the occupation, the mission stressed that the aim of Israel is physical occupation, that is, confiscating Arab land in order to establish more and more settlements. The mission has confirmed that the continued confiscation of land and property in the Arab occupied territories has led to a radical change in the economic structure of these regions which has had effects on employment and development. Furthermore, the Israelis are appropriating water resources and continuing to harass the economic and productive institutions of the Arab Palestinian people. One important measure of ha-

rassment by the Israeli authorities is the appropriation of the Jerusalem Electricity Company. They have reduced the Company's concession and are undermining its work, with the aim of confiscating and liquidating it.

I should like to express the appreciation of the delegation of Jordan to the Director-General for continuing to monitor the situation of the Arab workers in Palestine and the other Arab occupied territories. We should like to reaffirm what we have already said – that the Report should contain a more thorough study and analysis of the bitter reality faced by the workers and employers living in the Arab occupied territories, should put forward the necessary recommendations to rectify this situation, in conformity with the resolution adopted by the International Labour Conference in 1980.

In view of the revolution of the Palestinian people subjected to occupation, the aggravation of the catastrophic situation in the occupied Arab territories, the real and serious dangers threatening the existence of the Arab Palestinian people in their land, in view of Israel's continued use of the practices we have mentioned, it was proper to submit to this session of the Conference a resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories.

On this basis, and from this rostrum, we should like to call upon all the members of this tripartite Conference: Governments, Employers and Workers, in the name of the principles of justice, human dignity and freedom to support this draft resolution which we have submitted.

The alleviation of the suffering and injustice faced by the Arab Palestinian people living under Israeli occupation can be achieved only by putting an end to this occupation and by the implementation by Israel of the resolutions of the United Nations, by recognising the legitimate rights of the Palestinian people and including their right to self-determination in a land of their own. On this basis, a comprehensive, just and lasting peace could come to the region.

We are extremely concerned at the unstable conditions prevailing in a great many areas in the world, which affect international peace and security. It is the duty of our Conference to adopt a clear stand on these situations in order to support the efforts of the international community to settle them. The Iran-Iraq war is one of the bloodiest and most dangerous wars today, not only because of its economic and social effects, the loss of human life and destruction that it involves, but also because it is a threat to regional and hence to international peace and security.

In conclusion, I should like to pay tribute to the positive relationship and excellent co-operation between Jordan and the International Labour Organisation. I should like to express my full appreciation to the Director-General and his staff, and to the Chairman and members of the Governing Body, for their continuous efforts in this field. I wish this Conference all the success possible in achieving positive results which will serve the interests of workers, governments and employers, improve industrial relations and ensure respect and protection for human rights and fundamental freedoms.

Interpretation from French: Mrs. SASSO-MAZZUFFERI (*Employers' delegate, Italy*) – Mr. President, you have already been congratulated on your election, but may I add to those congratulations which I heartily endorse my own personal expression of confidence that under your guidance our work will lead to positive and constructive results.

This year the Director-General's Report offers us a clear and accurate analysis of the impressive number of standards for the safeguarding of human rights, accompanied by the ILO's acknowledgement of its special and specific responsibility in this delicate field, and of the fact that much remains to be done, with courage and firmness.

Indeed, there are at least four ways in which the ILO can intervene: the adoption of standards, their ratification, their respect, ensured by all possible means of persuasion, and finally assistance to member countries for the effective implementation of these standards through the most modern and effective method, in other words, technical co-operation.

Technical co-operation deserves particular encouragement, and should give rise to increased synergy between the two priority areas of international action: on the one hand, standards, and on the other, pragmatic and cultural efforts which give a new impulse to technical co-operation.

I want to emphasise this cultural link which characterises these two aspects of ILO activity: it gives new life to the instruments of our Organisation, which for far too long have been viewed from a strictly legalistic perspective, and gives much greater dignity and loftier, more ambitious aims to pragmatic action in the field.

The Report of the Director-General devotes an entire chapter to minimum labour standards; this very complex subject has acquired greater importance. It should be discussed in the appropriate forums; but we must go beyond the results thus far obtained, and recognise that a link should exist between the introduction of products on the international market and the respect for the fundamental standards of the ILO in the areas of human rights, trade union rights, conditions of work, safety and health, within the tripartite framework proposed by the ILO since the beginning of this century. That is certainly a subject which merits closer attention.

Looking at the future needs of our societies, I think we must recognise that the instruments already adopted are sufficiently comprehensive, but that they need revising and updating, though I do not underestimate the need for adopting new standards as new areas of interest or concern are discovered.

In this spirit, we should also rethink the structure and the content of the industrial committees and the technical meetings to adapt them to the needs of our modern sectors. We should make more flexible and modernise this machinery in order to obtain from these meetings results more relevant to the rapid changes which are taking place not only in the industrial sectors but in other sectors of our evolving economies.

The employers' experience in their everyday activities difficulties which may be traced to rigid or static legislation and conventions, especially in areas which are by definition constantly evolving, such as the labour market and industrial relations.

While it is true that precarious and atypical forms of employment deserve greater attention, it is equal-

ly true that all means of making matters more flexible should be studied and put forward for consideration in order to improve the balance between the demand and supply of labour, to promote the creation of enterprises and jobs, particularly where unemployment is high and growing.

The Director-General's Report is realistic in wondering whether the right to work and full employment are dated concepts; it concludes that they are still valid objectives, though the means should be re-examined.

In Italy, for example, employers have experimented successfully with vocational training contracts. Around 400,000 persons were involved in this process in 1987 and most of these initial contracts were converted to contracts of employment without limit of time. It is a very solid and constructive response to unemployment, not only in terms of quantity, but especially in terms of quality.

Unemployment, however, remains a serious problem in our country, especially in certain areas where development is slow, and especially for young people and women. They are at a disadvantage owing to the rigid nature of our system.

The problem of employment calls for new forms of analysis and intervention to find viable and modern solutions.

Quantitative and qualitative differences in demand and supply of labour require that we go beyond the logic of any measures which would smack of assistance, and certainly that we avoid obsolete bureaucratic procedures, which are still all too prevalent.

The needs of enterprises, the attitudes of workers and what I would call the typology of new opportunities offered by the labour market call for a much more pragmatic approach which goes beyond sterile ideological confrontation.

The ILO is urging us to move in this direction in presenting the conclusions of the High-Level Meeting on Employment and Structural Adjustment, which advocate a global effort to facilitate structural adjustment and ensure a job-creating growth process. The crux of the matter is growth, growth as a direct means of creating good and lasting jobs, without subsidy or assistance. For this we will require a much greater mobilisation of resources and more effective use of the same.

Recently, the Italian employers clearly expressed their preference for this choice and pleaded for a greater efficiency of the "State's machinery" in all its most important functions, and for an infrastructure policy which would be able to revitalise the economy and society.

Above all, in many countries, what is needed is to prevent the preservation or creation of obstacles to the growth of small enterprises and ensure that the cost of financing, the availability of financial instruments and the condition of infrastructures and services do not impair the capacity of small enterprises to create viable jobs.

Inside and outside Europe, enterprises may thrive on institutional and administrative synergy and on a social context in which production imperatives are elements of growth. These conditions, which favours the growth of new opportunities of production and work, are important achievements of the most socially and industrially advanced societies and provide a model which should be followed much more widely throughout the world. But, of course, this implies the

need for a special effort on the part of workers and management. The social partners have shown on several occasions the courage and the determination to undertake even difficult and painful options. The results have often matched their highest hopes, as exemplified by the common struggle of many European countries to reduce the rate of inflation.

Obviously much remains to be done. Perhaps we should begin by searching for areas where joint action would lead to mutual benefit and be free of conflict.

From the point of view dialectical confrontations between the social partners have already begun; and they will certainly multiply to cover a wide range of problems where international, economic and social realities will stimulate us to measure up to the task. This situation, with a cultural dimension, is bound to affect industrial relations in all countries.

To engage in constructive and open confrontation in the search for new flexibility and opportunities for economic growth and social development is the challenge which awaits the social partners in every country. Indeed, workers and employers carrying out their institutional tasks effectively and in new ways, and respecting their corresponding roles, can offer an example and contribute ideas and proposals to the administrative and public system. They can demonstrate the effectiveness of dialogue and the will to co-operate in national development and modernisation.

Only joint efforts to achieve widely shared aims will be able to break the constraints of the past and develop modern tools for the job – whether they be legal, economic or social tools – and make the best use of available human resources which have not yet been harnessed to the full measure of their intrinsic value and potential ability.

(Mr. Adiko takes the Chair.)

Interpretation from Russian: Mr. YANAEV (*Workers' delegate, USSR*) – Allow me first of all to congratulate the President on his election to this lofty and responsible post and to wish him success in carrying out the task of guiding this Conference.

We, and indeed all who represent workers' interests within the International Labour Organisation, are happy with the Director-General's choice of the main topic for discussion at this general Conference.

The 40th anniversary of both the Universal Declaration of Human Rights and the Freedom of Association and Protection of the Right to Organise Convention (No. 87) provides the appropriate background for a general review of all the ILO's activities in the area of protection of workers' and trade unions' rights during that time and also future prospects for activity in this area.

We cannot but agree with the thesis of the Report that in many countries "fundamental human rights, like human freedom and dignity, far from being more widely respected, are being flouted often in dramatic circumstances". Such attempts to violate the basic rights of trade unions and workers are also committed in many States with bourgeois democratic systems, not to mention military dictatorships such as Chile. We therefore fully support the view expressed in the Report that "never before has there been such a need for international co-operation, in which everyone takes an active part" and of course it is precisely the ILO, with its standard-setting activity

As we speak out against this brutality, we call upon the international community to take action against South Africa under Chapter VII of the United Nations Charter before southern Africa is engulfed in flames which may threaten international peace and security. My Government has already made it clear that it stands ready to play its full part in the implementation of comprehensive sanctions against South Africa. Hence we do not subscribe to the view that sanctions would hurt more victims than villains.

The United Nations General Assembly has already drawn a link between apartheid and zionism. The persistence of these ideologies underscores the fact that in the world today there are two standards of human rights, those which are universally acknowledged and those which are born out of economic greed. Consequently, the immorality and the violence of denying the people of Namibia independence is routinely condoned by those who perceive strategic and economic gains in sustaining the regime in South Africa.

In that context, we also condemn Israeli atrocities against the Palestinian people. Our solemn responsibility, particularly for us in the Non-Aligned Movement is to galvanise the moral and political strength of all the nations of the world to challenge the Israeli occupation of Palestine. To that end, we reiterate our conviction that durable peace in the Middle East will be attained only through the convening of an international conference in which the PLO participates as a full and equal member.

As we look back at the impressive labour standards which have emerged from this Organisation we can state that the ILO has played its part in holding high the ideals of freedom and humanity which are embodied in the Universal Declaration of Human Rights. However, we concur with the Director-General's concern over the pace at which old Conventions are being updated, let alone the opening up of new frontiers for standard-setting. A standstill in ratifications and drafting of new Conventions may not be all that positive. Let us take heed of the advice of a German philosopher, who wrote that he who moves not forward goes backwards.

The technical co-operation activities of this Organisation have played a catalytic role in the realisation of the development objectives of the developing countries. Africa, in particular, is a continent which is engulfed in an intense economic crisis. The future for that continent lies in the development of its human resources. To that end, we wish to underscore the fact that in the light of the political and economic realities obtaining in that region, African projects in the 1988-89 biennial budget should be retained.

As a tribute to the realisation of human rights through a struggle against apartheid and catering to the needs of the 55 million disabled population of Africa, we call upon the ILO and other organisations to intensify their support for the African Regional Labour Administration Centre (ARLAC) and the African Rehabilitation Institute, both of which my country is privileged to host on its territory. Indeed, it was a happy moment for Africa and my country when the President of Zimbabwe formally inaugurated the ARI Complex on 11 May 1988. In view of the turmoil in southern Africa and of our conviction that Namibia and South Africa will be free, we further call upon the ILO to increase its sponsorship of

training programmes at ARLAC for southern Africa patriots who are battling against apartheid.

My delegation fully supports the principles behind the proposed instrument on Safety and Health in Construction. The construction industry is one of the sectors which has consistently recorded unacceptable levels of fatal accidents. Therefore we stand ready to make our contribution to the evolution of guide-lines on safety measures in the construction sector.

I note that the Conference will address for the second time the aspect of employment promotion and social security with the hope of coming up with an instrument on it. My Government is concerned at the fact that many workers retire at the end of their working lives with no income at all. Having taken cognisance of the plight of such workers, Zimbabwe was impelled to establish a social security scheme. We wish to place on record our appreciation of the assistance which the ILO gave us in that achievement.

With regard to the intractable crisis of unemployment, the Government is making every effort to mobilise the resources of the nation towards that challenge. With the assistance of the ILO, my Government is carrying out a comprehensive study on employment promotion.

In conclusion, allow me to state that if the 19880s have been called a decade of lost development, here in the ILO it is also a decade of lost human rights. What else can we say when 280,000 children die weekly from malnutrition and preventable diseases, yet a trillion dollars per year is spent on armaments? Where is the place of human rights in a world where a billion people are destitute and unemployed?

Interpretation from Arabic: Mr. AL-ALAFI (Minister of Social Affairs and Labour, Yemen) – In the Name of God, the Merciful, the Compassionate! I have pleasure, at the beginning of my statement, in offering my congratulations to the President of the Conference on the confidence he has received and on his election as President of this important session of the International Labour Conference. I wish him and the Vice-Presidents all success in their work of guiding the Conference and its deliberations.

Part I of the Director-General's Report deals with a very important question closely bound up with the dignity and very existence of humanity: *Human rights – A common responsibility*. This confirms the responsibility of this Organisation, which stems from its terms of reference and its tripartite structure.

The general concept of human rights represents the corner-stone of this Organisation, its subsidiary bodies and its many activities. Our Organisation was the first to proclaim the indivisible character of human rights which encompass, without distinction, civic, political, economic and social rights.

This is what the Report tries to show as regards the application of human rights within the framework of this Organisation. We are talking about trade union freedom, the elimination of forced labour, the struggle against all forms of discrimination, the equality of opportunity and treatment and other social rights. We affirm here that any effort exerted to ensure respect for these rights can only be effective if it is based on complete conviction and tireless efforts on the part of all countries without exception, whether rich or poor, and particularly if they are Members of this Organisation.

social life in many of the developing countries. This makes us wonder whether or not the sanctity of life is any part of the human rights which some States seek to champion by all means. Our view is that no means that negate human life can be consistent with the objective of championing human rights.

A much more dreadful development is that some of the powerful countries have given themselves the right to prescribe human rights to other nations. In that process of human rights, the right to development and to choose one's own form of government in particular have suffered.

We submit that human rights standards are a universally shared ideal whose enforcement or interpretation cannot be the responsibility of any self-appointed custodian of international human rights. Similarly, we cannot accept that labour standards can be set and enforced unilaterally by a single country outside the tripartite framework which the ILO affords the member States.

A world in which 70 million people are unemployed, half a billion are under-employed and close to a billion living in extreme poverty is one in which there is a massive violation of human rights. At the centre of this development is the reality that a consensus on full employment no longer exists either nationally or internationally.

Amidst such developments, the Director-General may legitimately ask whether employment and the right to work have become outdated concepts. Unfortunately, no easy answer can be given. On the occasion of this reflection we are challenged to bring back into the political agenda of nations issues associated with the indignity of unemployment, the plight of the homeless, the anguish of the sick, the misery of the poor, the plight of the aged and the deprivation of the young. In the aftermath of the Second World War the world forged a consensus on full employment. In our times we need a new consensus, a consensus on development, one which will restart the engine of multilateralism and mow away hunger, disease, illiteracy and unemployment the world over.

The present world economic crisis has not only resulted in an erosion in the quality of life but it has eroded the principles under which international trade takes place. Consequently, during the 1980s, the developing countries' trade suffered serious setbacks. The share of developing countries in world exports decreased from 29 per cent in 1980 to 20 per cent in 1986. Despite the fact that in today's world the economic destiny of nations is interlinked, domestic policies, particularly in the trade policy areas, have had an adverse impact on the weaker trading partners.

Furthermore, macro-economic imbalances among the major economies coupled with exchange rate instabilities have continued to cast a cloud of uncertainty over the growth prospects of the world economy. Without a resumption of growth, a massive transfer of real resources to the developing countries, the remainder of this century may not see any advancement in the realisation of human rights.

This state of depression in global economic activity mirrors a failure to pursue co-ordinated policies aimed at sustaining socio-economic life in which respect for human rights would reign supreme. As it is, developing countries are being forced to restructure or "export" themselves out of the present economic crisis – a crisis which is a result of the combined policies of the developed countries.

The irony of it all is that developing countries are being requested to bear a disproportionate burden of this economic malaise. Through rock-bottom commodity prices, the terms of trade of the developing countries have deteriorated to the extent that over the period 1981-86, they have, as a group, transferred over \$39 billion to the developed countries. Against that background, amidst so much fanfare, the IMF has established a new concessional lending facility to provide some \$8.4 billion to low-income countries in support of economic and structural programmes.

The debt crisis is one of those developments which over the past eight years has practically reversed the development process in most of the developing countries. The crisis itself mirrors a malaise whose depth and scope is much larger than appears from the financial markets. It is an indictment of the asymmetrical structures and policies which underpin contemporary international economic relations.

The scale of the economic human rights violations as a result of the crisis has already claimed more casualties than any recorded war. At a time when developing countries are in need of capital, they have between 1982 and 1987 exported to the developed countries \$145 billion in debt repayments. Instead of importing raw materials, building hospitals, buying medicines and importing machinery, their export earnings are earmarked for debt repayments.

What is at stake is not only the human rights of the present generation but also of future generations. The present economic crisis is inseparable from the environmental crisis. We owe a lot to the Brundtland Commission Report, entitled *Our common future*, which has reminded us that a world in which poverty and inequality are endemic will always be prone to ecological and other crises. Without an environment which can support future life, there is no future for human rights.

Geography has destined Zimbabwe and the southern African countries to be the neighbours of a country that had to be expelled from this Organisation because of its inhuman and unjust system of government, known as apartheid. Apartheid is not only an affront to humanity, it is also a crime against mankind. In addition to, being an international outcast that illegally occupies Namibia, the fascist regime in South Africa sponsors terrorism, international assassins and the political destabilisation of the front-line States. South African-trained murderers, rapists and looters roam the countryside of Mozambique creating havoc and severe dislocation.

In Mozambique as in Angola, parts of which are occupied by the regime, the targets of South Africa are schools, roads, hospitals and railway lines. South Africa's war, therefore, is a war against humanity, it is war against all the values which civilised society symbolises and above all it is a war against the Universal Declaration of Human Rights. South Africa and those who support it may wish to take pride in the fact that South African brutality by the end of this year will have produced a million refugees from among the citizens of Mozambique. Recently, a United States official consultant by the name of Ambassador Robert Gersony made a chilling report to the authorities on how South Africa's proxy army, the MNR, murders, rapes and maims men, women and children. Sometimes, the report notes, people are executed for exercising a right as elementary as the possession of a packet of salt.

The war in the Gulf area is also a source of concern for every country of the region and the world. While welcoming the constructive attitude of Iraq, which responds favourably to any peace initiative, we address ourselves both to Iran and Iraq with an appeal for peace, to put an end to this war so that they can devote their wealth to the peaceful development of the economy, to reconstruction and the strengthening of peace and security.

Mr. IANGALOI (*Minister for Labour and Employment, Papua New Guinea*) – It is a great pleasure for me, as leader of the Papua New Guinea delegation, to convey to the President on behalf of the Government and the people of Papua New Guinea our warmest congratulations on his election to chair this 75th Session of the International Labour Conference. I am quite confident that under his direction this Conference will achieve its aims and objectives.

I wish also to convey our sincere greetings to delegations from other countries who have, with us, come to discuss problems and issues many of which are common to us all in this international forum.

Furthermore, may I take this opportunity to express our gratitude to the International Labour Organisation for its generosity in continuing to provide financial and technical assistance to Papua New Guinea.

My country, as a developing nation, is not spared the troubles that beset the Third World nations, and we are doing whatever we can within the constraints of the scarce resources at our disposal to meet the social and economic needs of our people. Hence, any external assistance should only complement our national efforts. In this respect, we have high expectations that this Conference will not only set a high standard of discussion but will also enlighten us as to the methods we may adopt to find solutions to the issues and problems in our countries.

The problems of unemployment, underemployment and poverty span the globe but when the rich and the poor nations are compared, it is the poor nations that suffer the greatest. Furthermore, when the origins of these problems are traced, it will be found that a greater proportion of them are created for the developing nations by the developed countries through such measures as trade barriers, economic sanctions, the manufacture of synthetics to substitute for natural commodities, interest rates and price fluctuations, conditional financial and technical assistance and the like.

While developed economies can be blamed for the disparities faced by the developing countries, the governments of these nations, including mine, should not use that as an excuse to hide their weaknesses and failures. Rather we must try our best to do whatever we can within the constraints of the scarce resources at our disposal and any external assistance should only complement our national efforts.

My country has a population of 3.2 million people. It has been estimated that the population is increasing at a rate of 2.5 per cent each year. Hence the main concerns of my Government are how to create enough jobs to match the rapidly increasing labour force and also how to provide the essential services to improve the quality of life of the majority of our people in the rural areas.

Of our total labour force, only a very small percentage is engaged in the formal wage-earning sec-

tor, whilst the bulk of this force lives in rural areas and is engaged in subsistence and other informal activities. Despite the narrow formal sector, we have pressing problems: unemployment, industrial disputes, shortage of skilled manpower, just to mention a few. The present decade's recession has worsened the unemployment situation. However, the Government, rather than relying on the narrow formal sector to create employment opportunities or on the forces of supply and demand to achieve economic growth, is actively involved in the development of human and natural resources. This development is centred on vocational training, youth development schemes and rural improvement schemes.

The Government lays great importance on the policy of rural development; through the use of youth and church groups, rural co-operatives and other customary groups to build roads, schools, hospitals, etc., with the government backing of funds and building materials. However, it cannot continue with these programmes for long because of budget deficits. Its efforts therefore can be strengthened and accelerated only with the necessary external financial and technical assistance.

Having described in general the problems in my country and my Government's efforts to counter these problems, I should now like to move on to the topic of our discussion, the human rights issue.

Perhaps you will agree here that for any one country to be economically developed, it needs to have the one and only resource that is second to none. This resource is the human resource. In order for a country to progress economically, it must develop its manpower resources. However, the needs of its manpower must be met, thus ensuring economic stability, and growth.

Part I of the Report of the Director-General gives us all a fairly good account of the International Labour Organisation's continued policy of protecting human rights throughout the world. My Government is a great believer in human rights and freedom, and therefore ensures that the rights and freedoms of every person within its bounds is protected.

The national Constitution of my country, which is the forerunner to all the legislations in the land and also the guiding principles by which the Government functions, has enshrined in its provisions all the basic human rights: freedom of employment, freedom of speech, freedom of association, the right to equal treatment and the right to equal remuneration, just to name a few. These rights and freedoms are further provided for and also protected under various other lesser legislations.

The Industrial Relations Act of Papua New Guinea and the Industrial Organisations Act provide for the right of workers to organise for the purpose of collective bargaining. These Acts also provide protection to any member of any industrial organisation from unjust treatment by his employer.

Papua New Guinea, upon becoming a Member of the International Labour Organisation, has ratified 19 international labour Conventions concerning the basic human rights, ranging from labour inspection, safety, health and welfare at work environment, workmen's compensation, minimum wage-fixing machinery, industrial relations and the work. These ratified Conventions have been legally applied in the country without any modifications to their provisions.

Today more than ever we need international co-operation on respect for human rights. The elementary principles of human dignity require this.

I need not remind you of the principles of the Universal Declaration of Human Rights and of the Constitution of our Organisation, in considering the conditions of work which subject man to widespread deprivation and injustice, endangering international peace and harmony.

No one can be unaware that the struggle against injustice by the Palestinian Arab people on their own land shows clearly their active rejection of Zionist occupation. The war of stones has shown that belief in rights and justice is stronger than anything else. The international conscience has been awakened and international opinion has been moved in the face of injustice and arbitrariness.

It is the duty of our Organisation and our Conference to adopt a responsible attitude and to stand by the Palestinian people – on the principle that human rights are our joint responsibility – by condemning the methods of Zionist repression which aim to make thousands of young Palestinians unemployed by breaking their limbs, handicapping them for life in violation of the fundamental rights and freedoms of Arab workers and employers in Palestine and other occupied Arab territories.

This Conference and the international community in general must put an end to the arbitrary acts carried out by the Zionist entity, such as aborting pregnant women, using poisonous chemicals and burying children alive. It is essential that we put an end to the forced emigration and expulsion policy, which runs counter to the rights and freedoms guaranteed by the Constitution of the ILO, by the Universal Declaration of Human Rights, by the Declaration of Philadelphia and by the Conventions and Recommendations of our Organisation.

The policies carried out by the Zionist authorities against human rights have confirmed their contempt for the Constitution of the Organisation and its Recommendations and Conventions. This should urge us to revise the conditions of its participation as a Member of the ILO since its policy is not different from the policy of apartheid in Namibia and South Africa, in either content or form or in its violation of human rights and freedoms, contrary to the purposes and principles of this noble Organisation.

May I take this opportunity to say what the Arab Republic of Yemen has achieved in the area of employment, training, standards of work, equality and liberty, despite the modesty of our technical resources and the recent establishment of our administrative structure.

Twenty-five years after the 1962 revolution which gave liberty to the Yemeni citizens, thanks to the revolutionary Government and the political direction of Colonel Ali Abdallah Saleh, we have succeeded in making great progress in the aims of this glorious revolution particularly in the political, economic, cultural and social spheres, as well as in secondary and university education, professional and vocational training and the provision of social services and modern means of communication.

The State has paid particular attention to young people, to workers and to women in view of their importance in the building up of our economy and in global development. This is in accordance with our permanent Constitution and the principles of our

national covenant entitled "The political way of the people". This specifically lays down the guarantee of trade union liberty, the guarantee of all freedoms including trade union rights, freedoms of choice of employment, equality, freedom to set up people's vocational sectoral organisations and co-operatives. These large-scale organisations put into practice the overall plans and programmes for development and act as a framework for the democratic participation of the people in the political process of the Yemeni population.

This month free and democratic elections are taking place to elect the Council of State which is the highest legislative body in our country.

Convinced of the importance of the resolutions and Recommendations of the ILO and in accordance with the principles of this Organisation and hence of our responsibility to guarantee and observe human rights within the framework of the ILO and the United Nations, our country has ratified 15 international ILO Conventions. The latest are the Workers with Family Responsibilities Convention, 1981 (No. 156) and the Termination of Employment Convention 1982 (No. 158). In addition, other conventions concluded by other international organisations have been ratified. Although our technological and administrative resources are quite recent and limited, we have managed to do this.

Yemen's development plans over the last few years have always been concentrated on the development of mankind, because man is the main purpose and the main instrument of development. Man is the instrument in building, agriculture, industry and management. Guarantees for the promotion and social security of workers have been provided. We are paying particular attention to occupational vocational and technical training. We are aware of the need to raise the level of specialisation in trade, agriculture, industry, craft industries and administration. We have recently set up the Higher Education Council for Technical and Vocational Training, which draws up several policies of training and education and co-ordinates and co-operates with other partners in order to formulate projects and programmes and obtain the necessary financial and technical resources to encourage and strengthen vocational training, an essential factor in promoting employment. We are happy to be able to mention here before this forum the assistance and advice which we have received from the International Labour Organisation over the last few years. As regards social security, Act No. 2 on social security was promulgated in 1980. It guarantees social security for the family in old age or disability, and puts into practice the principle of solidarity in social security.

In accordance with this principle of social solidarity, we recently promulgated Act No. 16 of 1986 on social insurance. We also have Act No. 17 of 1986 on the setting up of a social insurance institution which guarantees present and future livelihood of workers and their families and provides insurance when they are prevented by disability, disease or death from being able to continue.

I began my statement by speaking about our concern at the humiliation of the Palestinian people and the people of Namibia and South Africa. I should therefore, against that background, like to mention my concern about Arab countries that are victims of repeated threats and aggression.

and system of supervision, which could be the proper organiser for such co-operation, strengthening the co-ordination of activity in this area in the framework of the Organisation itself.

It is from this point of view that we come to assess the Director-General's report, *Human rights - A common responsibility*, in which the problem is quite rightly considered in the light of the Constitution, Conventions, Recommendations and other instruments of the ILO, together with the Universal Declaration of Human Rights of 1948 and the 1966 Covenants on Human Rights.

The Report rightly raises the question of a close link between the respect for human rights and the problems of preserving peace and stability, as well as inter-relationship of civil, political, social, economic and other human rights. Our point of view is that each individual must fully enjoy the whole range of political, civil, economic, social and cultural rights on the basis of full equality and social justice. Indeed, we cannot conceive of a truly free individual without a guaranteed right to work, education, housing, medical care, social security and, most important of all, the right to life, without which declarations political and civil liberties become largely meaningless. For this reason, we consider all human rights, without exception, as being indivisibly inter-related.

We see human rights as a system of social and legal guarantees making it possible to reconcile the interests of the individual and the whole society, without sacrificing the individual, but also without absolving each individual from the duties imposed on him as a member of society. We therefore see no foundation in the statement contained in the Report that the recognition of the right to work does not carry with it the duty to work. This statement is in contradiction to the Universal Declaration of Human Rights and to current practice, indeed to the Director-General's Report itself, which clearly states that "man of course finds it necessary in practice to engage in gainful activity in order to ensure subsistence, and work as a moral duty finds a place in many value systems". We might add that this principle of the duty to work is also included in the laws of many countries and does not have anything in common with forced or compulsory labour.

Mass unemployment, where the worker not only has no choice in his job but does not have even the possibility to work, is of course, another matter. In this respect we fully agree with the statement in the Report that "massive unemployment represents a tragic waste of [human] resources, and a wasted opportunity for development and social progress".

In our country, work is the main yardstick for determining the worth of an individual and his usefulness to society. The Constitution of the USSR states this duty clearly and distinctly, an honest useful job is a duty and an honour for each able-bodied citizen.

In the USSR at present we are actively working on a process of democratisation of all aspects of our society. We are strengthening law and order and increasing the interest and participation of workers in the solution of all the most important questions. The role of the soviets of people's deputies has grown significantly and we have broadened the rights of labour collectives. Election of managers by the workers themselves is being introduced in enterprises and institutions.

Work is also being done on legislation so as to bring it fully into line with the international obligations of the USSR.

Since the beginning of this year, we have implemented the law on the socialist state enterprise. It will become the basis for a new system for democratic management.

We have adopted laws on individual labour activity, on the procedure for appealing in court against illegal actions by public servants which infringe citizens' rights and other acts which vitally extend citizens' rights.

The social organisations, and first and foremost the greatest mass organisation - the trade unions - have been called upon to play an important role in the changes taking place in the USSR. We proceed from the fact that the social and political structure of our society is such that each organisation reflects the interests of the workers, but each in its own way and with its own specific means and in its own particular form. This is the essence of socialist pluralism.

In the case of the trade unions, this sphere is defending the social interests of workers. In other words, they are supposed to be the social counterweight to "technocratic pretensions", at the same time seeking to ensure that the acceleration of economic development is not an end in itself but a means for improving the welfare of workers and developing the individual. Precisely in order to guarantee these tasks and defend these rights we are now preparing in our country a law on trade unions.

In that connection I should like to say a few words about the chapter of the Report entitled "Freedom of association". The authors of the Report, while underlining the importance of the principles of independence of the trade union movement, give a dual interpretation of the interdependence of the trade unions and the political parties and of the unity of the trade union movement.

Proceeding from the quite correct premise that the trade unions, "in accordance with national law and practice... and at the decision of their own members", may establish relations with political parties, a contradictory statement is made to the effect that "a relationship imposed by law" is contrary to Convention No. 87. The same contradiction is also mentioned in respect of the unity of the trade union movement.

Similar attempts at a contradictory interpretation of national legislation and ILO documents over the years have provoked stormy and unjustified discussions in the Committee on the Application of Standards and is not in fact helping the ILO to become, as the Director-General himself notes, "a forum for discussion... in testing evolving ideas and practices against established values".

Of course, implementation of proclaimed human rights through ILO Conventions and international treaties is undertaken first and foremost at the national level. At the same time, we put the question: is international co-operation possible in this rather delicate area? And our answer is in the affirmative. All the objective bases exist for it.

Our faith is borne out by the proposal made by the USSR to make the question of human rights a component part of the overall system of international security.

We feel that the ILO could be actively linked to the process, which has already begun, of creating

within the United Nations humanitarian and social blocs for international security. It seems that the degree to which the ILO is linked to this process will have a significant influence on its authority and the importance of the "regulatory" role which this Organisation will be able to play in the new system of international law and order which is being formulated.

In this respect I should like to suggest that the ILO conduct studies on the social aspects of international security so that this question might soon become the subject of a report by the Director-General or a special agenda item for general discussion at the International Labour Conference.

The ILO could be then guided by a quite specific set of social and economic rights, consideration of which is within its field of competence and these rights are listed in the Report.

Unquestionably, for the ILO to be more actively involved in the process of observing human rights and trade union freedoms, it would be helpful if the largest possible number of member States were to ratify the basic ILO Conventions, which are after all the touchstone for testing the genuine concern of States and Governments in guaranteeing legal rights to their own citizens.

I should point out that, through the ILO trade unions could make an important contribution to the fight for workers' rights and freedoms, since they hold a special place among social organisations in terms of both influence and a high degree of organisation.

A sober assessment of the prevailing state of the world trade union movement, however, makes it difficult to count on overcoming in the near future the organisational split between its three major sectors. In these circumstances, is it feasible to suggest unified action as the slogan of the day? We feel it is, because, after all, we are talking not about an ideological political compromise but about an open and equal partnership between all sections of the world trade union and workers' movement to achieve the solution of concrete problems of equal importance to all. There is no need to highlight our differences and insist on the correctness of our own points of view. If we want progress, we have to respect the opposite point of view, to recognise the differing circumstances of trade unionism that have developed in each country and to look for common ground between us in the interests of the workers.

It is only necessary to compare the documents of the leading international trade unions and most national professional bodies to be convinced that the selection and even the order of their priorities is practically the same. The struggle for peace and disarmament, the social consequences of technological progress and consequent structural changes, the defence of trade union rights and freedoms, the environment, the problems of development among the least developed countries and many others: these are of equal concern to us all.

There is no disagreement either on the position taken by the vast majority of international trade unions on the situations which have arisen in the various hotspots of the world. I am thinking above all of the inhuman policy of apartheid and the suppression of elementary human rights in South Africa, of the violation of the rights of Arab workers in the Israeli occupied territories, of genocide practised on

trade union activists in Chile and Colombia, among other terrible situations.

The Report rightly mentions the inter-relationship between respect for human rights and the maintenance of peace and stability. However, this topic has not been properly developed in the Report, which does not even attempt to define a role for the ILO in working out a new economic role for the world in the current conditions of disarmament. In this connection, I should like to point out the positive results achieved by the United Nations Conference on Disarmament and Development in September 1987 and to call on the ILO to respond to the appeal made by that conference to United Nations institutions to devote greater efforts to the question of disarmament and development.

I am glad to have voiced these thoughts on some of the points contained in the Director-General's Report.

Mr. NKOMO (*Government delegate, Zimbabwe*)

— On behalf of the Zimbabwe delegation I wish to congratulate the President and Vice-Presidents on their unanimous election to preside over this Conference. I further wish to express our confidence in Mr. Bayreuther as well as to assure him of our co-operation as he guides the proceedings of this Conference.

Across time and space, civilisations of different nationalities have always endeavoured to immortalise their achievements and aspirations in monuments. Ours is no different from that of its predecessors but it is certainly the only one which is truly global and truly universal. Among other instruments, the Universal Declaration of Human Rights has provided a chain of brotherhood among races, social classes and nations.

The Declaration is perhaps one of our modern monuments to humanity and a commitment to higher ideals of fraternity which all persons as individuals, groups or nations aspire to achieve. Without such a commitment, the frontiers of enlightened humanity would recede, and once again the world would be revisited by that era of generalised wars which has already made our century a litany of anguish, albeit amidst historically unparalleled outbursts of technological and scientific advances. It is those fears that make the theme of human rights a timely one for this session of the International Labour Conference.

The Non-Aligned Movement of Countries, of which my President, His Excellency Robert Mugabe, is the current Chairman, represents not merely a commitment to the Universal Declaration of Human Rights but a commitment to fight and struggle for the attainment and the universalisation of those rights in all spheres of human endeavour.

The past struggles of the Non-Aligned Movement and other developing countries have culminated in other instruments such as the Charter of Economic Rights and Duties of States and resolutions which all stress the interdependency and the indivisibility of civil, political, economic, social and cultural rights.

An essential condition for the realisation of human rights is the existence of peace. The goal of peace is much more than the avoidance of a third world war, and yet there is no continent in the developing world that does not have a spot where war has taken its toll on human rights.

Once again, intolerance of plurality in international political relations has fuelled the disruption of

I should like, at this point, to draw your attention to the fact that although my country has not ratified Convention No. 87, the principal Convention which provides for freedom of association and the right to organise, the basic principles of the Convention are silently practised in Papua New Guinea.

Papua New Guinea's ratification of Convention No. 98 concerning the right to organise and collective bargaining has paved the way for workers to organise and form trade unions to bargain collectively for their common economic and social interests.

The amalgamation of various trade unions from both the private and public sectors to form the Papua New Guinea Trade Union Congress signifies the economic and social changes which my country is at present undergoing. My Government considers this move as a concerted effort by workers to have their demands heard.

Thus, rather than repressing the actions of the trade unions in Papua New Guinea, the Government, as one of the largest employers in the country, takes the position of a mediator and in so doing provides avenues for the settlement of industrial disputes, in our case the Arbitration Tribunal. However, the Arbitration Tribunal is used as the last resort in dispute settlement where all other methods of dispute settlement have failed.

My Government applauds the efforts of the International Labour Organisation in its continual endeavours to review and set new minimum labour standards. As we all know, the world we live in today is continuously changing economically, technologically and socially. It is therefore essential that new and more appropriate labour standards should be formulated to keep pace with these changes.

I conclude by wishing this Conference every success and I am confident that in the days to come we shall participate in stimulating fruitful discussions on the important agenda items before us, and I hope the conclusions and resolutions arrived at will be of benefit and use to us all.

Interpretation from Spanish: Mr. MOLANO (*representative of the World Federation of Industry Workers*) – The World Federation of Industry Workers (WFIW) of the World Labour Federation congratulates you, Mr. President, on your election to the Chair and also congratulates the other members of the Bureau and wishes you great success in your very important task.

The WFIW welcomes the Report of the Director-General on human rights, which puts its finger on the open wound caused by the innumerable sufferings of humanity in this respect in the closing years of this turbulent twentieth century.

We are particularly satisfied to see the repeated references to the interdependence of human rights, their universality, their indivisibility and above all the profound impact of the current world economic disorder on human rights, made even more severe by the recession and crisis.

A short while ago, we pointed out this aspect of the matter at the seventh session of the United Nations Conference for Trade and Development, which met in this very place.

The World Federation of Industry Workers naturally gives priority in its concerns to the specific problems of workers in the different sectors of industry. When we look closely at these problems, how-

ever, when we analyse their causes, and when we confront the disregard for the rights of industry workers, we are compelled to recognise that all this originates in a contexts of conflict that goes far beyond the firm or the sector. The conflict is situated in an entire system of economic and social relations which are ever more unjust, more irrational, more cruel and more inhumane, and which affect not only industry workers but also agricultural and service workers. This is so throughout the world: in the underdeveloped countries where the consequences are much more serious, and also in the developed countries.

The basic rights of workers which are being attacked, eroded or completely annihilated, starting with the right to a job with dignity and pay, are clearly described in the Director-General's Report and there is no need to repeat the long list here.

What we must do urgently before it is too late is correct the course of the world economy, reorient it towards true development and the satisfaction of the essential needs of peoples, and change North-North, North-South and South-South relations, all this ever without disregarding the vital framework of justice, freedom and solidarity. This indeed would be a substantive contribution to the safeguarding of human rights which, as is clearly stated by the title of the Report we are looking at, is the responsibility of all: of governments, of employers, of workers, of rich countries, of poor countries, of women, of men, of young people and of the less young.

This task of correcting the parameters of the world economy is supremely difficult because of the complexity of the factors involved and the magnitude of the problems and distortions. This does not mean that it is impossible though; certainly, a concerted and sustained effort is needed by all of the collective powers in society with no exceptions. The ILO, because of its universal, its tripartite and pluralist character, is perhaps the international organisation in the best position to conduct this effort which requires political will, technical capacity, inspiration and a series of ever increasingly comprehensive and profound consensus agreements.

There are problems that need immediate solutions: hunger and infant mortality in vast regions of the world cannot wait – this is the right to life; the debt that is asphyxiating the countries of the Third World is intolerable; this is impeding the right to development. Africa has become a net exporter of capital to the industrial countries which is an aberration given that the poorest countries of the world are to be found there; Apartheid: this is the most hateful of the types of discrimination condemned by the Universal Declaration on Human Rights; support for new democracies re-establishing civil, political and trade union liberties is urgently needed. It is vital to isolate dictatorships which deny those rights; the curbing of unemployment and underemployment is a priority not only from the social point of view but also from the economic and political standpoints; there are many human rights which suffer from this scourge.

There are other questions that require concerted solutions, more extended negotiations and longer processes, but which must be resolved: the stability of commodity prices; the abolition of the unjust protectionist barriers affecting manufactures from the Third World; the increase of world trade; ex-

change stability and monetary balance – substantial reforms in the current system and its mechanisms have proved to be absolutely vital; co-operation in the various facets of development; effective control of transnational companies; the impact of new technologies; social security, conditions of life and work and protection of the weakest levels of society particularly the huge mass of people driven into the informal economy.

In any case, it is of vital importance in attempting to set a solid basis for a new international economic order that all-out competitiveness must cease to be the sole motive force in relations among the countries of the North. Paternalism, dependency, economic colonialism and exploitation must cease to be the characteristics of North-South relations; and fragility, suspicion and rivalries must cease to be the keynotes of relations among countries of the South.

May I add a brief thought on the industrial workers who have undoubtedly been most affected by unemployment in the last few years.

In traditional industries, they have been the victims of closures, restructuring and modernisation. In the so-called high-tech industries, they are being forced to work like draft animals, that is whenever the boss wants, for as long as he wants, and doing whatever he wants, all this, of course, in the name of “flexibility”, “deregulation” and sacrosanct “productivity” and “competitiveness”.

This situation is tending to become more acute in Europe in view of the new situation that will prevail as from 1 January 1993. In the Third World, where these methods are not unknown either, the processes of incipient industrialisation have been brutally curbed in many countries by the impossibility of importing the necessary equipment and spare parts owing to the lack of foreign exchange (as a result of the external debt). Such equipment, however, should come from the industrialised countries (as a result of irrationality). And what about the workers? In some places they are becoming frustrated; in others, they are being pushed into marginality for lack of unemployment benefit. Is there a link between these phenomena and respect for human rights, the dignity of workers and the stability and happiness of their families?

The WFIW held last year in Brussels a World Trade Union Symposium on Industrialisation, Employment, Development and North-South Relations in which the European Community and the ILO participated. This year, we held a seminar on the rubber industry to analyse matters more specifically. On both occasions, we noted the correlation existing between the deterioration of respect for human and trade union rights and the unjust distribution of the profits of economic activity, at both national and international levels.

We would like to congratulate the Director-General of the ILO for the honest, objective and brilliant way in which he has presented this topic of historic importance in this supreme international forum of the ILO and we hope that his appeal will be taken up without delay and will produce the specific results the world needs.

Interpretation from Spanish: Mr. ESCANDELL ROMERO (*Workers' delegate, Cuba*) – Mr. President, first of all, I should like to express to you our

warm congratulations on your election. For many years we have worked together in the international trade union movement and we welcome your election with pride. He is from our sister republic – the German Democratic Republic – a socialist country where there are no exploiters and no exploited, and it is extremely significant that for the first time in the 69 years of the ILO's existence, a representative of a country which is constructing socialism holds the presidency of this Conference.

After arriving here from the island of Cuba, which stands at the vanguard of the Americas and knows and suffers from the inequality imposed by the rich and insatiable North America on a Latin America with “blood running from its veins”, we reaffirm our conviction that it is urgent that we fight for more realistic and constructive positions, because progress towards economic co-operation, mutual understanding and peace must be based on the guarantee of equal opportunities for development for all peoples.

In taking up the topic of human rights, and denouncing the apartheid regime as one of the most monstrous violations of human rights, this 75th Session of the Conference is certainly responding to the most pressing concerns of humanity.

We cannot ignore the echoes which reach us from the Fourth Summit in Moscow. Our hopes are renewed when we hear that cautious steps are being taken towards a fitting destination. We can see encouraging signs in the international scene which favour peace and slow the arms race. This is the result, first and foremost, of the struggle carried on by the peoples and workers of the world, and a consequence of the peaceful policies of socialism, and particularly those of the Soviet Union.

Humanity urgently wishes to eliminate nuclear arms, and wants the funds which today are spent for war to be put to the service of development and the elimination of foreign debt, thus doing away with unequal terms of trade. For otherwise, the tumour of debt will reappear, with all the problems that are inherent in it. And thus it is necessary to establish a new International Economic Order which will eradicate these imbalances and open the path to new and fair relations between more developed industrialised countries and the countries which are victims of underdevelopment and which are brutally stricken by unemployment, stagnation and in many cases, regression.

The steps that are being taken at present to solve military confrontations should encourage us to seek solutions to the confrontation between the hunger of the exploited and the opulence of the exploiters. As was pointed out by our comrade, Fidel Castro, President of the Council of State and Ministries of the Republic of Cuba, it is necessary to fight to prevent the criminal death of more than 240,000 children who die in the Third World every two days, victims of hunger and malnutrition. This is roughly equivalent to the explosion every two days of atomic bombs such as those dropped on Hiroshima and Nagasaki. It is not enough to stop the war of bombs: we must also stop the bombs of hunger and exploitation. The resources freed as a result of measures taken to reduce stock-piling should be used as quickly as possible to promote development and to save millions of lives.

The Report of the Director-General refers to human rights on the 40th anniversary of the Declara-

tion on this very important matter. I would like to make a few comments on his Report.

The imperialists in their hypocritical campaign, continue to abuse and make a mockery of the term "human rights". Their first and foremost concern, however, is to perpetuate their system of exploitation, using the inhumane system of class division and social inequality. As the Director-General points out, quite rightly, human rights are indivisible and they "cover, without any distinction or division into rights in categories, economic, social and cultural fields, as well as civil and political rights".

Can imperialists therefore talk of human rights? Can there be a more humiliating and inhumane system than that of transnational companies and monopolies? It was under this system that so much of humanity lived through centuries of colonisation, that Blacks from Africa, Indians from America and Asians were sold into slavery. Capitalism discriminates against women, against the Black; it exploits workers; it condemns millions of workers to unemployment; it is associated with gambling, drugs, prostitution and all forms of vice which corrupt the health and conscience of man.

It does not matter to the exploiters, to the imperialists, whether children are educated, or what their destiny holds; they do not worry about the health of their citizens; they are concerned only with profit, which is the foundation of their philosophy. The current income of the IMF, which is cutting back education and public health expenditures in many countries of the world, is proof of the imperialists' obvious contempt for human rights. A further example is the massacre of Palestinians in the occupied Arab territories.

In Cuba, before the revolutionary period, when the oligarchical government imposed by imperialism tortured and assassinated 20,000 Cubans, the imperialists never sought to condemn the regime for violations of human rights; nor did it raise its voice when there were almost a million unemployed, when the country was a den of drugs, gambling, and prostitution to satisfy the sailors of the great Power of the North. Everything was fine, and there was no talk of human rights when unscrupulous bandits, using the henchmen's bayonets, took over the headquarters of the CTC in Cuba and the trade union movement, establishing compulsory trade union dues and violating the most basic rights of the workers. Everything was fine for their accomplices.

Now that all this evil has been eradicated, for ever, together with exploitation of monopolies, when we have eliminated unemployment, filth, prostitution, when we have achieved full dignity for man – those in the North say we are violating human rights.

But who do they think they can fool? The workers and all our people not only scoff at this ridiculous lie, but are prepared to defend what they have achieved to ensure that we never return to the corruption, death, servility, indignity and despair which were imposed on us by neo-colonialism's main agent, and its corrupt puppet governments.

In my country, socialist Cuba, the working class and the trade unions are preparing to celebrate the 50th anniversary of the creation of the Cuban Workers' Central next summer at its 16th Congress. Today the Cuban trade union movement functions in full democracy, enhancing the participation of workers in the building of socialism. Today, free of the scourge

of unemployment, our working masses reaffirm their commitment to fight to achieve the most in terms of what they can do in their working day, aware that we are creating riches for ourselves and not for exploiters. We are increasing savings in human and material resources, improving the quality of products and services, reducing costs and achieving greater effectiveness.

In commemorating the 60th anniversary of the birth of the heroic Ernesto Che Guevara, in a few days' time, the CTC and the Cuban trade unions are paying tribute to this great fighter, who gave his life for the poor and downtrodden. We are also preparing to celebrate the 30th anniversary of the triumph of the Cuban Revolution on 1 January 1989; our revolution is moving victoriously along the path to socialism in spite of the criminal Yankee blockade.

From this rostrum we ask for an end to imperialist aggression against Central America, Angola and the Middle East. We ask that the exorbitant resources used for military expenditure be used for development, to meet the world economic crisis and the growing economic and social problems which are made more acute by the foreign debt and its interests.

We reiterate our militant solidarity with the workers, trade unions and people of Chile and Paraguay in their fight against oppression, and with all those who are fighting against imperialism, neo-colonialism, racism, zionism and apartheid. To the Nicaraguan people and the Sandinista Revolution we offer our full support.

We support, as well, the Arab people, and particularly the heroic Palestinian people.

We express our solidarity with the Colombian workers and trade unions and in particular the CUT, and we demand that the lives of the trade union leaders in our sister country be respected.

We join in solidarity with the workers of capitalist countries who are victims of unemployment.

We also join in solidarity with the workers, people and Government of Panama who are demanding compliance with the Torrijos-Carter treaty and resisting imperialist aggression.

We are at the threshold of the twenty-first century and while men are flying in space, while scientific and technical progress is opening up many possibilities in cybernetics, biotechnology and computers there are many people who are left to rot in miserable housing without medicine, food or education. Nothing can justify the abysmal inequality between the opulent and the starving, between rich and the poor.

Let us fight for a better world, for peace and for social, political and economic equality. Only thus will the ILO leave this century with a clear conscience.

Interpretation from French: Mr. HEMMERLE (representative of the Trade Unions International of Agricultural, Forestry and Plantation Workers) – Our international trade union would like to congratulate the ILO on the judicious choice of subjects for discussion at this 75th Session of the International Labour Conference particularly the question of human rights on the occasion of the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention (No. 87) and – of particular concern to us – the promotion of rural employment.

While reserving for ourselves the possibility of making more detailed contributions in the various committees dealing with the agenda of this 75th Session, we should like to give our view on some of the points to be dealt with during this session.

First of all, the problems of human rights. Our organisation, as a representative of the workers in agriculture, forestry and plantations, has a lot to say on the matter.

Workers on the land form the largest working population on our planet but also the poorest and most exploited, therefore the population which suffers the most violent, bloody and lethal assaults on their fundamental rights.

This situation is not the result of mere accident or fate. Which are these countries and societies that do not respect basic rights such as the right to work, to nourishment, to social protection, to education, and so on? If such rights are not guaranteed at the outset, all talk of freedoms and democracy becomes demagogic.

One should not need to be reminded of the tens of millions of unemployed people in the so-called developed industrialised countries and the massive impoverishment of hundreds of millions. More than 1.2 billion people are undernourished, a quarter of the world's population.

What about human rights then? Where are human rights when there are 3 million registered homeless in the United States; when the so-called developed industrial countries, through their relations with one another, implicitly support the racist South African regime; when in Central and South America, but also in Africa and Asia, under pressure from those same countries, from the transnational companies, and from the employers, millions of people are living in absolute misery and are literally dying of hunger, particularly through the use of the external debt of the developing countries which has long since been reimbursed out of the plundering of their national resources; when in Palestine Israel is implementing a racist policy of savage and bloody repression?

I could develop this argument at some length but I shall restrict myself to the aspects of trade union repression which are particularly flagrant in our branches of industry. The capitalist economic system which exists in these countries increasingly rejects the presence and activity of trade union organisations. For instance, Israel bans workers' trade unions in Palestine. In South Africa COSATU is banned. DISK is still banned in Turkey. In the Philippines 6,200 people have been arrested for political or trade union activity and one in three has been tortured. In Great Britain anti-trade union laws and measures have been adopted. In the Federal Republic of Germany we know of "Berufsverbot". In France trade union activists are fired, taken to court and summarily sentenced for having defended workers' rights, particularly the constitutional right to work. In this country, where the first declaration of human rights was promulgated in 1789, a trade union activist from our walk of life has just become a victim of an assassination attempt which was financed by his employers. His crime in the eyes of the assassins was to have defended the demands of the workers in his firm and to have denounced a black market trade in meat organised by his employer.

We cannot pass over in silence the assassination of 350 peasants in Haiti in July 1987, the assassinations

of rural trade union activists in Colombia (138 since 1986), the assassinations of more than 1,100 rural workers in Brazil since 1964, the arrest of agricultural trade unionists in Bangladesh.

The list could be even longer, and without wishing to dramatise the situation you can see that it is extremely serious. Among the examples there are governments of countries which are in the habit of trying to lecture others on respect for human rights. I feel that they would do better to clean up their own house first.

At the Tenth Conference of the Trade Unions International of Agricultural, Forestry and Plantation Workers which has just been held in Prague and to which the ILO was invited, delegates representing 74 million members in all continents testified to the extent of trade union repression. We unanimously adopted the charter of trade union rights and democratic freedoms of rural workers, and it has been forwarded to the ILO. This charter constitutes a summary of the experiences of rural workers and their professional organisations in pursuing a number of objectives relating to their principal demands, rights and freedoms. We feel that this document could be very useful in preparing guide-lines and proposals on trade union rights and freedoms.

The deliberations of this session should decide on specific measures for a firm implementation in all countries of Convention No. 87 adopted by the ILO in 1948 on the initiative of the World Federation of Trade Unions and Convention No. 141 dealing with rural workers.

Large-scale international action might mark the 40th anniversary of the Universal Declaration of Human Rights and the convention on trade union freedoms and the protection of the right to organise. It would be desirable if such an event were to take into account the tenth anniversary of the adoption of the Universal Declaration of Trade Union Rights by the Ninth World Trade Union Congress.

Faced with the scope of the attacks against trade union rights and freedoms, all international trade union organisations should organise a joint response supported by the ILO.

With respect to the proposals for the Programme and Budget and other financial matters, we feel that a reduction in expenditure should not be carried out either to the detriment of the quality of ILO programmes relating to activities concerning workers or to risk endangering the democratic functioning of the Organisation.

Consequently, we are against the proposal to hold the regular session of the International Labour Conference only every two years.

On the other hand, we do support maintaining the present role and pace of the ILO's standard-setting activities involving legal obligations for ILO member States. The same holds for the convening of the world conference on training.

As a trade union organisation we cannot agree to replacing industrial committees or analogous committees by meetings of experts. This would reduce or even exclude the participation of workers, particularly since the quality and positive results of the work of experts closely depends on their taking account of workers' experience.

The ILO should also undertake to counteract the activities of multinationals.

As regards employment promotion and social security, we are convinced that workers should have a regular income through the right to work for all and not through unemployment benefits.

In our opinion, the application of any convention of this type should be supervised and administered exclusively by trade union organisations.

The system of remuneration should be uniform and jointly financed by the enterprises and by the State.

I should now like to make a few comments on this draft so that it may become a Convention in the interest of all workers. All the wage-earners or people seeking their first job should have an unemployment grant. Civil servants' payments should be made by regional organisations and the State. No qualifying conditions including the loss of a job, should be taken into account. Unemployment benefits should be paid on the first day of unemployment without limitation of duration, and their amount should correspond to the previous wage and not be adjusted to the family situation. They must assure a decent income and satisfy the basic needs, such as housing, food, clothing, culture and travel, of any young person looking for a first job. There should be no restrictions on the number of categories protected, provided they are all wage earners.

Any appeal in this respect should be brought before a body made up of trade union representatives of workers, divided up proportionally according to their influence at the national level, in the member State concerned.

In respect of the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), these peoples have been victims of plunder of the riches of their territories. They have been displaced, reduced to object misery and in fact sometimes even exterminated.

As the proposed conclusions contained in Report VI (2) underline, we feel that any Convention should clearly give unconditional priority to the respect of cultures and life-styles of aboriginal and tribal populations, and recognise their right to preserve their culture.

These peoples are very frequently members of our occupations: they have been robbed of their land and they now become agricultural workers, underpaid and condemned to wander in a hostile world. The agricultural population is generally the most disadvantaged, and the aboriginal and tribal people are at the bottom of the totem pole.

I cannot speak at length about this, but our Organisation is particularly concerned by this serious and difficult problem.

As far as promotion of employment in rural areas is concerned, any serious approach requires our getting rid of the so-called liberal, market economy theories advocated by technocrats of institutions such as the World Bank, by governments dependent on multinational enterprises and by employers' organisations. We feel that it is not necessary to re-invent new solutions to the problem. We note that the suggestions contained in Report VII do not take account of the real causes of the situation, and therefore do not offer real solutions. We feel that we must apply the resolutions and international decisions which have already been taken, particularly those taken at the International Trade Union Conference for genuine agricultural reform, which was held in

1978 in Algiers, as well as the World Conference on Agrarian Reform and Rural Development, held in July 1979 in Rome.

In respect of industrial market-economy countries, the problem is not one of agricultural overproduction or suppression of protectionism; rather, it is the obvious failure of their economic system.

Consequently, our Organisation believes that for these countries agricultural development should be partly subject to the proposals which we have transmitted to the Committee on Rural Employment, which call for radical and democratic agricultural reform and the cancellation of foreign debt, etc. But also it should go together with an overall increase in purchasing power, with development of economic relations on the basis of equality and mutual respect and co-operation between socialist and developing countries, and no longer be dependent on financial interests. Our contribution will be particularly detailed within the Committee dealing with this matter.

At last point on apartheid: because of its internal inhuman policy and its bloody aggression against the neighbouring countries, the racist Government of South Africa should be unanimously condemned by all the countries of the world. It must be completely isolated by boycott measures touching upon all aspects of its relationship with other countries. Those who do not apply these recommendations should be considered as accomplices and should be denounced as such before world public opinion.

In conclusion, the TUIAFPW reaffirms that it will always be prepared to participate actively in the application of any programme formulated by the ILO with the aim of improving the economic and social situation of rural workers and their families, in order to try sincerely to solve the problems of poverty and hunger throughout the world.

Interpretation from French: The PRESIDENT (Mr. ADIKO) – I invite Mr. Danieli, Government adviser, Israel, to exercise his right to reply. Might I point out that he will only have three minutes and his reply must deal basically with the question in point.

Mr. DANIELI (*Government adviser, Israel*) – The distinguished Minister of Labour of Jordan probably believes that major defamations are impossible to refute. Such is not the case when it comes to the territories administered by Israel, for two basic reasons. One, Israel has long registered considerable achievements in the advancement of labour and social issues in these territories, achievements which have been annually recorded by ILO missions. The distinguished Minister was somewhat selective in referring to the recent mission's report. Two, prior to 1967 Jordan was in control of these territories and marked almost no progress in labour-related fields in the course of 19 consecutive years. This discussion provides an opportunity for the Minister of Jordan to dwell on issues the delegates of the Conference are not familiar with – for example, the labour policy and programmes of his own Government or the situation of workers in the Hashemite Kingdom of Jordan, which also forms part of the historical and geographical entity called Palestine. If he had opted for this preferred course the Minister would probably have told us of his intentions to pursue his own declared policy of expelling tens of thousands of Arab and other migrant workers from Jordan, as he officially

stated only last October. He could also tell us of the severe restrictions imposed by his Government on Jordanian and other workers of Palestinian origin and of the case brought against his Government before the Committee on Freedom of Association some time ago in this respect. He could tell us that Jordan cannot, by virtue of its legislation and practices, become party to the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and other major labour Conventions.

My delegation wishes to assure to the Minister of Jordan that much could be achieved for the benefit of the Palestinian workers through peace and bona fide regional co-operation but very little through the mere adoption of a series of political and defamatory resolutions.

(The Conference adjourned at 6.15 p.m.)

Credentials

First report of the Credentials Committee

1. The Credentials Committee of the 75th Session of the Conference is composed of Mr. Nakamura, Government delegate, Japan, Chairman; Mr. Hoff, Employers' delegate, Norway; and Mr. Svenning-sen, Workers' delegate, Denmark.

Composition of the Conference

2. Since the signing of the brief report made by the Chairman of the Governing Body of the International Labour Office, a number of modifications have occurred in the composition of the Conference.

3. The number of member States of the International Labour Organisation represented at the Conference is at present 138. To date 12 States (Belize, Djibouti, Dominica, Fiji, Democratic Kampuchea, Lao People's Democratic Republic, Paraguay, Saint Lucia, Sao Tome and Principe, Seychelles, Sierra Leone, Solomon Islands) have not sent a delegation.

Accredited delegates and advisers

4. The total number of accredited delegates is 545, comprising 275 Government delegates, 135 Employers' delegates and 135 workers' delegates.

5. There are 1,323 accredited advisers, comprising 680 Government advisers, 279 Employers' advisers and 364 Workers' advisers.

6. The total number of accredited delegates and advisers is therefore 1,868.

7. With regard to the resolution concerning the participation of women in ILO meetings, adopted by the Conference at its 67th Session in June 1981, the Credentials Committee wishes to inform the Conference that there are 29 women among the 545 delegates accredited to the Conference and 153 women among the 1,323 accredited advisers. The total number of women accredited to the Conference is therefore 182 as against 159 last year.

Registered delegates and advisers

8. Since the present session of the Conference has decided to continue the practice adopted at its 49th Session of fixing the quorum on the basis of the number of delegates registered, the Committee considers it desirable to advise the Conference as to the situation concerning the registration of delegates.

9. At this time the number of registered delegates is 489, comprising 245 Government delegates, 123 Employers' delegates and 121 Workers' delegates.

10. In addition, the number of registered advisers is 1,087, comprising 572 Government advisers, 202 Employers' advisers and 313 Workers' advisers.

Quorum

11. Twenty-three advisers, who are substitutes to delegates who have not registered, are taken into account in calculating the voting strength of the Conference.

12. Since seven States¹ represented at the Conference are in arrears in the payment of their contributions to the Organisation, these States, under the terms of paragraph 4 of Article 13 of the Constitution, may not at present participate in the voting in the Conference or in its committees. The 24 registered delegates designated by these States are hence not taken into consideration in fixing the quorum.

13. In addition, one registered Employers' delegate and one registered Workers' delegate are not taken into account in the calculation for the quorum because of the provisions of Article 4, paragraph 2, of the Constitution.

14. At the present time the quorum required to give a vote validity is 243.

15. The Committee notes that the quorum calculated on the basis of the number of accredited delegates would be 260. The difference between the quorum calculated on the basis of the number of delegates registered and that which could have been calculated on the basis of the number of accredited delegates is due to the fact that some accredited delegates have not yet registered. The Committee urgently appeals to delegates present at the Conference to register so that the quorum will be as nearly exact as possible and that their presence can be taken into account in its calculation. The Committee stressed, in this connection, the need for the registration of delegates and advisers to commence as early as possible on the morning preceding the opening of the Conference to enable the delegates and advisers concerned to attend their respective pre-Conference group meetings.

Incomplete delegations

16. The Committee notes that a certain number of delegations are so far incomplete. The delegations of Costa Rica and Dominican Republic are exclusively governmental. In addition, one country (Zaire) has

¹ Chad, Comoros, Congo, Dominican Republic, Guyana, Poland, Romania.

not accredited an Employers' delegate and one country (Lesotho) has not accredited a Workers' delegate. The Committee wishes to affirm once again the necessity for governments to comply with the requirement of Article 3 of the Constitution that a complete tripartite delegation be sent to the Conference. The Committee recalls that pursuant to a decision of the Governing Body, the Director-General each year requests the governments of all member States which did not send complete tripartite delegations to the Conference to indicate the reasons for their failure to do so, and that the information received in reply to that request is duly communicated to the Governing Body.

17. The Committee also notes that there is some imbalance between the number of advisers to the delegates of each group and also between the number of Employers' and Workers' advisers. It once again urges governments to take greater account, when nominating delegations, of the proportions in the composition of the Conference envisaged by paragraphs 1 and 2 of Article 3 of the Constitution. The Committee further recalls the request contained in the resolution concerning the strengthening of tripartism in the overall activities of the International Labour Organisation, adopted by the Conference in 1971, and expresses the hope that Governments will accord equal treatment to each of the groups when appointing advisers to their country's delegation to the International Labour Conference. The Committee recalls in this connection the obligation of Members under Article 13, paragraph 2 (a), of the Constitution, to pay the travelling and subsistence expenses of their delegates and advisers and trusts that this obligation will be respected for the whole duration of the Conference.

Observers

18. In addition to the observer delegations mentioned in the Brief Report of the Chairman of the Governing Body of the International Labour Office, the Democratic People's Republic of Korea has nominated an observer delegation to the Conference.

Organisations and liberation movements invited

19. The Conference is also being attended by:
- representatives of the United Nations and some of its organs invited by virtue of Article II, paragraph (1) - relating to reciprocal representation of the Agreement between the United Nations and the International Labour Organisation, which came into effect on 14 December 1946;
 - representatives of specialised agencies and other official international organisations, invited in con-

formity with Article 2, paragraph 3(b), of the Standing Orders of the Conference;

- representatives of non-governmental international organisations with which consultative relations have been established, invited in conformity with Article 2, paragraph 3(j), of the Standing Orders of the Conference;
- representatives of other non-governmental international organisations also invited in conformity with Article 2, paragraph 3(j), of the Standing Orders of the Conference;
- representatives of liberation movements invited in conformity with Article 2, paragraph 3(k), of the Standing Orders of the Conference.

A list of these representatives is appended to the List of Delegations published as a Supplement to the *Provisional Record* of the Conference.

Objections¹

20. To date, the Committee has before it a number of objections or communications concerning the credentials of certain delegates and advisers. It has forthwith commenced its examination. The Committee considers that its work would be facilitated if the Credentials would reach the Office within the time limit provided for under Article 26, paragraph 1, of the Standing Orders and if all governments utilised the suggested form for credentials of delegates, appended to the Memorandum communicated to governments every year prior to the session of the Conference. It would be particularly helpful if governments would provide exact information on the employers' and workers' organisations consulted in nominating Employers' and Workers' delegates and advisers as well as on the organisations which have agreed to such nominations.

21. The Credentials Committee submits the present report to the Conference in order that the Conference may take note of it.

Geneva, 3 June 1988.

(Signed) T. NAKAMURA,
Chairman.

E. HOFF.

J. SVENNINGSEN.

¹ In accordance with the usual practice, the texts of the objections which the Credentials Committee has before it, together with the replies of the delegates concerned (in case where the Credentials Committee has requested such replies), can be consulted in the office of the secretariat of the Credential Committee.

LIST OF ACCREDITED DELEGATES AND ADVISERS

Country	Government delegates	Government advisers	Employers' delegates	Employers' advisers	Workers' delegates	Workers' advisers	Country	Government delegates	Government advisers	Employers' delegates	Employers' advisers	Workers' delegates	Workers' advisers
Afghanistan	2	1	1	—	1	1	Kenya	2	6	1	3	1	2
Algeria	2	4	1	—	1	1	Kuwait	1	9	1	—	1	1
Angola	2	3	1	1	1	4	Lao, People's Dem. Rep. of	—	—	—	—	—	—
Antigua and Barbuda	2	—	1	—	1	—	Lebanon	2	1	1	1	—	1
Argentina	1	8	1	7	1	7	Lesotho	2	1	1	—	—	—
Australia	2	6	1	4	—	4	Liberia	—	—	—	1	—	3
Austria	2	6	1	—	—	4	Libyan Arab Jamahiriya	2	4	1	2	1	3
Bahamas	2	—	1	1	1	—	Luxembourg	—	3	1	1	1	4
Bahrain	2	6	1	1	1	1	Madagascar	2	1	—	1	1	—
Bangladesh	2	3	1	1	1	1	Malawi	2	1	1	—	1	—
Barbados	2	—	1	—	1	1	Malaysia	2	3	1	1	1	3
Belgium	2	8	1	4	1	3	Mali	2	1	1	2	1	1
Belize	—	—	—	—	—	—	Malta	2	2	1	2	—	1
Benin	2	—	1	1	1	—	Mauritania	2	1	1	—	1	—
Bolivia	2	—	1	—	1	—	Mauritius	2	1	1	—	1	—
Botswana	2	3	1	—	1	—	Mexico	2	2	1	7	1	3
Brazil	2	8	1	6	1	6	Mongolia	2	2	1	—	1	—
Bulgaria	2	4	1	1	1	1	Morocco	2	5	1	1	1	1
Burkina Faso	2	2	1	1	1	—	Mozambique	2	1	1	—	1	1
Burma	2	10	1	—	1	—	Namibia	1	—	1	—	1	—
Burundi	2	3	1	—	1	—	Nepal	2	1	1	—	1	2
Byelorussian SSR	2	2	1	—	1	1	Netherlands	2	9	1	5	1	5
Cameroon	2	1	1	—	1	—	New Zealand	2	2	1	2	1	2
Canada	2	10	1	6	1	7	Nicaragua	2	5	1	3	1	1
Cape Verde	2	—	1	—	—	1	Niger	2	1	1	—	1	2
Central African Republic	2	2	1	—	1	—	Nigeria	1	6	1	3	1	—
Chad	2	—	1	—	1	—	Norway	2	7	1	4	1	5
Chile	2	10	1	3	1	6	Pakistan	2	4	1	1	1	1
China	2	14	1	3	1	5	Panama	2	1	1	—	1	—
Colombia	1	4	1	2	1	2	Papua New Guinea	2	2	1	—	1	—
Comoros	2	—	1	—	1	—	Paraguay	—	—	—	—	—	—
Congo	1	2	1	—	1	—	Peru	—	4	1	2	—	1
Costa Rica	1	1	—	—	—	—	Philippines	2	11	1	4	1	7
Côte d'Ivoire	2	3	1	1	1	1	Poland	2	6	1	—	1	4
Cuba	1	3	1	1	1	1	Portugal	2	3	1	4	1	4
Cyprus	2	1	—	1	1	4	Qatar	2	3	1	—	1	—
Czechoslovakia	2	4	1	1	1	2	Romania	2	1	1	—	1	1
Democratic Yemen	2	1	1	—	—	—	Rwanda	2	—	1	—	1	1
Denmark	2	6	1	3	1	6	Saint Lucia	—	—	—	—	—	—
Djibouti	—	—	—	—	—	—	San Marino	2	1	—	1	—	2
Dominica	—	—	—	—	—	—	Sao Tome and Principe	—	—	—	—	—	—
Dominican Republic	1	—	—	—	—	—	Saudi Arabia	2	3	1	—	1	—
Ecuador	2	5	—	2	1	2	Senegal	2	5	—	2	1	3
Egypt	2	7	1	2	1	4	Seychelles	—	—	—	—	—	—
El Salvador	2	3	1	—	1	—	Sierra Leone	—	—	—	—	—	—
Equatorial Guinea	2	—	1	—	1	—	Singapore	2	2	1	—	1	5
Ethiopia	2	1	1	—	1	2	Solomon Islands	—	—	—	—	—	—
Fiji	—	—	—	—	—	—	Somalia	2	7	1	—	1	2
Finland	2	9	—	4	1	6	Spain	2	11	1	9	1	5
France	2	8	1	6	1	9	Sri Lanka	2	3	1	—	1	4
Gabon	2	2	1	—	—	1	Sudan	—	1	—	—	—	—
German Democratic Rep.	2	8	1	1	1	4	Suriname	1	—	1	1	1	1
Germany, Federal Rep. of	2	8	1	5	1	7	Swaziland	2	2	1	—	1	—
Ghana	2	3	1	1	1	2	Sweden	1	4	1	3	1	5
Greece	2	9	1	2	1	8	Switzerland	2	5	1	4	1	6
Grenada	2	—	1	—	1	—	Syrian Arab Republic	2	4	1	1	1	1
Guatemala	1	5	—	—	1	—	Tanzania, United Rep. of	—	4	1	—	1	1
Guinea	—	3	—	—	—	—	Thailand	2	5	1	2	1	2
Guinea-Bissau	2	—	1	—	1	—	Togo	2	1	1	—	1	—
Guyana	2	—	1	—	1	—	Trinidad and Tobago	1	—	1	1	1	—
Haiti	2	2	1	—	1	—	Tunisia	2	7	1	2	—	2
Honduras	2	1	1	—	1	1	Turkey	2	14	1	8	1	11
Hungary	2	5	1	1	1	3	Uganda	2	—	1	—	1	—
Iceland	2	1	1	—	1	—	Ukrainian SSR	2	3	1	—	1	1
India	1	6	1	5	1	5	USSR	2	12	1	2	1	7
Indonesia	2	13	1	3	1	2	United Arab Emirates	2	6	1	—	1	—
Iran, Islamic Republic of	2	10	1	5	1	6	United Kingdom	2	16	1	5	1	7
Iraq	2	4	1	—	1	1	United States	2	16	1	5	1	12
Ireland	1	4	—	—	1	1	Uruguay	2	3	1	2	1	2
Israel	1	5	1	—	1	6	Venezuela	2	7	1	1	1	6
Italy	2	13	1	5	1	6	Yemen	2	4	—	—	1	1
Jamaica	1	5	1	—	—	—	Yugoslavia	2	2	1	1	1	1
Japan	2	18	1	5	1	12	Zaire	—	3	—	—	1	2
Jordan	2	5	1	3	1	2	Zambia	2	1	1	2	1	1
Democratic Kampuchea	—	—	—	—	—	—	Zimbabwe	2	9	1	1	1	2
Total							245	572	123	202	121	313	

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Seventh sitting

Monday, 6 June 1988, 10 a.m.

Presidents: Mr. Beyreuther, Mr. Smith

COMMUNICATION BY THE PRESIDENT TO THE CONFERENCE

Interpretation from German: The PRESIDENT – Before taking up the first item on this morning's agenda I should like to make a communication to the Conference.

On Friday afternoon, 3 June 1988, I received a communication from Mr. Marco Gonzales Pastora, Employers' delegate, Nicaragua, in which he lodges a complaint concerning the composition of certain committees of this Conference. It is my duty to inform you of this letter, and I therefore beg the Clerk of the Conference to read it out.

Interpretation from French: The CLERK OF THE CONFERENCE – This communication is written in Spanish. It is dated 3 June 1988.

(The speaker continues in Spanish.)

Mr. Wolfgang Beyreuther
President of the 75th Session of the International Labour Conference

Dear Sir,

I am Marcos Gonzales Pastora, Employers' delegate from Nicaragua to the 75th Session of the International Labour Conference, and I wish respectfully to bring the following to your attention.

As Employers' delegate, I asked the Employers' group to be included as a titular member of the Committee on the Application of Standards, and for my adviser, Mr. Aragón, to be assigned to the Committee on Rural Employment. Neither I nor my adviser were included among the voting members of these committees.

For these reasons and on the basis of the resolution adopted on 14 June 1959 by the Conference, I request that the Appeals Board be convened to examine our complaint and have us included among the voting members of the Committee on the Application of Standards and the Committee on Rural Employment.

Yours etc.,

(Signed) Marcos GONZALES PASTORA,
Employers' delegate, Nicaragua

Interpretation from German: The PRESIDENT – This complaint comes under the procedure adopted by the Conference on 8 June 1959. It must therefore go to the Appeals Committee which I shall convene without delay. I invite the author of the complaint to be good enough to send me in writing, before tomorrow Tuesday at midday, a brief note summarising his position so that I can transmit it to the Appeals

Board as soon as possible. The Board will decide on the procedure it intends to follow but, bearing in mind earlier practice, I would request the complainant and all other persons concerned to be good enough to place themselves at the disposal of the Board in case it wishes to hear them. The hearings will take place as soon as possible, most likely on Wednesday, 8 June.

THIRD REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

Interpretation from German: The PRESIDENT – We shall now continue with our agenda, beginning with the third report of the Selection Committee. I call on Mr. Vargas Escobar, Government delegate, Nicaragua, Chairman of the Selection Committee, to submit the report to the Conference.

Interpretation from Spanish: Mr. VARGAS ESCOBAR (Government delegate, Nicaragua; Chairman of the Selection Committee) – I have the honour to submit to the Conference the third report of the Selection Committee which is to be found in *Provisional Record* No. 5B. The Committee suggests that certain non-governmental international organisations be invited to be represented in the Conference and in some of its committees. It also recommends that the Conference approve some changes in the membership of certain committees of the Conference, which will be found in the document I have just mentioned.

I recommend to the Conference that the report be adopted.

Interpretation from German: The PRESIDENT – I submit the third report of the Selection Committee to the Conference for discussion. If there are no objections, I take it that the report is adopted.

(The report is adopted.)

RATIFICATION OF THE INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION, 1986

Interpretation from German: The PRESIDENT – I would like to inform the Conference that the Director-General of the International Labour Office has registered the ratification by Rwanda of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986.

This brings the total number of ratifications and acceptances of the Instrument to 37.

Interpretation from German: The PRESIDENT – The next item on the agenda is the discussion of the reports of the Governing Body and of the Director-General.

Mr. AHMED (*Workers' delegate, Pakistan*) – I feel it my great privilege to associate myself with other distinguished speakers in offering sincere felicitations to the President on his election at this historic Conference, as well as other Vice-Presidents including Mr. Adiko, my old friend representing the Workers' group.

I also take the opportunity to convey fraternal greetings on behalf of the Workers' delegation of Pakistan and myself to all the participants, in particular the Workers' group of this Conference.

May I take the opportunity to convey our deep appreciation of the work of the members of the Governing Body headed by Mr. Russomano, the Ambassador of Brazil; in particular, the part played by the Workers' group under the leadership of Mr. Muhr, ably assisted by Mr. de Vries, secretary of the group. The report of the Governing Body has been outlined in *Provisional Record* No. 4.

We also appreciate the leadership of Mr. Francis Blanchard, the Director-General of the International Labour Office, in carrying out the decisions of the Conference and the Governing Body. On this occasion, we appeal to all the member States which have not yet done so to ratify the important Instrument for the Amendment of the Constitution; so far it has been ratified only by 36 member States, including Pakistan.

Mr. Francis Blanchard, Director-General of the International Labour Office, has chosen an important subject for this report, *Human rights – A common responsibility*, on the eve of the 40th anniversary of the passage of historic documents, namely the Universal Declaration of Human Rights by the United Nations and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Since the founders of the ILO have committed themselves as far back as 1919 that universal and lasting peace can only be established if it is based upon social justice in its Constitution as well as reaffirmed by the fundamental principles on which this Organisation is based and declared in the Philadelphia Declaration that labour is not a commodity and freedom of expression and association is essential to sustained progress.

The Universal Declaration of Human Rights also reiterates some of the important cardinal principles of the rights of workers, namely articles 22 and 23. It reiterates the right to work and the right to equal pay for equal work, the right to just and favourable remuneration and the right to form and join trade unions. Article 22 states the right to social security of workers and article 24 reaffirms the right of workers to rest and leisure. Similarly, article 25 also asserts the right to standard of living, education, health and well-being of the worker and his family. To this end, the working class may rightly stress to member States that they should not only ratify the key ILO Conventions concerning the basic rights of workers such as freedom of association and collective bargaining – Conventions Nos. 87 and 98 – as well as Convention

No. 141 concerning rural workers' organisations, the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Abolition of Forced Labour Convention, 1957 (No. 105), but also arrange its implementation in letter and spirit.

Our country has ratified these Conventions long ago. It is really distressing to find that there are a large number of pending complaints against many governments in violation of the basic human rights convention within their respective countries.

Not only does the ILO supervisory machinery, in the form of the Committee of Experts, report on the implementation of ILO Conventions and Recommendations and the ILO Governing Body Committee on Freedom of Association, need to be further strengthened but also their observations regarding the violation of basic human rights conventions by the member States need to be redressed promptly. At the same time, the ILO should strengthen its technical assistance programme to the government, workers' and employers' organisations in member States to develop and strengthen the appropriate infrastructure to implement these Conventions, as well as strengthen education and training on basic ILO standards.

The Director-General rightly pointed out that the denial of civil and political rights tend to have adverse effects on the enjoyment of economic and social rights which has been reaffirmed by the Secretary-General of the United Nations in his remarks quoted in the Director-General's Report: "human rights violations do not occur in a vacuum ... Rather, they are more appropriately viewed as the natural consequence of systems rooted in injustice and inequality and which are often created and reinforced by a range of consciously pursued political, social and economic policies."

Therefore, civil and trade union rights go hand in hand with economic and social rights. How can the severe problems of mass unemployment, abject poverty, ignorance and disease be fought out within the nation and between nations if the rich are allowed to be richer while the poor remain devoid of basic needs? In order to improve the quality of life of peasants and working-class and lower strata of society, and war against want requires to be carried out with unrelenting vigour within each nation and by continuous and concerted international effort in which the representatives of workers and employers enjoying equal status with those of governments join with them in a free discussion and democratic decision with a view to the promotion of common welfare as proclaimed in the Declaration of Philadelphia. Since there are more than 900 million people living in Third World countries in a state of extreme poverty, more than 500 million people are underemployed and 620 million people are illiterate, and 90 million children are subject to harsh labour due to the extreme poverty of their parents. These problems are aggravating day to day with the rise of population, on the one hand, and widening the gap between the rich and poor within nations and between nations, on the other hand. On the contrary, US\$1,000 billion are being squandered every year on mass armaments build-up, stockpiling of nuclear holocaust enough to eliminate the species of mankind from this earth. Similarly, the prevalence of an unjust international economic order is against the interest of Third World countries in the form of trade, monetary system,

exchange rates, indebtedness due to international monetary policies, fixation of unfair prices to their products and commodities are further multiplying the economic and social sufferings of the people of Third World countries. They are paying more than US\$700 billion, almost one-third of their export earnings in debt servicing. In such a situation, there is a dire need to change this scenario by diverting technology, material and human resources for improving the social and economic conditions of the poor, on the one hand, as well as associating the masses in decision-making process through their strong and independent trade union and rural workers' organisations by strengthening a participative democratic society.

In this context, we welcome the signing of the nuclear short-range missiles agreement between the United States and the USSR, as well as the Geneva Accord on Afghanistan as a step further for the promotion of peace in the world. However, we abhor and strongly condemn the racist regime of South Africa for pursuing the policy of apartheid, which is a crime against the whole of mankind, as well as the denial of trade union and human rights and liberation to Arab workers in the occupied territories and the commission of atrocities against them by Israel. I urge the ILO to continue to strengthen its support for the liberation movements. We assure them of our complete solidarity and support for their just cause.

We in Pakistan are striving hard to strengthen the institutional framework of human rights, and the working-class movement has been a torch-bearer of this cause. That is the reason that our Government has restored fundamental rights laid down in our Constitution. However, the Workers' group, in a recently held national tripartite labour conference, urged the Government to introduce progressive amendments in labour legislation to bring it into line with ILO Conventions Nos. 87 and 98 and remove other obstacles. The Government of Pakistan has introduced new measures for the promotion of education for the children of workers, free of cost, as well as allocating 178 million rupees for the construction of workers' housing on the eve of May Day. However, the working class is putting pressure upon the Government to bring more positive economic and social reforms to relieve the workers from inflation and unemployment and enlarge measures for vocational education and training, and improve the working and living condition of workers and introduce land reforms for the welfare of peasants and more facilities for the young, women and rural poor for their economic and social upliftment.

We also take this opportunity to stress that the ILO should continue to strengthen its technical assistance programme in the area of vocational education and training, improving working and living conditions, employment promotion, rural development and workers' education, international standards, population planning, women and young people's and children's welfare policies, and the development of appropriate technology for Third World countries, including Pakistan.

We appreciate the work of these branches of the International Labour Office, including the Workers' Relations Branch, and such activities undertaken by the International Labour Office, including the work of the Asia and Pacific Regional Office and the Area Office of Islamabad, is appreciated.

We hope that the conclusion of this important session of the Conference under your presidency will be a step further towards the amelioration of living and working conditions of working men and women all over the world so that they can build a better tomorrow.

Interpretation from French: Mr. NDOYE (*Minister for the Civil Service and Labour, Senegal*) – Mr. President, I wish to take the opportunity afforded me today in order to offer you, on behalf of the delegation of Senegal and personally, my most heartfelt congratulations upon your election to the presidency of our Conference which every year draws the attention and raises the hopes of the world of work. I remain convinced, Mr. President, that, thanks to your competence and your distinguished qualities, the 75th Session of the International Labour Conference will be a major landmark in the strengthening of the work of our Organisation, which so far has been extremely fruitful.

I likewise wish to congratulate the other Officers, whose assistance and advice will be valuable to you in the fulfilment of your lofty functions.

It is also an opportunity for us to pay tribute to Mr. Francis Blanchard, Director-General of the International Labour Office, for the skill and dedication with which he unceasingly serves the cause of our Organisation.

The fact that the subject of our general discussion this year is human rights must not be viewed as mere lipservice to the celebrations surrounding the 40th anniversary of the adoption of the Universal Declaration of Human Rights; it must provide confirmation that the ILO, because of its calling, has always, throughout history, inestimably helped man to develop his full potential through the humanisation of work.

Indeed, our Organisation, one of the oldest within the United Nations system, has as its mission to recall to the conscience of mankind its duty or rather its obligation with respect to workers, who are pursuing their well-being and seeking a just recompense for their work and a participation in decisions affecting their future; is this not the condition for social justice without which, as stated in the Declaration of Philadelphia, no peace can be lasting?

It is in this respect that the standard-setting action of the ILO reflects the goals of the United Nations Charter, which are aimed at safeguarding and promoting fundamental human rights.

The Report of the Director-General, whose loftiness of purpose we hail, recalls this mission of the ILO; indeed, Albert Thomas, the first Director of the ILO, said that this mission fulfilled the deep aspirations of all countries.

However, it should be pointed out that if the ILO's universal standard-setting activities, are to be strengthened, they must take into account regional characteristics, economic difficulties and the concerns of the developing countries.

If we have frequently stressed the need to bear in mind these specific characteristics it is not because we want to create "substandards for subhumans", but rather to highlight the necessary adaptation of standards to the limited capacities of such countries.

Universality, understood in this sense, does not mean uniformity; it is in keeping with the process of adjustment, ensuring that common goals are at-

tained, taking into account the cultural, social and economic environment of the various regions.

Adopting the methodology of the global approach to human rights, their interdependence and especially their indivisibility, the Report of the Director-General is based around three main ideas: freedom, participation and solidarity which are the key concepts of social progress.

In this respect, we are pleased to note that this same approach has been used by the Senegalese authorities, since they advocate the right to development as a human right, without which no social progress is possible. To quote Judge Kéba M'Baye, Vice-President of the International Court of Justice, we stress it is because man cannot live without development, that the right to development is a human right.

Indeed, civil and political rights, in other words, the so-called formal liberties, would have no meaning for humans who are suffering under conditions of famine, malnutrition, ignorance and terror.

The right to development, viewed as a comprehensive right, better expresses the concept of interdependence between human rights and presupposes the prerogative which each and everyone must have to meet their needs in accordance with their aspirations to the fullest extent that equitable enjoyment of goods and services produced by the community affords.

In other words, as far as Senegal is concerned, the conventional concept of formal liberties, as expressed in the various international instruments, must be brought in line with the socio-economic and cultural realities of peoples.

The Senegalese authorities have, in fact, acted accordingly by attaching great importance to the concepts of freedom, participation and solidarity, which are the prerequisites for development. Fired by this conviction, the Head of State of Senegal, President Abdou Diouf, proclaimed that the Senegalese are convinced that without respect for fundamental human rights, without participation of the individual, without minimal freedom to act and think, there is no real development.

In agreement with the Report of the Director-General, we believe that freedom and non-discrimination through the protection of the rights to organise remain the only instruments available to the worker to safeguard his interests. In Senegal, the exercise of the right to organise is part of daily reality and takes the form of the power that workers have, through their freely constituted associations, to defend their material and moral interests, under republican legality.

One of the foremost demands of workers is equality of opportunity and treatment, both as regards access to jobs and remuneration.

But we must not forget that the bastion of apartheid is still standing in Africa and that it has made discrimination into a governmental system, thereby excluding millions of Black workers from the benefits of minimal working standards and social security.

We must also not forget that, paradoxically – and this is almost a provocation – the apartheid regime is celebrating its 40th anniversary precisely at a time when mankind is celebrating that of the Universal Declaration of Human Rights.

Our organisation is duty-bound once again to condemn the anachronistic system of apartheid and in-

corporate the struggle for its downfall into the great movement to defend and promote human rights.

With this in view, Senegal, in reaffirming the objectives of the Declaration on Southern Africa, adopted at the 23rd Summit of the heads of State and Government of the OAU in July 1987, supports unreservedly the proposition that only the application of global economic sanctions will make it possible to overcome this crime against humanity.

By the same occasion, the situation of Arab workers in the territories occupied by Israel, including Palestine, continues to be a source of serious concern, compounded by the uprising of young Palestinian civilians whose future is unfortunately far from promising.

As was pointed out in the Report of the Director-General, the policy of establishment of Jewish settlements in the occupied Arab territories is an obstacle to the realisation of the principle of equality of opportunity and treatment in employment and social security. It is for this reason that the Government of Senegal is anxious to see the organisation of an international conference on peace in the Middle East in which all the parties concerned, including the PLO, the legitimate representative of the Palestinian people, would participate on an equal footing without any preliminary conditions.

This position must not however defer the possibility to apply immediate measures for development for the benefit of Arab workers, advocated in the conclusions of the Report of the Director-General.

We are further convinced that participation, through the tripartite principle and collective bargaining, is a factor of social progress. Being the cornerstone of social and political liberties, participation through the tripartite principle makes it possible to free energies, bring out creativity and promote dialogue between the social parties.

However, the denial of political and civil rights has unfavourable repercussions on the enjoyment of social and economic rights.

In Senegal, the most representative trade union has freely opted for what is normally known as "responsible participation" with the political party in power and the Government has set up a permanent framework for tripartite consultation with the employers' and workers' organisations. This bears witness to the fact that, far from denying unions their freedom, the public authorities have understood that the tripartite principle must be viewed in a positive way and not seen to be the outcome of a conflictual attitude.

In this respect, the Government of Senegal has always encouraged collective bargaining, the aim of which is to substitute collaboration for antagonism between workers and employers, in order, among other things, to guarantee social peace especially within a context of widespread economic crisis.

Finally, we remain convinced that solidarity is the precondition for social and economic development. Never more than today has there been such a need for energetic, international co-operation. The international economic crisis which is challenging our governments calls for a common will to look for solutions at a time when the debt of the Third World and the deterioration of terms of trade are resulting in the closing down of enterprises, unemployment, underemployment and a decline in living standards.

Our efforts must be geared towards building the foundations of a new economic order through the democratisation of international relations.

The ILO is in a privileged position to foster such co-operation because, as Albert Thomas said, it must forge the common social conscience, which is only possible if there is a climate of solidarity.

It is with this view in mind that the ILO will have to step up its defence of human rights, through a combined action of standards and technical co-operation. This is the price we shall have to pay if our Organisation is to play a role equal to its calling.

Allow me to dwell on the interdependence between human rights; there can be no freedom without economic security and any neglect of the latter will prevent the aims of the Universal Declaration of Human Rights from being fulfilled.

All-out attempts for growth must not undermine respect for human dignity because the final goal of development is the constant improvement in the well-being of the population as a whole.

Whatever sacrifices may be required by the population, the requirements of growth must not either justify nor excuse denial of human rights.

As so clearly stated by President Franklin Roosevelt, economic policy cannot be a role in itself; it can only be a means of achieving our social objectives.

In the trilogy of growth, employment and the satisfaction of basic needs, employment is an essential feature. We must therefore insist on the need to humanise our countries' structural adjustment policies which are dictated by the drastic international economic situation.

These policies, as Senegal views them, must not overlook the social dimension of development nor the dramatic repercussions they have for the world of work.

To conclude, may I stress the Government of Senegal's firm intention to spare no effort to promote human rights, which constitutes one of the cornerstones of its domestic and foreign policies.

However, if efforts to promote international standards on human rights are to be effective, they must reflect the common will of all the Members of our Organisation, working in close co-operation to assume the common responsibility so aptly mentioned by the Director-General in his Report.

Mrs. SIGURDARDOTTIR (*Minister of Social Affairs, Iceland*) – Mr. President, I should like to begin my address by congratulating you on your election as President of the 75th Conference of the International Labour Organisation. I am quite certain that you will serve in this position of trust with responsibility and firmness so that this Conference will be able to bring to a conclusion the important business on its agenda.

Part I of the Director-General's Report to the present 75th Session of the Conference deals with developments in the field of human rights with regard to the increasing economic problems and growing unemployment in many parts of the world. In this way the ILO is making its own contribution to the commemoration of the 40th anniversary of the United Nations Universal Declaration of Human Rights.

The promotion of human rights is one of the subjects that the ILO has had on its agenda from the beginning.

Although much has been achieved, human rights are still too widely violated. Some instances stand out. In South Africa apartheid is still the reigning policy of the Government of the White minority even though the world's condemnation of this cruel policy is fortunately becoming more and more outspoken. The Icelandic Government has made it clear that it is firmly opposed to the policy of apartheid and has been co-operating with other Nordic Governments in their determined stance against this policy. Some steps have been taken by the Government in this regard. I would specifically like to mention the resolution adopted by the Icelandic Parliament last April for a trade embargo on South Africa.

In Northern Europe, the part of the world to which Iceland belongs, fundamental human rights, such as the right to free expression and free assembly, have been held in great esteem for a long time. The countries have very different priorities from those of the nations where these rights still have to be established. This is mentioned in the Director-General's Report.

In Iceland, the aspect of human rights which has been discussed most extensively is equality of the sexes. The present Government, which came to power in July 1987, has placed special emphasis on matters concerning equality and the family. In the formal agreement concluded between the political parties represented in the present Government, the equality of women and men is emphasised, with special stress laid on equal pay. It is also emphasised that people should to some extent be able to regulate their working hours themselves, and that working hours could be shortened without any loss of pay.

The aspect of equal rights which has recently been studied specifically under the auspices of my Government involves the situation of women on the labour market. It has been found that women's contribution in employment is not valued as highly as men's. Men tend to receive all kinds of extra payments much more than women, such as a car allowance, extra pay and payment for overtime. The percentage of women in positions of responsibility is much smaller than that of men, even though very great progress has been made in women's education during the past decade.

The Government of Iceland is planning to make determined efforts to ensure equality of the sexes in Icelandic society over the next four years. One of the things we shall try to do is to have every Ministry and every official institution draw up a plan for increased equality within each institution regarding both equal pay and equal possibilities of promotion. The Government has high hopes that these plans will prove effective. I should also mention that Iceland is taking part in a common project with the other Nordic countries to develop and test methods for breaking down the male-female division of the labour market.

During the past few years developments in Iceland have nevertheless been to the advantage of women. A significant milestone was passed when an Icelandic woman became the first woman in the world to be democratically elected as Head of State. The election of Mrs. Vigdís Finnbogadóttir as President of Iceland has been a great incentive for other Icelandic women to make their mark in all facets of society.

One of the fundamental goals of the Government of Iceland in its economic and employment policies has been to keep the country free from unemploy-

ment. For the last 40 years we have had virtually no unemployment. Thus, Iceland has actually fulfilled the objectives set forth in Article 2 of the Employment Policy Convention, 1964 (No. 122). Unemployment in Iceland has, in fact, been less than 1 per cent of the available workforce. But it has not always been easy to maintain these conditions. The greatest single factor influencing this is the undiversified nature of our exports. Iceland bases its livelihood on fishing. More than 70 per cent of the country's foreign exchange earnings come from exports of fish and fish products. When there have been difficulties in the fishing industry, whether from falling prices on our export markets or from reductions in catches, the Government has been forced to apply very strict economic measures in order to maintain full employment. In his Report the Director-General recognises that conditions vary within the member countries in these respects. It is certainly a matter of concern that the Icelandic Government has at times had to resort to enacting laws to restrict pay rises. However, the purpose of passing such laws is first and foremost to protect job security, to reduce the rate of inflation and to secure the purchasing power of wages, especially for the lowest-income group.

I am glad to announce that my Government is now preparing the ratification of several international Conventions, among them the Employment Policy Convention (No. 122).

The present Government of Iceland is searching for various means of improving the competitive position of Icelandic industries and thus increasing job security.

Among the resolutions passed at the Fourth Regional European Conference of the ILO, convened last September, there was one on vocational training which laid great stress on the need for tripartite co-operation to increase the opportunities for workers of receiving vocational training and re-education. This is a message which the Icelandic Government takes seriously. It has been preparing an overall plan in these matters, on which it continues to work.

The organisations of employers and workers are fully aware of the importance of this plan. Recently, an increasing number of its provisions have been included in wage agreements concerning re-education.

On the agenda of this session of the Conference there are numerous important matters. Before us we have a proposed new international convention on employment promotion and social security. Even though Iceland is one of the few countries where unemployment is virtually unknown, we wholeheartedly endorse the views put forward in the proposal before this session of the Conference. We have to fight unemployment with all the means available. Human dignity is at stake in this.

The number of accidents in the building industry in Iceland is far too high. The Icelandic authorities have been trying by various means to reduce the number of accidents in this trade. We have very comprehensive laws on security and hygiene in the workplace. The Icelandic Administration of Occupational Safety and Health has been tightening up its inspection of the implementation of these laws, especially at construction sites. But I am of the opinion that we have to seek new alternatives in these matters. A new convention and recommendation on the

subject will undoubtedly be a valuable contribution towards accident prevention in the building trade.

The finances of the ILO are a matter of concern. The financial straits in which the Organisation has found itself will result in decreasing assistance and service. This will mainly affect the small and poor nations that are most in need of assistance. Many of these nations find it difficult to pay the cost of sending a trilateral delegation to take part in the three-week session of the ILO Conference. I am of the opinion that the Organisation should take more notice of these matters. Its objective should be to make it equally easy for all Member States to take part in its work, whether they are big or small, rich or poor. Every State has its role in the community of nations, including those which are small and poor. The summit meeting between General Secretary Gorbachev and President Reagan held in Iceland in 1986 shows that small nations can contribute in their own way to international co-operation and at the same time to lasting peace in the world.

In conclusion I should like to extend my best wishes for the future work of the ILO in its important task of abolishing social injustice in the world, and in this manner making the world a more peaceful place.

Interpretation from Spanish: Mr. PAZZIANOTTO PINTO (*Minister of Labour, Brazil*) – On behalf of the Brazilian Government, I wish to congratulate Your Excellency on your welcome election to the presidency of the 75th Session of the International Labour Conference. I am happy that all these delegations of the member States – representatives of governments, employers and workers – are meeting here for a further important stage of negotiations and discussions.

I extend my greetings to the Director-General, Mr. Francis Blanchard, who with his outstanding talent and experience, has led the ILO through a dynamic period of undoubted significance in the world field, providing a free and democratic forum where the major problems connected with the world of labour are usefully discussed.

I consider the ILO meeting of this year to be of particular importance, because we are celebrating here the 40 years of existence of the Universal Declaration of Human Rights and of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

Adopted by the General Assembly of the United Nations on 10 December 1948, the Universal Declaration of Human Rights is the most significant political document of this century and will certainly be seen as such throughout the next century. It affirms the equality of man in dignity and in rights and states that, endowed with reason and conscience, men should act towards one another in a spirit of brotherhood. It proclaims the universal right to free choice of employment, to just conditions of work, to protection against unemployment, to equal pay for equal work, to just remuneration ensuring workers and their family an existence worthy of human dignity. Drafted in the same spirit that has guided the ILO since it was first set up in 1919, the Universal Declaration of Human Rights further proclaims the right to form and to join trade unions for the protection of the workers' interests.

For its part, Convention No. 87 has reached its 40th anniversary with all the prestige attaching to its

more than 100 ratifications and by the general conviction that trade union autonomy and freedom of association are the essential touchstones of the organisation of democracies. Forty years after its approval at the San Francisco Conference, Convention No. 87 retains its authority as a basic document of trade unionism today, as opposed to the fascist co-operative models of the thirties and forties; and with its force and relevance it should serve as an inspiration and as a guide for those who engage, with effectiveness and due awareness, in the struggle for modernity in the difficult field of collective labour relations.

For Brazilians, this year is also significant because it marks the centenary of the abolition of slavery. It was on 13 May 1888 that the Imperial Princess Isabel d'Orleans, as a member of the regency of the Empire, signed, in the midst of great rejoicing, the law which put an end to that greatest, most shameful plague.

The Black race made and is still making a notable, undoubted and generous contribution to the development of Brazil. Through its untiring and creative work, its artistic talent, its religiousness, its strength and skill, its dedication, its heroism when necessary, the Black population, an important part of the Brazilian population, is a strong and vital feature of our human landscape, our economic life and our cultural, social and political activities. President José Sarney, in his speech commemorating the centenary of the abolition of slavery, recalled that in Brazil racial discrimination is a crime, that the Blacks brought an original and moving ingredient from Africa to the soul of Brazil. It is impossible to imagine Brazil without its richest and most original feature, making it unique in the world: the presence of Black people in every sector of the leadership of our country, in a fruitful revolution of redemption which still prevails.

As I said in my previous statements, with the Government of President José Sarney, Brazil began to carry out a widespread effort to achieve simultaneously political transition and economic recovery, two Herculean tasks which require the need to do away with old structures held up by decades of arbitrariness, authoritarianism, maladministration, waste, graft, embezzlement and indebtedness.

Thus, in my country, we are facing a doubly difficult but also doubly fascinating task: to transform a system which was authoritarian for centuries into a new democratic organisation creating durable institutions to resist the crises which frequently assail young nations with a high degree of concern combined with a great desire for growth.

In the political sphere, the transition is moving steadily forward, soon, we hope, to be crowned by the work of the Constituent National Assembly. It should be recorded that in this Assembly, representing all economic sectors, all trends of political thought, from the communists to the monarchists, and including the various left-, centre- and right-wing movements, social questions are among those which arouse most interest and controversy, leading us to believe that the future Federal Constitution of Brazil will express the thoughts of the majority of the Brazilian people. Although the Constituent National Assembly is continuing its task the changes in the field of labour relations promoted by the Government are of enormous significance, as the Employers' and Workers' representatives have acknowledged from this rostrum at this Conference. There have been

some unfortunate episodes of violence, involving workers, rural land owners and eventually indigenous people in which the Government played no part; but the Government is earnestly taking energetic action to investigate the facts and identify those responsible, who will be brought to justice.

In these last three years the trade union movement has been particularly active. There have been over 5,000 strikes involving essential public services. The Government, through its present legislation, has recognised more than 1,060 new trade unions of which 400 are rural workers' organisations.

Other government measures bear witness to the Government's concern for labour, such as the establishment of unemployment insurance, support for craftsmen, systematic combating of industrial accidents and occupational diseases, approval of the standards regulating rural labour, acceleration of the process of ratification of ILO Conventions, and a new salary policy providing for monthly adjustments particularly with respect to the minimum wage.

The economic transition is slower than the political one, because of our poverty and because it depends, *inter alia*, on large-scale investments. I wish now to turn to a subject which has often been mentioned – the external debt.

Although it must be said that Brazil has made some progress in its negotiations with its creditors and with the International Monetary Fund, according to the most recent information given by the Minister of Economy, it is imperative to halt the economic, social and political constrictions caused by the need to make payments which are frequently beyond the economic capacity of the debtor country.

Brazil has placed itself in the worthy situation of one who wishes to comply with its responsibilities. It will do so even at great cost and sacrifice, but it must not do so by having to impose recessive policies of unemployment, massive export of resources, low wages, hunger and poverty.

The division of the world into developed and non-developed countries may be unfair, but it can be understood. However we cannot allow the policy of strangulation practised by the developed countries when they are creditors, towards the non-developed debtor countries, particularly because this policy generates political instability and can result in social upheaval which will have repercussions on the industrialised countries themselves.

In the last ten years, Brazil has transferred abroad in payment of debts and debt-servicing net resources of the order of 143 billion dollars. For this year the prospect is for a trade surplus of the order of US\$12,600 million, 85 per cent of which will have to be used for debt servicing.

This sum could have paid for 330,000 direct jobs in industry, calculating an average per job of 30,000 dollars – without counting the indirect and multiplier effects of the jobs that might have been created in the internal market and abroad. The obligations imposed by the debt continue to prevent Brazil from importing the equipment indispensable for extending and modernising its industry.

The fact that the external debt is closely linked with the political and social destiny of the developing countries has been very properly noted by the Director-General in various parts of his very detailed report on human rights. I congratulate him warmly for having included this topic in his important document.

Likewise, I am happy that the International Labour Organisation has continued to deal with the problem and to take steps in this regard. These include the resolution on development, external debt and the social objectives of the ILO which was an important milestone in the history of the Organisation since it dealt for the first time with the problem of the debt and its serious social consequences for the developing countries. This was followed by two international meetings: a meeting on the democratic administration of labour in the face of the crisis, convened by the Inter-American Centre for Labour Administration in Brasilia in September 1987, and the High-Level Meeting on Employment and Structural Adjustment held in Geneva in November.

At the former meeting, six labour ministers from Latin America (Argentina, Bolivia, Brazil, Peru, Uruguay and Venezuela), had an opportunity for a full and frank exchange of ideas about the serious economic and social crisis facing Latin America today as a consequence of the external debt burden.

At the High-Level Meeting, participants emphasised the fact that the ILO's activities in the field of employment stem directly from its special responsibility for labour and social issues within the United Nations system and in particular with respect to the promotion of productive, freely chosen employment. It was also pointed out that the number of unemployed and poor in today's world is alarmingly high, and according to the latest forecasts, will increase, thus requiring efforts through jointly agreed measures of a national and international nature to accelerate growth, generate employment and combat prolonged unemployment.

In this context, the industrialised countries must, among other measures, stimulate investments and create new employment, maintain and extend a unilateral open trade system in order to facilitate investment and international financing, allow the commodities from the developing countries access to their domestic markets and adopt flexible policies with respect to the external debt problem.

The developing countries, according to the High-Level Meeting, must adopt policies of structural adjustment that will enable them to take a better part in an interdependent economic world, sharing to the extent of their possibilities with the industrialised countries true responsibilities of maintaining and extending an open system of international trade.

Brazil has tried to carry out a policy of stability combined with a new structural order. Its new industrial policy, which was recently announced by the President of the Republic, provides incentives and encouragement to Brazilian and international employers while taking due account of our characteristics as a developing country and our requirements. Our Government has launched a challenge to investors to generate employment and wealth and to replace the old, hitherto necessary policy of import substitution by a policy of risks in a system that must be based on competition, quality and prices.

We are carefully assessing the possible consequences of an open economic policy in a country whose economy is still weak and requires protectionist barriers to achieve a certain level of industrial development.

The Government of President José Sarney has a clear idea of the difficulties facing our country and the rest of the world. We have tried to reduce the social

debt handed down from past years, but we have problems, and the most serious of these is a lack of resources required to overcome poverty.

It is with renewed confidence in the role of the ILO that we have come back here in the certainty that the 75th Session of this Conference will take an enormous step forward in establishing more effective links among the member countries, workers, employers and governments.

Interpretation from Arabic: Mr. AL-SABAH (Minister of Social Affairs and Labour, Kuwait) – Mr. President, Wolfgang Beyreuther, distinguished delegates, in the name of the State of Kuwait and its people, I greet you as well as all the delegations participating in this session of the Conference, which I have the pleasure to attend for the first time. I extend to you my congratulations, Mr. President, on the occasion of your election as President of this session. I also extend my congratulations to the deputies of the President, who won the confidence of this Conference.

The reason for our meeting is not the exchange of courteous statements. We are fully confident that you and your deputies, as well as all the delegates, will endeavour to make this session a success.

We appreciate the Director-General's choice concerning the theme of human rights for this session. It is a vital issue which relates to the aspirations and feelings of millions of people on this planet. The Director-General spared no effort in preparing and presenting it in a comprehensive manner. We thank him for that.

The Report has rightly stated that even though the expression "human rights" is not contained as such in the ILO's Constitution, the concept of human rights is the basis on which all the activities of the Organisation are founded. The ILO has in effect always emphasised the interdependent principles of civil, political, social and cultural human rights. Any impartial observer cannot fail to notice this in the activities of the Organisation.

Please permit me to make a few comments on the Director-General's Report.

First, the gap is widening between the principles forcefully stated in ILO documents, resolutions and Conventions, and the real situation in many parts of the world. This gap is a source of grave concern. We think that the governments, employers' and workers' organisations which make up this Organisation share the tremendous responsibility of bridging the gap between written principles and the actual situation in each and every country. They also have an obligation to urge countries with a poor human rights record to remedy these shortcomings. Because of the regional and international interdependence of the world, any violation of human rights in any country can affect not only the stability of that country, but also that of neighbouring or non-neighbouring countries.

Second, the concept of human rights is expanding. Undoubtedly, unemployment, poverty, indebtedness, wars and the forceful occupation of land directly affect human rights. Undoubtedly also, our concerted efforts are required to find a solution for the problems of unemployment and the accumulation of debt in the Third World. The present situation requires the adoption of a new international economic order for the purpose of finding solutions that respect the interests of all parties and protect the prices

of raw materials in the developing countries from speculation. If the international community fails to find satisfactory solutions to these grave problems, the concept of human rights will remain a verse written on paper, without any real effect.

Third, we are celebrating the fortieth anniversary of the Universal Declaration of Human Rights. This Declaration is the result of the unfortunate events which led to the Second World War, and of all the actions committed during that war which were, as the Director-General has rightly said in his report, "barbaric actions". While the whole world condemns such actions, I would like to remind my fellow delegates in this Conference of the similar barbaric actions taking place today in the Palestinian territory occupied by Israel. Those actions are committed against Arab citizens who have lost their freedom under the occupation. The whole world has seen how the Israelis arbitrarily violate the basic rights of the Palestinian people who live under occupation and who have had no other choice but to resist the repression with stones for more than six months now. The way the Israeli occupation is treating the Palestinians in the occupied territories by displacing and imprisoning them, by removing them from their lands, by demolishing their homes and depriving them of food and clothes is a repugnant aspect of these barbaric actions that the world community cannot accept.

We call upon the Conference to condemn these actions and confirm the political, social and cultural rights of the Palestinians to achieve the goals for which the PLO, their legitimate representative, is struggling.

Fourth, as the Director-General's Report has pointed out, wars are a form of violation of human rights, especially when they lead to the forceful occupation of territories of other nations. Unfortunately, the world has so far ignored the Iraq-Iran war, which is about to enter its ninth year, and which is taking place in one of the most vital regions of the world. It has claimed the lives of hundreds of thousands of men from both sides, cost billions of dollars, and jeopardised the security of other countries in the region. It is fair to say that Iraq has time and again declared its willingness to sit at the negotiating table in order to put an end to this destructive war. Unfortunately, Iran has refused all the offers, prompting world public opinion and the peace-loving countries to spur the Security Council to take its famous resolution 598 which calls for an end to the conflict. Iraq has accepted this resolution and we have to do everything we can to have Iran accept it also.

Fifth, although there has been a 54 per cent increase in the number of ratifications of the seven human rights Conventions between the years 1968 and 1988, further efforts and measures are needed to promote human rights at various levels, particularly in view of the fact that the present economic situation facing many countries necessitates further discussions of a number of general political issues in the social field, to which thought should be given by the Organisation and its component elements.

Our region has been adversely affected by the Iraq-Iran war. Besides the fact that a great number of innocent people have been killed, and money and resources, which some economic experts estimate to be more than the income both countries have accumulated since the discovery of oil, wasted, economic

and social development has come to a halt in this vital region of the world. The damage is even greater when one considers that many workers, on whom the countries relied, have been diverted from their work.

Kuwait, on whose behalf I am speaking, has suffered and continues to suffer materially and morally from the war. The same applies to the other peaceful countries of the Gulf.

This leads me to say that terrorism is one of the evils of our era. It is also an obstacle to human rights.

Terrorist gangs strike indiscriminately in all directions. Their victims are in most cases innocent citizens. My country has suffered more than once from terrorism.

I wish to refer in this Conference to the ordeal that the innocent passengers of the Kuwaiti airliner endured two months ago during its hijacking. The attitude that Kuwait adopted by refusing to submit to terrorism and blackmail and by maintaining its pride and dignity was an excellent lesson which a country, small in terms of area and population, but great in terms of principles and will, has given to hijackers. No surrender to terrorists. No accomplishment of their objectives. The Kuwaiti airliner was a means for terrorism to demonstrate the surrender of peaceful forces. It ended up, however, as an example of pride and steadfastness.

We believe that it is our responsibility to work for the achievement of the civil, political, economic, social and cultural rights of all peoples, by respecting the basic principles of tolerance, solidarity, freedom, human rights, social justice and equality of opportunity in order to achieve a lasting peace.

While we are discussing human rights, we cannot but refer to Kuwait's excellent record in safeguarding human rights. According to many international and non-aligned documents, Kuwait has achieved – without boasting – a high degree of protection of human rights for citizens and residents of Kuwait alike. Our country provides social, economic and cultural services that ensure a decent life for all our citizens. Our workers have their own unions, which receive help and support from the State. Citizens and workers receive equal salaries for equal work. Women in our country enjoy the right to work and social equality.

From this podium, we call for the elimination of any double talk when dealing with human rights. Our language must be straightforward, aiming at the protection of human dignity, encouraging solidarity and tolerance between people; it must be rational since the language of force cannot prevail after widespread destruction.

Human rights are also closely and surely affected by the risks of nuclear war which threaten the world. If we do not find a mechanism to control nuclear arms, the human rights of every persons on this planet will remain incomplete and constantly threatened.

Social evils are still around us everywhere: there are wars, as we have just mentioned; occupation, especially that affecting the Palestinian people; unemployment in many countries of the Third World; pollution of the environment; indebtedness. These are the major issues that we have to deal with. Their solutions cannot be found without co-operation.

We condemn, as we have already done in all forums, the racial discrimination in South Africa. Also, we support all people who struggle to recover their complete freedom.

Our objectives are huge, but we can achieve at least some of them through co-operation and good will.

I have reviewed some of the issues that I regard as important and that Kuwait considers urgent and basic. But I can assure you that we feel compassion and sympathise with our brothers in the Third World, and we do our very best to help them promote their development and overcome their difficulties. As a peace-loving country we always support just causes, and the cause of human rights in particular. Our religion and morals urge us to do so. The leadership of our Emir, His Excellency Sheik Jaber Al-Ahmad Al-Sabah, and the wisdom of our Crown Prince, Prime Minister His Excellency Sheik Saad Al-Abdallah Al-Salem Al-Sabah, has taught us to condemn any violation of human rights, regardless of its origin.

Mr. BATUBARA (*Minister of Manpower, Indonesia*) – On behalf of the Indonesian delegation, allow me to congratulate you, Mr. Beyreuther, on your election as President of the 75th Session of the Conference of the International Labour Organisation. Under your able guidance and wise leadership and with your extensive experience in manpower development, we are convinced that the discussions of this world-famous Conference will yield fruitful results which will not only engender the right decisions and stimulate action-oriented programmes but which will also contribute greatly to the betterment of men and women in today's world.

I would also like to take this opportunity to congratulate the other members of the Bureau who represent governments, employers and workers' organisations.

May I also take advantage of this occasion to express my sincere appreciation to Mr. Francis Blanchard, the Director-General of the ILO, for his searching Report which constitutes a fitting challenge to the delegates at this Conference and to all nations concerned in matters of human rights in a broad sense.

We Indonesians, like many other emerging nations in the twentieth-century world, have struggled for more than 150 years to gain our freedom and independence from colonial powers and the right to govern our own country. Within our Constitution we have clearly defined principles which state that freedom is the right of every nation large or small. To implement these principles our Government ensures the right of all our people to both form and join organisations and to express their views freely, the right of all our people to worship, choose their religion and practise their beliefs freely, the possibility for the individual to choose employment freely in keeping with personal abilities and inclinations, and the elimination of all forms of discrimination based on sex, creed, race or religion in respect of employment opportunities.

We are justly proud of these ideals and commend them to the peoples and governments of all nations. In general, the ILO and the Government of Indonesia hold the same views and support the same principles. We strive towards the same goals which embrace democracy and human rights. We strive for the freedom of the working man and woman and for their children and for economic prosperity and social stability in the years that lie ahead.

It is well known in the world today that various nations and their respective societies are at different stages in the development of democracy. Further, the degree to which democracy can be practised is dependent upon many factors, some of the more prominent being, inter alia, the efficient functioning of the government, the educational level of the population, the economic structure and the social conditions prevalent in the country.

We are most happy to be able to state that, in Indonesia, our laws promote a climate for the full implementation of democratic principles that ensure the well-being of the individual and society as a whole. At the same time, we in Indonesia are fully aware that, in the implementation of true democracy, the balancing of the rights of the individual in keeping with the needs of the nation must be ensured.

Freedom for the individual must take into consideration the freedom of others. The interests of the individual must take into account the macro-aspects of society at large, if they do not, then the balance of democracy is destroyed. Axiomatically, the major task of any government is to maintain this balance so that freedom for the individual is in effect freedom for all.

In any democratic society, public goals are best achieved by the integration of people into organisations of various categories both private as well as public in nature. Once an individual becomes a member of an organisation, he or she must moderate his or her views in keeping with the views of the majority which constitute an overview of the whole. By participating in such organisations, citizens are able to modify national behaviour profiles, transform aspects of their environment and achieve many national objectives such as the eradication of poverty, the improvement of medical and associated services, low-cost housing for all, expanded educational provisions and the enhancement of living standards, especially for the underprivileged.

These aspects are certainly evident in Indonesia and we are rightly proud of our achievements in developing a firm foundation for the practice of democratic rights as enshrined in our state ideology PANCASILA. Through PANCASILA, we are able to build up our infrastructure and bring together organisations to engage in continuous dialogue that leads to a consensus of opinion. The application of PANCASILA to commerce has facilitated the development of industrial relations which means in turn that we are able to practise the principles of the duly ratified ILO Conventions.

Indonesia is proud of the fact that, within a relatively short time after achieving independence, we have been able to establish a substantial number of bipartite and tripartite organisations in the country. In this respect too there are a significant number of commercial undertakings functioning with collective labour agreements. The value and virtue of the industrial relations system in our country lies in the fact that the collective labour agreements were developed in and through discussion between the entrepreneurs and the trade unions themselves without the need for intervention by the Government, although when necessary the Government does assist in facilitating such meetings.

Our experience is that when bipartite and tripartite bodies exist, and when these are supported by

collective labour agreements, most manpower problems and labour disputes can be solved through dialogue and the resultant consensus. In this way, conflicts and work stoppages can be reduced to minimum levels which in turn lead to the creation of genuine industrial peace throughout the workforce.

My delegation is most keen to participate in the discussion sessions, especially when employment promotion is the topic involved. Statistically, Indonesia is the fifth most populous country in the world, consequently its greatest challenge in the near future is in this very context. It is for this reason that over the past 20 years we have addressed the issues of expanding our employment potential and raising the standard of quality both in terms of end products as well as worker standards. Special attention has and is being given to casual undertakings and part-time employment.

Without question, countries such as Indonesia can never hope to outpace the technological developments of the industrialised nations with their incredible advances in robotics and similar automated mechanisms. My country, much like others in the same category, has still to contend with a predominantly labour-intensive workforce situation. We still have to face up to the reality of an economic structure that heavily emphasises traditional approaches to the manufacture of all manner of products and outputs. In our present stage of development, small-scale industry and informal sector intensification constitute the most appropriate approach to our labour and human resources problems. However, we regard these contingencies as being stepping stones along a meaningful route to more sophisticated methods and improvements. In this respect we appeal to the more advanced nations of this world for their comprehension of the reality of our situation. In this particular regard we ask them to bear in mind the following: firstly, our most urgent needs are for appropriate technology in our labour-intensive environment; secondly, we need the industrialised countries to open their doors to import our handcrafted products; thirdly, employment problems in developing countries involve not only the expansion of job potentials but also the elimination of poverty and the provision of basic human needs from which stems one of the foremost and most noble ideals of the ILO itself – the dignity of the worker and the human being *per se*.

Permit me therefore through this renowned Conference to address the ILO with a plea that much more detailed consideration be given to the real needs of developing countries in this decade, so as to place far greater emphasis on more effective means for human resources development and utilisation within predominantly labour-intensive environments. The ILO as an international body of repute can play a most effective bridging role to assist developing countries in their efforts to optimise natural and human resources and share relevant technology for the benefit of all. In this respect, such approaches as technical co-operation among developing countries (TCDC) programmes are particularly applicable and practical, and we would like to see many more innovative strategies implemented to the greatest extent possible.

Finally, let us work together as brothers and sisters in the common quest to better our people, to raise standards of living globally and to eliminate poverty through the best possible utilisation of the most pre-

cious resources of all – people – our people, who are surely the “salt of the earth”.

Interpretation from Russian: Mr. KOSTINE (Government delegate, USSR) – Mr. President, first of all allow me to congratulate you on your election to this lofty post. We are convinced that your considerable experience in labour relations will contribute to a successful session of the Conference.

It goes without saying that discussion by the session of *Human rights – A common responsibility* is very timely. Its significance is determined not only by the great importance of the problem of human rights in the present world, in international relations and in the activities of many international organisations, including the ILO, but it is also related to an important anniversary – the 40th anniversary of the adoption by the United Nations of the Universal Declaration of Human Rights.

The problem of human rights relates to some of the highest priority Organisation documents, since the International Labour Organisation in particular, as is rightly pointed out in the Report, was the first to speak of the indivisibility of human rights involving in equal measure political, civil, economic, social and cultural rights. Basic human rights, especially in the social sphere, have found their expression in many international standards within the framework of the ILO.

We feel that the Report of the Director-General is a good basis for a broad discussion of the problem of international co-operation in the sphere of human rights from the point of view of new political thinking, general human interests and more human international relations.

We are in full support of the Report when it calls upon all Government members of the ILO to deal with the question of workers' rights and to develop international co-operation in this area. We also share the view that social questions should not take second place in drawing up economic growth and improvement programmes.

The Communist Party and the Soviet Government are now giving priority importance to social development, and are providing for a decisive strengthening of social direction in our plans and in the economic decisions we are taking. A radical economic reform has begun in our country which is aimed at accelerating economic development, increasing the role of the human factor, further activating social policy, creating an effective system to motivate and stimulate all workers to work fruitfully for the common good. This will be decisive in attaining a qualitatively new level of well-being for the people and all-round development of each Soviet citizen.

In the course of “perestroika” (restructuring), which is now taking place in our country, workers' rights in all areas of activity are being broadened and there is a broad development of democracy, “glasnost” (openness) and self-management. In accordance with the law on state enterprises and their transfer to the system of self-accounting and self-financing, all the basic questions relating to the activity of a particular enterprise are now being resolved by councils of labour collective elected by the workers. All managerial posts – from the general director to the foreman and brigade leader – are now elective.

The individual and, particularly, the co-operative activity of the workers is developing. Last month the

Supreme Soviet of the USSR, following a general discussion and lively debates, adopted a law on co-operatives. Even before the law was adopted the number of co-operatives (not counting collective farm) was more than 20,000, including 6,000 that were set up in the last three months. Under this law the co-operatives become completely independent in all spheres of their activity.

Individual and co-operative work is an important means for more fully satisfying the demands of the population for goods and particularly services. More than that, they are, together with the rapid growth of the non-manufacturing sector, helping to provide full and effective employment. This is becoming a particularly timely problem for us in view of the planned reduction by the year 2000 of the number of workers in the State manufacturing sector by some 15 to 16 million.

The Soviet concept of human rights is based on the indissolubility and interdependence of all rights.

We do not set social rights against political and civil rights. They should all, so far as is possible, provide man with a dignified existence.

In our view, without real security of social and economic rights – and they should be at the centre of ILO's activity – declarations on individual freedoms acquire a purely formal character.

We consider that depriving able-bodied people of their right to work, the lack of an opportunity to give one's children the education of their choice and the situation where the health of an individual and his very existence become directly dependent on the size of his income are violations of human rights. We regard as a violation of human rights to deny the needy the right to housing, and to turn them on to the streets with the assistance of the authorities and the police. We have always been actively against the violation of human rights in the Republic of South Africa and in the Arab-occupied territories by Israel.

How can you reconcile human rights with the threat to use means of universal destruction? The world cannot be considered safe if the basic human right – the right to life – is disregarded.

The question of interdependence between peace and social justice is stressed in the Constitution of the ILO, occupies a central position in the Declaration of Philadelphia and should also be adequately reflected in the activity of this Organisation.

We are open to discussion of questions on human rights in terms of comparing the practice of guaranteeing human rights in countries with different social and economic systems and in terms of the possibility of developing international co-operation on the matter. One of the most recent demonstrations of this was the proposal Mikhail Sergeyevich Gorbachev made to President Ronald Reagan at the talks recently concluded in Moscow to broaden the discussion on human rights. In the Soviet Union, such questions are now being widely discussed, in particular through the mass media.

Our country and socialism as a whole have something to show in terms of historical achievements in guaranteeing human rights. However, we are in favour of ridding the subject of demagoguery, which obscures the genuine substance and meaning of the very concept of "human rights" and takes the question from the realm of constructive co-operation into that of sterile confrontation.

Given the different approaches to and understandings of human rights in different countries and among different individuals, it is extremely important to have a broad exchange of views on these questions, both within individual countries and between countries. Little by little we are assembling a mechanism for international co-operation in the sphere of human rights. For instance, there is an agreement to create a standing body to deal with human rights with deputies to the Supreme Soviet of the USSR and members of the United States Congress taking part. We now have "tele-bridges" (televised debates) between cities in the USSR and other countries in which questions of human rights are touched on or specially discussed. This year alone we had 18 "tele-bridges" between cities in the USSR and cities in the United Kingdom, the Federal Republic of Germany, the United States, Japan and Switzerland.

The Soviet Union is one of the co-authors of the United Nations Charter, and of the Universal Declaration of Human Rights, and is a party to international treaties on human rights and to most other basic international agreements in that area. As is well known, we have ratified and we abide by the main ILO Conventions on human rights. Provisions concerning human rights from the Helsinki Final Act entered the Constitution of the USSR as an integral part, which is far from being the case with all states parties to the Final Act.

Our country is actively participating in the ILO's standard-setting activity. We consider that the elaboration and adoption of and monitoring of compliance with international standards is one of the main tasks of our Organisation and we are prepared to do everything we can to assist its development in an environment of honest, constructive and many-sided dialogue.

We should like to support the measures mentioned in the Report of the Director-General on the further improvement of standard-setting activity as a contribution by the ILO towards guaranteeing human rights. At the same time, we should mention that not all aspects of human rights related to the tasks of the ILO have been adequately incorporated in ILO Conventions and Recommendations. Following the adoption in 1977 of a tripartite declaration of principles concerning multinational companies and social policy, the ILO did not take effective steps to protect the interests of the workers from abuses by multinational corporations.

Today, in the USSR, in a spirit of socialist humanism and taking account of international practice, we are working to amend and improve legislation and practice in accordance with the provisions of ratified Conventions. In March of this year, the Presidium of the Supreme Soviet of the USSR issued a special decree on changes and additions to certain labour laws in order to bring them into line with the provisions of ILO Conventions. The preparation of a whole range of new legislation, such as the law relating to annual leave and the new law on social security, among others, is also being undertaken to take due account of international labour standards.

Since last year, we have introduced new rules on entry to and exit from our country. At present, there is a draft decree before the Presidium of the Supreme Soviet on additional measures to improve further the

rules on entry into the USSR and exit from the USSR for both Soviet and foreign citizens.

Speaking of human rights in the USSR I should like to touch upon the question of freedom of conscience and the freedom of religion. The Constitution of the USSR states: "Citizens of the USSR are guaranteed freedom of conscience, that is, the right to profess or not to profess any religion". At present, in the USSR, we have approximately 7,000 active churches of the Russian Orthodox Church, 1,120 Catholic churches and several thousand other places of worship: mosques, Lutheran churches, synagogues, evangelical, Baptist and other churches. In June of this year, the Millennium of Christianity in Russia is being widely celebrated.

We also have quite a few problems with human rights. Some violation of our laws and rights take place. Suffice it to say that the courts reinstate about half of those dismissed from their jobs who appeal to the court if they consider the administration's or trade union's actions to be unjustified. In order to achieve wider protection for the rights of our citizens, we have adopted in January a law which came into force on the appeal procedure in cases of illegal actions by officials limiting human rights.

Considering the difficulty of upholding human rights, we feel that particular importance should be attached not only to the existing international system for the protection of human rights, but also to the creation of favourable international conditions for further promoting an effective national and social policy to seek solutions for the problems of indebtedness, development, employment and to establish a new, just international economic order.

The Soviet Union, of course, supports developing countries in their struggle to attain real economic independence and equality. Developing countries must be given active assistance with their social and economic development. We therefore support the ILO's activity as regards technical co-operation programmes and regional activity. In the light of the Geneva agreement on Afghanistan, therefore, we hope that the International Labour Organisation, within the terms of its reference, will also provide the necessary assistance to the Republic of Afghanistan. I may say that our country is prepared, together with the whole international community, to take all necessary steps in that direction.

In conclusion, allow me to express our firm conviction that the discussion on human rights at the present Conference will contribute towards more active participation by the ILO in the protection of workers' rights throughout the world in the spirit of social justice and co-operation.

Interpretation from French: Mr. BOKAM (*Minister of Labour and Social Welfare, Cameroon*) – Mr. President, the delegation of the Republic of Cameroon, which I have the signal honour of heading at this 75th Session of the International Labour Conference, wishes first of all to associate itself with previous speakers in offer its heartfelt congratulations to Mr. Beyreuther, on his election to the post of President of the 75th Session of the International Labour Conference. I am firmly convinced that under your direction, and thanks to your outstanding knowledge and experience, the work of the Conference will be conducted under favourable conditions and will lead to positive results.

I should also like to congratulate the other officers of the 75th Session. Likewise, I wish to congratulate the Director-General of the ILO, Mr. Francis Blanchard, for the outstanding report he has submitted to us. It is extremely useful for our debate and for all the other action adopted to ensure the success of this Conference.

Part I of the Report of the Director-General entitled *Human rights – A common responsibility* contains interesting suggestions concerning the different questions with which the international community is confronted in the promotion and defence of human rights.

Be it the reaffirmation of the independence of the labour movement, the pursuit of the struggle against apartheid, the measures to be adopted for the benefit of migrant workers, the macro-economic measures to be adopted for the promotion of full employment, we subscribe fully to the solutions as they are advocated.

However, may I be permitted to dwell on two questions: productive and freely chosen full employment, and equality of opportunity and treatment. As was so aptly pointed out by the Director-General in his Report, unemployment, which is the denial of full employment, has become a world-wide scourge which spares no nation.

Without ignoring the importance of the other rights, primary responsibility for which falls upon our Organisation, – and here I should like to point out that my country has ratified all the Conventions relating to the fundamental principles and is endeavouring to apply them – it is clear that employment is the *sine qua non* condition for exercising these rights. Without employment, man cannot exercise the right to organise, nor can he claim to have social security benefits, or equality of opportunity and treatment because he finds himself outside the labour market. Priority must therefore be given by our Organisation to achieving this right.

In this connection, the Director-General has proposed a course to be followed by the developing countries. It is to reduce, as far as possible, their dependence upon the rest of the world by relying first of all upon their own strength. We share this point of view and the Government of Cameroon has not awaited this analysis to get down to work. Since 6 November 1982, which is the date of the accession of His Excellency Paul Biya to the presidency, the development of Cameroon has been based upon the following four fundamental options: community liberalism which encourages private initiative as the driving force of progress – this assigns to the State the job of regulating, guiding and mobilising efforts and alerts Cameroonians to their duty of national solidarity so that liberalism is not perceived as the possibility left to the rich freely to exploit the poor; the establishment of an independent national economy capable of satisfying autonomously the essential economic needs of the people – this presupposes the mobilisation of all the available domestic resources; social justice which enables everyone to find his own fulfilment, to participate in the development of the nation and to benefit from the fruits of growth, the goal being to ensure better distribution of national wealth so as to raise the living standard of the population and particularly the rural people, to reduce unemployment and to provide education and social coverage for the population as a whole; national

integration as the ultimate phase of national unity, in other words, that which makes it possible to transit from living side-by-side to a genuine union of the hearts, the kind which makes it possible to establish a bridge between the various entities of the nation so as to bring them to open themselves to each other.

On the basis of these fundamental options built into our Sixth Five-Year Development Plan we can already note an attempt to achieve self-sustained development taking into account the rural situation.

But more specifically, efforts to control our development have taken the form in the last few years of an active policy to promote small- and medium-sized enterprises to allow, in the long run, the formation of genuine national capital which in turn would shelter us from dependence. As regards the development of the rural world, Cameroon is an essentially agricultural country and therefore particular attention has always been devoted to that sector.

The Government of national renewal has set five guide-lines for this sector during the Sixth Plan: decentralising the action of the administration which will in the long run result in the implementation of projects by development companies; the revitalisation of leadership; extending the modern agro-industrial sector; promoting medium-sized operations; integrating young people into the rural environment.

Among the accompanying activities I might mention the following: improvement of living conditions in order to stop rural migration: at present 60 per cent of rural localities have a water source. By 1990-91 we intend to have 6,500 water sources and 350 water systems; electrification is also following its course - 212 villages have been electrified during the Sixth Plan; the opening of rural tracks encourages development and the goal is the introduction of a network of 5,000 km of rural tracks by 1990-91.

The income of rural workers is very much lower than that of city workers, and this difference contributes to the development of rural migration.

In order to remedy this, my Government intends to work out an index of production costs for the main crops; to set up a follow-up system of agricultural prices on the domestic market and for commodities on the external markets; to set prices for producers for export products varying according to changes in production cost and consumer price indices, in such a way that agricultural revenues can be maintained at an attractive level; to support the prices of food products by establishing agencies that can buy on the market at minimum prices: gradually to make the price and bonus policy more important than the policy of subsidy.

Other action is contemplated for the rural sector in the field of education, health, and so on. It would be too wearisome to enumerate all this here, especially since I merely wanted to show that the solution proposed by the Director-General is operational in my country. But these activities to promote productive and freely chosen full employment cannot succeed in the present economic environment.

The constant decline of our export prices has made it impossible for us to achieve our goals. As an example, for the budgetary year 1986-87 our export earnings have fallen by approximately 200 billion CFA francs, whereas the prices of imports are constantly increasing.

How, then, can we reach our goals if nothing is done to ensure a fair price for our products?

The situation of my country is similar to that of many other developing countries. It is the cause of the debt which is now threatening the very foundations of the world economy. We are going from one moratorium to another, and not tackling the very heart of the problem which is the establishment of a new economic, social and cultural order. Since the interests of the rich nations as well as the poor ones are involved in the debt problem we believe that the establishment of a new economic, social and cultural order is at hand. Hope is permitted. It is also possible to hope with respect to the hateful system of apartheid.

For many years, a racist and backward minority has constantly violated the rights of the Black majority in Azania. The Republic of South Africa is now the only country in the world where racial segregation is proclaimed in the Constitution, even though there have been other examples in the recent past.

My country, faithful to the United Nations Charter and to the Universal Declaration of Human Rights, has always condemned this system which continues to defy the whole of mankind. We are happy at the efforts made by the international community to eliminate this scourge and particularly the action of our Organisation in this respect. The time, it seems to me, has come to go from boycott to economic sanctions as advocated by the Security Council, which certain major Powers still hesitate to apply thereby reducing the chances of decisively weakening this abominable and inhuman regime.

Although the Government of Pretoria is yielding to some extent by introducing a few reforms, which are incidentally insignificant for the Black people of South Africa, what is needed in this part of our continent is not reforms but the abolition - pure and simple - of the odious apartheid regime.

The two matters that I have discussed have a point in common. Human societies do not seem to become aware of the need for change until they have their backs to the wall. This is true of the establishment of a new economic, social and cultural order, and it is even more true of apartheid. If this attitude does not change, the human rights that we are all hoping for will not be achieved tomorrow.

This wait-and-see attitude must be abandoned and any situation that involves the germ of domination with respect to human rights must be dealt with before it is too late.

From this standpoint, international solidarity in conformity with the Philadelphia Declaration must be one of the values to be promoted in the years to come.

Peace is possible at this price, and indeed only at this price.

Interpretation from French: Mr. ABOUBACAR (Minister for the Civil Service and Labour, Niger) - Mr. President, it is a pleasure for me to join those speakers who have spoken before me in extending to you, on behalf of my Government, on my own behalf, and that of my delegation, our very warmest congratulations for your election to the presidency of the 75th Session of the International Labour Conference.

We are convinced that under your enlightened leadership the discussions of this session will be a total success.

I would like to take this opportunity to present to the Director-General, and to the entire staff of the International Labour Office, our sincere gratitude and our warm congratulations for their full devotion to the noble ideals of the Organisation, which is reflected in the excellent documents which have been submitted to our Conference.

We have reviewed the report on the activities of the ILO for this past year and we see very clearly that our Organisation is committed to the tripartite principle, which is indispensable in order to pursue the goals we have set. We shall not dwell on this report, which speaks for itself.

However, it is indispensable to emphasise the success of the 75th (Maritime) Session. In this connection, Niger, despite the fact that it is land-locked, would like to express its satisfaction with the remarkable work accomplished at that session; we are convinced that the new standards adopted will improve the conditions of seafarers.

The High-Level Meeting on Employment and Structural Adjustment is also of considerable interest because of the relevant conclusions it reached. It is indeed undeniable that a large-scale action will have to be carried out throughout the world to promote employment and bring unemployment under control.

We have noted with satisfaction that despite the financial difficulties encountered by our Organisation, it has strengthened its operational activities in Africa by providing technical assistance in various fields.

Nevertheless, as is so relevantly noted by the report submitted to us, the economic crisis in Africa is continuing to worsen, thus engendering an increase in needs and therefore a greater demand for technical assistance from the International Labour Office. We hope that the expenditures of the Organisation in the field of technical co-operation will be commensurate in the forthcoming years with the level of external debt, the pressures arising from population growth and the various factors which hamper the harmonious development of our States.

The ILO must continue its action in the fields of employment promotion and labour and social security administration, particularly in the countries which are most seriously affected by drought and other natural disasters.

I cannot conclude these brief comments on the report of the Director-General devoted to the activities of the ILO without referring to the activities of the International Centre for Advanced Technical and Vocational Training in Turin. There again we note the efforts deployed towards Africa with a view to responding to the ever-growing volume of requests. Given the increasing demand on the Centre, it must be strengthened through additional sources of financing for the implementation of its programmes.

In this connection, I should like to launch an urgent appeal to the international community, particularly to the wealthy countries, requesting them to support the activities of this important tool of technical co-operation of our Organisation by ensuring its regular financing, and even by allocating to it a certain percentage of the yearly contributions of the member States of our Organisation.

I wish also to congratulate the Italian Government for the considerable aid it has always given to this institution.

I should like to deal now with the very important section of the Director-General's Report entitled *Human rights – A common responsibility*. The choice of this theme, 40 years after the adoption of the Universal Declaration of Human Rights, seems to me to be relevant from very many aspects. Indeed, it affords a retrospective assessment of what has been done hitherto, and also a view of future directions in an area universally recognised as primordial.

Africa, for its part, has recently adopted an African Charter on Human and Peoples' Rights, which takes due account of the specific values, traditions and cultural identity of our continent.

The 75th Session of the International Labour Conference is being held at a time when the efforts of the countries of the South to ensure their development are unfortunately thwarted by the ever-growing deterioration of their terms of trade with the countries of the North. Yet all human efforts aim at guaranteeing man's greater liberty and dignity.

That is why we feel that the situation which continues to prevail in South Africa must be given the attention it merits by all peace-loving and justice-loving peoples. Apartheid, the shameful crime against mankind, is a source of deep concern for my country. This flagrant violation of human rights is unbearable for us morally. We have always denounced any form of economic, cultural or military co-operation with the regime of South Africa, and we reiterate our commitment to respect all the United Nations decisions aimed at eradicating the despicable system of apartheid.

In the OAU my country has never failed to give its unstinting support to the cause of the South African populations, and to that of the Palestinians, in the form of material and moral aid to the liberation movements and to the workers of those countries. Despite the difficulties it is experiencing, Niger has recently again contributed financially to the Organisation of the Tripartite Conference on Action against Apartheid held in Harare, Zimbabwe, from 3 to 6 May 1988.

Our position on any form of violation of human rights arises from our conviction of the value and dignity of man. This conviction is embodied in a series of national measures we have adopted.

Since the end of the 73rd Session of our Conference, my country adopted a National Charter to guarantee further the fundamental individual and collective freedoms and rights of all the people of Niger.

In the implementation of that Charter, the President of the Supreme Military Council, the Head of State, Colonel Ali Saibou, has sought to institute favourable conditions to enable our citizens to fully exercise their rights. In this connection, may I mention a few examples: – First, the action deployed in favour of occupational rehabilitation and the integration of physically handicapped or socially disadvantaged persons; – Second, many measures, particularly in the field of housing and the struggle against unemployment, as well as the promotion of initiatives designed to improve the social conditions of the people of Niger; – And, finally, actions aimed at promoting productivity and boosting incomes in rural areas. We should note in this connection the holding of a symposium on the rural sector in March 1988, and the scheduling in the very near future of another symposium on the private sector.

I cannot end this list of measures without referring to the implementation of a programme to support private initiative and the creation of employment, which aims at modernising the national economy by producing a new generation of businessmen who can provide the basis for a true economic revival and guarantee the promotion of true full employment.

Furthermore, with a view to ensuring the implementation and follow-up of the different resolutions and recommendations of the ILO, a reorganisation is taking place within the Ministry for the Civil Service and Labour, leading to the creation of a Department for Employment, and a restructuring of the Department of Labour and Social Security, so as to increase the protection of the workers against occupational risks and give new impetus to consultations and contacts between the social partners and with the Ministry responsible for employers' and workers' organisations. Finally, as regards social security, a new protection service has been set up.

Finally, may I be allowed to wish success to the 75th Session of the International Labour Conference.

Interpretation from German: Mr. MUHR (Workers' delegate, Federal Republic of Germany) – I had the honour of supporting your nomination as President of this Conference on behalf of the Workers and I should like to congratulate you on your unanimous election following this nomination; I am sure that you will lead the Conference to a successful conclusion.

When the United Nation was first founded in 1945, we all hoped that the post-war period would usher in a truly peaceful order. Yet, today, 43 years later, we know that this order is still deficient and far too frequently threatened.

Forty years after the pioneering Universal Declaration of Human Rights, the respect for and protection of human dignity cannot be taken for granted. Instances of violation and injustice, oppression and misery demonstrate how much has to be done to establish such elemental human rights. There are also new threats to face which are due to the population explosion, dangers to the environment and the burden of debt in many developing countries. The ILO has a hard task before it to combat these problems. Economic and social obstacles should be done away with as soon as possible since they stand in the way of human rights.

Far too frequently we turn away from the misfortunes of this world and human rights are measured with double standards. When it suits a given political and economic concept, they are publicly condemned; not infrequently, they are tolerated when political or economic interests are at stake. However, when human rights are assessed exclusively in the light of nationalistic or economic interests, they lose their moral force and their universal nature. Human rights, peace and freedom are, and will remain, indivisible.

The ILO has the important role of supervising basic human rights in the world of labour and of improving the lot of the poor, as well as that of many workers.

I thank the Director-General for his excellent and exhaustive survey on the social dimension of human rights. He also rightly described the human rights aspect of the ILO's basic social standards. In its

standard-setting activities, the ILO has successfully supplemented the Universal Declaration of Human Rights and made its provisions relevant for workers. It bears witness to the consensus existing at the time it was signed as the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), dates from the same year. The supervisory machinery of the ILO also makes it clear that these rights are not merely moral in nature but also have legal implications.

Unfortunately the rate of ratification has slowed down over the past few years. Even basic instruments such as the Conventions on freedom of association, forced labour or equality of opportunity and treatment have not been ratified by all the member States of the ILO. Even industrialised countries are reticent when it comes to ratifying worthwhile important minimum standards. They opt for a policy of deregulation and flexibility in social attainments in the mistaken belief that they will then be able to compete better in the world market.

What lies behind this policy which is also pursued by the employers in an ill-disguised attempt to reduce real wages, increase inequalities, make jobs less secure and cut social security. Should such a deregulation policy become widespread, not only will the set of values which we have established in the ILO be endangered but we shall not witness the creation of new jobs either in the industrialised countries, or in developing countries; on the contrary.

The industrial countries should be aware of the fact that they bear full responsibility for the unfair economic differences existing between north and south and thus for the ensuing social unrest.

The ILO provides the member States with a platform upon which they can dispel doubts as to their credibility and give us proof of their sincere desire to achieve human rights.

A further requirement is the effective application of standards that have been adopted and ratified. The gulf between the formal adoption of the standards and their actual implementation is very often tremendous.

Human rights should not only be the object of statements but should be translated into reality as soon as possible. The Director-General puts forward in his Report certain practical ideas and suggests actual measures to be taken, for instance, on the extension of Convention No. 111.

Crimes against humanity perpetrated by the system of apartheid in South Africa are among the most serious abuses of human rights. I shall not, go into this subject more deeply at present because there is a special session of the Conference to consider the Director-General's Report on apartheid, and I shall have the opportunity to return to it then.

In many parts of the world the infringement of fundamental trade union rights seems to have become the norm. The many complaints before the ILO testify to this. Time and time again, trade unionists are prevented from doing their work, are persecuted and arrested.

Even in places with long-standing democratic traditions, opportunities for trade unions to exercise their rights in full freedom are often restricted. The upholding of trade union rights is, however, vital to the existence of free, democratic societies.

Trade unions in the Federal Republic of Germany have also had occasion to submit complaints to the

ILO supervisory bodies concerning the non-compliance of Convention No. 87. For instance, under German law civil servants can be called in against their will to replace striking workers. The German Confederation of Trade Unions (DGB) considers this to be inconsistent with the content and letter of Convention No. 87.

Certain courts have even dismissed trade union protests against economic and social policies of the Federal Government. In this respect too, we have also turned to the ILO supervisory bodies to ensure that protests of this nature in the Federal Republic should not be in dispute.

Basic trade union rights should be upheld everywhere, regardless of the prevailing economic, social or political conditions. In respect of Convention No. 11, our Federal Government had to submit to an extensive procedure and the Committee came to the conclusion that: "the undifferentiated application of the duty of faithfulness to all officials, without regard to the effect which their political attitude or activities may have on the exercise of the functions assigned to them" was not in compliance with the Convention.

The Federal Republic has accepted the procedure and we now expect it to carry out the recommendations by the Committee.

Over and above its standard-setting and supervisory activities, the ILO must also work towards making necessary to all people the economic and social means necessary for them to attain their right to human dignity. We must constantly bear in mind that human rights are not only denied by dictators but also through poverty and a lack of opportunity. Freedom from fear and freedom from want are inextricably linked. The weakest and most disadvantaged members of our society have to bear the brunt of the present employment and distribution crisis.

Approximately 900 million people now live in abject poverty. The situation is particularly depressing in Africa, where the number of the poor will probably double between 1980 and 1995.

Yet the world spends approximately \$1,000 billion every year on armaments. People would not go hungry if the money, instead of being spent on arms of extermination, would be spent in order to improve the quality of life and to close the gulf between poor and rich, developing and industrialised countries.

Many countries are on the brink of economic bankruptcy and are fighting for their bare survival. It is vital that the highly indebted countries of the Third World should have prospects for the future and a real chance to overcome their economic problems.

A new international development strategy is necessary, as was pointed out by the High-Level Meeting on Employment and Structural Change. Industrialised countries not only have a special responsibility to bring about necessary adjustments in the world economy and reduce protectionism but also to find a solution to the debt problem of the developing countries.

One of the specific tasks of the ILO is to ensure that when working out adjustment programmes, ILO standards should not be undermined. At the same time, the social needs and problems of the poorer segments of society must be taken into account and the participation of workers' and employers' organisations secured.

More than ever we need a universal binding set of values, which will become legal standards for all

States and not be questioned by any government, even in a case of emergency.

The ILO's system of standards constitutes a good basis upon which social and human rights can be made a driving force; it is also a cornerstone for a true world order based on peace without hunger and without need. We must not flag in our attempts to attain this common goal.

Interpretation from Spanish: Mr. ARROYO SAN MARTIN (*Employers' delegate, Mexico*) – I congratulate you, Mr. President on your election, and on behalf of the Mexican employers I wish you success in your task.

"Freedom of expression and association are essential to sustained progress".

"The war against want requires to be carried on with unrelenting energy within each nation, and by continuous concerted international efforts in which the representatives of workers and employers, enjoying equal status with those of governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare."

These concepts of freedom of speech and association, as well as the constant tripartite effort to promote the common welfare, embodied in the Declaration of Philadelphia, are some of the principles which have prompted Mexican employers to continue to be present and active in the future, as we have been in the past, through widespread and fruitful participation in this Organisation.

Mexicans, independently of the sector to which we belong, have always been interested in the work of the ILO and have participated in the Governing Body and the Conference as well as in practically all the activities of this great Organisation.

I agree with Mr. Francis Blanchard that it is the responsibility of all of us to see to it that human rights are fundamental and inalienable, and that they are in force at all times and in all places. All human beings are entitled to these rights regardless of the specific conditions of countries or their particular political systems. This is the goal which the ILO is striving towards. From this international rostrum I congratulate Mr. Blanchard on his magnificent work.

Fortunately, I am able to state that human rights in my country are observed to a very high degree, even those applying to racial minorities – a subject that will also be dealt with in this Conference.

Mexico is a country that was the cradle of great civilisations such as those of the Mayas, the Olmecs, the Toltecs and the Aztecs. Because of the advancement, the brilliance and the splendour of these cultures, their material achievements have lasted to our day and continue to enrich Mexico and the entire world.

Mexico is a mosaic of indigenous peoples, mixed races and Europeans and, through the centuries, has succeeded in amalgamating vastly different traditions, races and cultures into a unified whole in which, with full respect and guarantees for our human rights, we Mexicans all strive to promote the common good. Nevertheless, in the present-day world, there are, sadly, still differences in human rights which we must analyse and help to remedy. Freedom of speech and association are essential for sustained progress, according to the Declaration of Philadelphia, which is now in force in most countries, but, speaking as an employer and as a Latin Ameri-

can, I wish to express my regret at the presence of negative elements that are hostile to employers' organisations in Central America. On occasion they have done physical and material damage to the organisations, even leading, in some cases, to the imprisonment of their leaders. This situation must undoubtedly be collectively rejected if there is to be any hope of remedying it internally.

In establishing a link between freedom of expression and freedom of association as a factor of progress, the Declaration of Philadelphia emphasises the close relationship existing between the exercise of the right of association and other civil liberties.

The normal exercise of freedom of association entails respect for the right to liberty and security of person as well as protection against arbitrary arrest and detention, freedom of opinion and expression, the right of assembly, the right to a fair trial by an independent and impartial tribunal, and the right to protection of the property of employers' or trade union organisations.

These concepts, which are contained in the Report of the Director-General, together with the principle of solidarity which we employers have unswervingly supported, leads my delegation to endorse all the measures which the ILO may adopt with respect to apartheid in South Africa. At the same time, however, we demand an expression of solidarity by this Assembly in condemning the violation of the right of free association which has occurred in Central America.

The continuous and concerted efforts in which the representatives of workers and employers, enjoying equal status with those of government, join with them in democratic discussion with a view to the promotion of the common welfare have assumed particular significance in my country.

In Mexico, as of 15 December last, we have brought together the agricultural and other workers, employers and government representatives in an economic pact of solidarity in order to make a common effort to combat inflation and the economic crisis facing us no doubt as a reflection of the world economic crisis, of the crushing external debt and of a lack of economic discipline.

The pact is in force and has begun to yield positive results, thanks to the joint efforts of all the sectors involved and, in general, to the sacrifice made by all Mexicans in managing to reduce the inflationary rate substantially from 15 per cent in January to 2 per cent in May through cuts in public expenditure and the gradual privatisation of the state companies.

Social consensus within respect for the autonomy and freedom of the truly representative social partners has once again proved its effectiveness in solving the major social problems. These are principles that emanate from the ILO and that safeguard human rights both individually and collectively.

As long as this joint effort is continued, proper economic discipline is maintained and the principles of freedom that should be observed in countries with a tradition of democracy and freedom such as ours, are respected, it should be possible for us to place our economy on a healthier footing.

Mexico is making efforts to recover its rightful place in the world context by introducing structural changes, reducing the size of the government sector and eschewing the paternalistic and populist policies that have done so much damage to us, adopting an

open attitude to trade which will compel us to become aware of the need for productivity and international competitiveness. This will lead, no doubt, to the rethinking of our legislation, to administrative simplification and decentralisation, to labour flexibility, to industrial reconversion and, in general, to a positive evolution towards new and modern structures.

But this is not enough, as article 28 of the Universal Declaration of Human Rights clearly states: "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realised".

There can be no application of human rights if countries and their inhabitants suffer from growing impoverishment, if social well-being decreases instead of increasing, if young people instead of finding job opportunities, are frustrated in the legitimate aspirations and have no way out of their poverty.

The crushing external debt of the Latin American countries is leading us in the developing countries into disregard for human rights.

Mexico needs the understanding of its creditors who, through a consensus that will be beneficial to all parties, and in which our long story as punctual payers, and the efforts we have made to render our economy healthy, will be taken into account and will allow us to take advantage of the discounts provided for commercially in our debt and to seek creative proposals for the reduction of interest – all this within a concerted renegotiation that would be beneficial to all parties concerned.

I look upon the Universal Declaration of Human Rights as a common ideal for all peoples and all nations.

The ILO, as a tripartite organisation, has a privileged role and also a special responsibility in the constant struggle to uphold human rights.

(Mr. Smith takes the Chair.)

Interpretation from French: Mr. BENLAKHDAR (*Workers' delegate, Algeria*) – On behalf of the General Union of Algerian Workers, I should like first of all to offer my congratulations to Mr. Beyreuther upon his election to the office of President of the 75th Session of the International Labour Conference.

At the plenary of this 75th Session, we have decided to make a statement in order to put forward our own reflections, comments and suggestions after a careful reading of the Report submitted by the Director-General which is entirely devoted to the question of human rights.

By choosing to deal with this subject at a time where certain burgeoning hopes have difficulty in finding their place in a world that continues to inflict the most abject aggression upon certain peoples, the most intolerable and flagrant injustices, the Director-General of the ILO has offered an opportunity to us – representatives of the workers of a developing country, a country profoundly attached to the principles of dignity, freedom and justice – to voice our misgivings, our hopes and our commitment in the case of the enormous and exalting undertaking, the incomplete, constantly restarted undertaking – the defence, preservation and the expansion of human rights.

In this connection, and given the way things have to be seen by and within the ILO, we deem it appropriate to quote the Director-General who emphasises in conclusion that a discussion of the ILO's contribution to the realisation of human rights must start from a consideration of relevant principles and standards.

Is this not a turn of style that might let it be thought that the ILO in this specific field of human rights is not competent to get to the bottom of things, in other words, to identify, denounce and condemn all the national or international entities which by their own actions or their open support or colluding silence, are behind what may be called the outright generalised and permanent violation of human rights in certain parts of the world and specifically in South Africa and Namibia, in occupied Palestine and Chile, to mention just these countries.

As far as our labour organisation, the UGIA is concerned, we are thoroughly convinced of the appropriateness, usefulness and effectiveness of the ILO's action in the defence of human rights in all parts of the world.

However, we are just as convinced of the need that the ILO should go beyond the formal limitations imposed upon it by the texts in order to be even more worthy of its calling.

In this respect, if the ILO is naturally competent to inquire into the conditions governing the exercise of workers' rights throughout the world through a perfect knowledge of national political, economic, social and cultural realities, it also has a duty to adopt firm and unqualified positions and to take comprehensive and effective action in favour of the workers and peoples living under the racist yoke of Pretoria, Zionism, colonialism and fascist dictatorships.

Specifically, in the case of the tragic situation of the South African and Namibian workers we are gratified that the policy of apartheid remains, as Mr. Blanchard says, the most serious and persistent challenge at the principles of equality that are defended by the ILO.

However the UGTA is entitled to wonder whether in South Africa and in Namibia, this systematic and unequalled violation of human rights would have been possible without the open support of certain Western countries for the Pretoria regime.

We therefore wonder if the international community has assumed all its responsibilities in the face of the odious crimes perpetrated daily by the Pretoria regime against the workers and peoples of South Africa and Namibia.

The Report of the Director-General also deals, quite naturally, with the situation of workers in the occupied Arab territories by the Zionist aggressor.

In this case the UGTA is also highly pleased at the role adopted by the ILO in defending the fundamental rights of the Arab workers in the occupied territories.

However, we must ask whether the ILO is fully meeting the legitimate aspirations of these workers by confining itself to "examining the situation of these workers and the measures to be taken in order to improve their living and working conditions in the light of ILO standards."

Once again, a comment is called for – must the ILO standards be a frontier that cannot be crossed, a border that prohibits the ILO from clearly stating

that the improvement of living and working conditions of Arab workers in occupied territories implies in the first instance, the recognition of the right of the Palestinian people to establish a sovereign and independent State in its usurped fatherland under the leadership of its sole and legitimate representative, the Palestine Liberation Organisation.

Alongside questions connected with the right to organise and equality of opportunity and treatment, the Report also deals with full employment as a essential constituent element in human rights.

In this field also, the tremendous work done by the ILO, the convincing results achieved over many decades are evidence of the effectiveness of its activities.

Nevertheless, we are wondering if today and in the future the ILO would not stand to gain if it expanded its vision and field of action and affirmed its action in order to go to the deep-rooted causes of unemployment throughout the world.

In this connection, we say that in the long term the answer to the problem of unemployment cannot go hand in hand with selfish and isolationist attitudes of adjustments and restructurings carried out at national level.

Along these lines, our conviction is that the fairest and most effective solution to this problem is inescapably to be achieved through the establishment of a genuine dialogue between industrialised and developing countries, through the establishment of actions which stand in solidarity between the North and the South and also through all, rich and poor, powerful and destitute, becoming aware that the future of all the countries of the world and all the economies of the world is indissolubly linked.

We also believe that the great powers of this world have a decisive role to play in the implementation of a global employment policy to benefit the poorest countries.

Let us call a halt to the colossal waste of human, material and financial resources devoted to war and the destruction of humanity, and let us work for the triumph of wisdom and solidarity for the good of those deprived of employment and those millions of men and women suffering famine, disease and ignorance in Africa and in other regions of the world.

It is in this direction, we are convinced, that the ILO must orient its efforts and its means. It is under these conditions that the principles of dignity, freedom and solidarity will flourish in a world reconciled with itself.

To include, I should like on behalf of the General Union of Algerian Workers to renew our total support to all workers and peoples struggling for the realisation of their legitimate aspirations in South Africa, in Namibia, in occupied Arab Palestine, in Chile, in New Caledonia and in western Sahara, where, I am glad to say, wisdom, perceptiveness and attachment to the ideals of peace, justice and freedom on the part of all concerned is now opening a prospect of a just and lasting solution to this unfortunate problem which has for so long threatened peace, stability and security in the region and constituted a real obstacle to the establishment of a Great United Arab Maghreb, a great task to which my country attaches the greatest importance.

Thank you for your attention and I wish total success for our work.

The PRESIDENT (Mr. SMITH) – There are two requests for the right of reply: one by Mr. Tizmaaghz, Government delegate, Islamic Republic of Iran, the other by Mr. Danieli, Government adviser, Israel.

I would like to remind the Conference of the practice regarding the exercise of the right of reply. The reply should refer only to the point at issue. It should be brief, it should not exceed three minutes and it should not give rise to any further remarks. Lastly, it should be couched in correct and parliamentary language.

Interpretation from Arabic: Mr. TIZMAAGHZ (*Government delegate, Islamic Republic of Iran*) – In the Koran, Heaven proclaims that he who has aggressed you must be aggressed by the same means and the same weapons. Certain speakers of Arab delegations have referred, in terms which are not suited to the dialogue which should prevail within this Organisation, to a subject which calls for an answer on my part. I request the President of the Conference to give me this right of reply which refers only to the questions on the agenda, the Reports of the Director-General and of the Governing Body.

We were not the aggressors. We defend ourselves, as we have since aggression and war were imposed on us, an aggression which has lasted for 8 years. Everybody knows who has been the aggressor, who has disregarded the Algiers Convention, who has bombed the cities, the villages, who has violated the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War, and who started to attack merchant shipping, and who has burnt and massacred merchant seafarers. As the delegate of Kuwait has stated, if these States had done what they had said, there would be peace. However, it was Kuwait that called on the navy of the United States in the Gulf, and everybody knows that it was on the invitation of Kuwait that war has been extended. If you want peace, why do you call on the great Satan, why are you arming the enemy, why are you supplying it? You have aided a State which denounces all international conventions, which uses chemical weapons against civilian populations, in towns and cities – and especially in the liberated town of Halapjai, where more than five thousand civilians perished. And today you claim...

The PRESIDENT (Mr. SMITH) – I give the floor to Mr. Hussain, Employers' delegate, Iraq, on a point of order.

Interpretation from Arabic: Mr. HUSSAIN (*Employers' delegate, Iraq*) – The speaker who spoke just now mentioned an Iraqi town which he considered to have been liberated by his country's forces. This is a serious infringement of the sovereignty and independence of my country. Also, this statement...

The PRESIDENT – What is the point of order?

Interpretation from Arabic: Mr. HUSSAIN – It is that the previous speaker requested the Conference to consider the Reports of the Director-General and of the Governing Body, and yet he exceeded the framework which he himself asked us to abide by. If this is not, in your opinion, a point of order, I would like to reserve for myself the right to reply to what

the speaker said in respect of the sovereignty and independence of my country.

Interpretation from Arabic: Mr. TIZMAAGHZ – In the Name of God, the Merciful, the Compassionate! Everybody knows of the terrorism which has been directed at the President of the Republic, the Chief of State, the President of the Supreme Court and 72 of our Iranian brothers. Our villages have been bombed. The war has been broadened. The United States navy and reactionary forces have been called in. Without this support, the aggressors would have been punished by an international court of justice, as evidenced by resolutions of the United Nations.

Justice should be done. We don't want this Conference, contrary to the Constitution of the ILO, to become a forum for a two-sided dialogue between two delegations; but let us recall that we did not start it. As the Director-General has said, political and military conflicts should be settled outside this Organisation. We are here in a specialised agency, a technical organisation, we are a tripartite organisation – workers, employers and governments – gathered here to improve the conditions of work, and not to discuss topics which are quite extraneous to this Organisation. Mr. President, I urge you to see to it that equal treatment prevails here, and that we confirm our remarks to the agenda.

The PRESIDENT (Mr. SMITH) – May I just remind you, Mr. Danieli, that the limit for the exercise of the right of reply is three minutes. I must ask people speaking on a right of reply not to exceed three minutes.

Mr. DANIELI (*Government adviser, Israel*) – My delegation associates itself with the plea of the Minister of Labour and Social Affairs of Kuwait to avoid double talk on human rights and workers' rights, and to condemn violations of those rights wherever they occur. We all know that, if this policy were implemented back home in Kuwait, its workers and residents could mark real progress, which has been avoided so far.

The term "human rights" in the Middle East is often a code word for criticising Israel. Most of this attention can be attributed to the Arab States themselves, including Kuwait. In Kuwait alone, where 300,000 Palestinians constitute one-fifth of its population, only 250 individuals have been granted Kuwaiti citizenship. Many of the resident Palestinians have lived and worked there for 20 or more years but do not have any immediate prospects of enjoying the benefits of Kuwaiti citizenship such as better salaries, landownership, pensions and other social benefits. Incidentally, to date, in Israel ...

The PRESIDENT (Mr. SMITH) – I must interrupt you for a point of order. I give the floor to Mr. Al-Jassem, Employers' delegate, Kuwait.

Interpretation from Arabic: Mr. AL-JASSEM (*Employers' delegate, Kuwait*) – In the Name of God, the Merciful, the Compassionate! I will be very brief. I think it is disgraceful that this speaker should be encouraging the Palestinians to seek the status of immigrants or the nationality of another Arab State. The statement of His Excellency, the Minister of

Labour and Social Affairs, did not touch upon the question of nationality. He only spoke of the suffering imposed on the Palestinian people because of the inhuman and barbarian treatment imposed upon them by the Israeli occupying forces. That is my point of order.

Mr. DANIELI – Contrary to the situation in Kuwait, in Israel benefits from work do not depend on citizenship. Labour legislation and collective agreements apply to everyone, without distinction whatsoever, including Palestinian workers. In Kuwait Palestinians and other non-Kuwaitis have very few civil rights and no political rights. The Decree of the Emir of Kuwait of July 1986, which dissolved the National Assembly, added to the restrictions on the rights of all residents and of Palestinians, in particular. Further measures were adopted by the Government of Kuwait

The PRESIDENT (Mr. SMITH) – Could I ask you to yield for a point of order, again. I give the floor to Mr. Al-Jassem, Employers' delegate, Kuwait.

Interpretation from Arabic: Mr. AL-JASSEM – I am very sorry to be asking for the floor again. I just

wanted to draw your attention to the fact that no delegation, and certainly not the previous speaker, has the right to speak about matters which are within the purview of our domestic sovereignty.

I think you should propose to the speaker who represents the occupying forces to restrict himself strictly to his right of reply, and therefore mention only whatever has been said in the speech by the distinguished Minister of Labour and Social Affairs. I insist on this point, Mr. President. I hope that you will prevent the speaker from touching upon any other point; otherwise, I would have to reserve for myself the right to reply on behalf of my delegation.

Mr. DANIELI – Approximately 30,000 Palestinian workers were expelled from Kuwait during the past two years. In the field of labour, there are unions only in the petroleum sector. Many union activities are funded by the Government and are subject to official approval. Moreover, you might be interested to know that Kuwait has so far ratified only 13 out of some 170 labour Conventions. That figure speaks for itself.

(The Conference adjourned at 1.15 p.m.)

Eighth sitting

Monday, 6 June 1988, 3 p.m.

President: Mr. Smith

REPORTS OF THE GOVERNING BODY AND THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

The PRESIDENT (Mr. SMITH) – We continue with the discussion of the Reports of the Governing Body and of the Director-General.

Interpretation from Spanish: Mr. MARTANS (*Minister of Labour and Social Welfare, Panama*) – I would like to join the speakers who have spoken before me in expressing to Mr. Beyreuther my most cordial congratulations upon his appointment as President of the 75th Session of the International Labour Conference. We are sure that his experience and personal and professional qualifications will guarantee a balanced and objective leadership which will lead us with success to the end of our important discussions.

I regret to have to refer on this occasion to the problems of correspondence, which form a real obstacle to the proper functioning of our delegations. It is regrettable that we have not had prior access to the report of the Committee of Experts on the Application of Conventions and Recommendations nor to the first part of the Director-General Report dealing with human rights and the ILO. My delegation has made this point on other occasions and we again appeal to the ILO to review its postal procedures and try to send out documents pertaining to the Conference in the fastest and most reliable way possible so that delegates can prepare themselves properly and in good time.

We received only Part II of the Report of the Director-General, with its detailed account of the wide range of activities deployed by the ILO in 1987. We have studied it with great care. We have to acknowledge the open and determined collaboration we have enjoyed with the ILO regional offices, giving us flexible and frequent contact and a prompt response to our requests for co-operation and advice.

In view of the irregular situation we have been experiencing in Panama in the last 12 months, as a result of attempts at destabilisation at the national level, characterised by frequent disturbances of public order, we have been compelled to suspend some co-operative activities envisaged for this year and we hope that we will be able to carry them out soon. Nevertheless, we have continued to receive the valuable support of the Central American office of the Regional Employment Programme for Latin America and the Caribbean (PREALC), whose staff, in collaboration with our technicians, are helping in the search for alternative solutions to counteract the violent effects produced by the activities I have men-

tioned, culminating in the economic measures recently imposed upon Panama.

The ILO continues to have a decisive role in the international labour community. Nevertheless, the general crisis of the last few years represents a new challenge for the Organisation, which will have to lay greater emphasis on practical actions to help to alleviate the effects of the crisis and bring us closer to a definite solution. It is essential that this should be accompanied by a thorough discussion of the present international economic system, which is cruelly unfair to those of us who wish to advance along the road of development, as is the inalienable right of all peoples. We trust that our Organisation will be able, with the help of all, to face this challenge.

As regards human rights, the decision of the Director-General to devote his Report to the theme of human rights seems to us proper and relevant, as a tribute to the 40th anniversary of the Universal Declaration of Human Rights by the General Assembly of the United Nations and the adoption by the ILO of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

For many years we have recognised the work of the ILO in promoting and defending human rights and thus we are sure that our position will not differ from those set out by the Director-General.

We are happy to be able to state that human rights, their protection and defence, constitute and have always constituted a fundamental concern and priority of the Panamanian State. Panamanian legislation, and particularly the Labour Code, enshrines the most advanced ideas in this field. We have managed to maintain active participation in all international forums dealing with this theme and we have signed and participated in the most important Conventions or international legal instruments aimed at promoting and maintaining human rights.

It is well known that our country, in striving to achieve and maintain proper levels in the field of health and education, has attained excellent results in the region and it is on this that we base our conception of human rights – the right of our peoples to live, to feed themselves, to be educated – as a fundamental, indispensable premise of being truly capable of taking decisions, choosing their own path and achieving real freedom.

We cannot speak of the full exercise of human rights as long as part of the population – and in many Third World countries this means the vast majority of the population – has no food, no housing, no opportunity for education and is, practically speaking, denied the right to earn its living by its own efforts.

We must point out, here in this forum, that these fundamental rights are under serious threat for Panamanians. Panama is the victim of systematic economic aggression through the imposition of unwarranted and illegal economic sanctions and the application of a financial blockade which violates the basic principles of legal relations agreed between States.

This economic aggression has a political basis which should not be dealt with at this Conference and we also consider it inadvisable to dwell on the details of these measures. However, it is imperative that we mention some of the harmful effects on the labour population and the economy in general, which have subjected the country to the most serious crisis it has ever faced in its history.

In the Ministry of Labour and Social Welfare, we can see day by day the tragic situation facing our country.

More than 100 workers a day are expelled from the labour market through dismissal or redundancy upon request. Suspensions from work without pay for two, three and even four months are affecting an average of 193 workers a day. More than 200 workers are affected every day by reductions in work days and wages, delays in wage and benefit payments and all kinds of changes for the worse in working conditions. Every day, companies are occupied by workers who are trying to make sure that they can continue to work. The building industry is totally paralysed. It is estimated that some 20,000 workers in the building industry are unemployed.

Dozens of companies have closed their doors and many others are in danger of collapse. This is the result of economic aggression.

The irrational and frequent use of stoppages by the employers as a political weapon against the Government, encouraged by extranational companies, has gone on for months, culminating in violence and economic aggression against our country. This has brought the Panamanian crisis to an unbearable level.

In 1988 Panama will therefore be facing open unemployment figures which were never expected, and this may lead to explosive social and political situations and will, in fact, become a problem of national security. If we add up the 89,000 unemployed recorded in a household survey in August 1987 and the 26,000 expelled from the labour market because of the crisis, and the 20,000 new active people who join the workforce every year, it becomes clear that 135,000 people, 17 per cent of the labour force, of my country are in fact unemployed. But these figures do not really show the size of the employment problem because the economy has not finished adjusting to the thrust of the aggression, nor have we considered the problems of under-employment which has tended to worsen, with a reduction in the number of hours of work and in workers' income, which affects most of the country's economic and social sectors and also thousands of non-wage-earning urban workers whose activities depend on the earnings of the modern sectors of the economy. In addition there are thousands of small farmers who are facing great difficulties in purchasing the necessary equipment and inputs to develop their productive work on a small scale, and their possibilities of becoming wage-earners are also limited because of the same problems that face the big farmers.

Some 45,000 small farmers may be in this situation – those who farm less than 5 hectares – and some 90,000 independent agricultural workers who supplement their income by wage-earning.

Faced with this serious labour situation, the Government passed Decree No. 13 of 27 May last, which provides for urgent temporary labour measures to protect labour sources and relations. This new law enables the government to control dismissals, lay-offs, redundancies on request and suspensions and changes in relations in labour.

But these measures do not provide a solution to the problem. They are only palliatives because the social cost of the aggression is much greater. It is indeed impossible to assess the exact levels of malnutrition, hunger and poverty facing the Panamanian people and which it will continue to face because of the destruction of its present and future sources of income. It is impossible to assess the level of despair and frustration among young people from 15 to 24 years of age, representing 21 per cent of the total Panamanian population, when they see their possibilities of fulfilling their hopes of work in the next few years dashed. Serious and mostly irreparable damage has been done to the national economy and it will be many years before the economy recovers its level of 12 months ago.

This desperate situation compels us to draw attention to the urgent need for the Organisation to send a high-level commission to Panama to assess the effects on labour of the economic aggression and all its facets. We request the ILO and the countries that are able and ready to do so to give us urgent support in carrying out our various programmes and projects that will help us to face and to overcome this unexpected crisis.

On previous occasions, the Government delegations of Panama have made use of this forum in order to denounce the permanent violation of the Torrijos-Carter treaties by the North American administration. We shall not do so today, not because the situation has been rectified but because today we are faced with an economic aggression which goes beyond the various Canal problems and endangers food, health, labour and the very life of our people. The labour discrimination against Panamanians in the Canal therefore becomes a secondary problem when we are faced with measures which openly violate fundamental principles of international law, which we are obliged by necessity to denounce before this forum. The unfair and illegal sanctions applied by the United States to Panama, the effects of which we have already mentioned, violate the principle of self-determination as laid down in article 1, paragraph 2, of the Charter of the United Nations; the principle of refraining from the threat or use of force laid down in article 2, paragraph 4; article 41 of the Charter which reserves to the Security Council the exclusive right to apply coercive measures of an economic nature; and article 32 of the Charter of Economic Rights and Duties of States which says that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights. In addition, many other precepts and international instruments of regional and continental scope have been violated.

How can we explain to our workers that their jobs are being lost and their sources of work are drying up as a consequence of the irrational, inhuman attitude of a State that says that it is the champion of democracy and the defender of human rights?

The attitude of the people and constitutional Government of my country, as pointed out by the Minister President of the Republic in his message to the nation on 21 March, is one of total rejection. We know that we must defend our rights as in the past, and, to quote his words, we reiterate our commitment to carry out this struggle on our own behalf and in order to defend the dignity and rights of the whole of Latin America and the Caribbean.

Mr. VANDERVEKEN (*representative of the International Confederation of Free Trade Unions*) – Warm congratulations are due to the Director-General not only for having chosen as the theme of his report, *Human rights - A common responsibility*, but also for the way in which he has dealt with his priority of priorities.

Indeed, respect for human rights, of which trade union rights are an integral part, is an essential condition for the realisation of humane and efficient societies. As a matter of fact, respect for human rights is the life-blood of the free trade union movement itself. Trade unions are set up and function as a result of the determination of workers to exercise their basic civil liberty of freedom of association for the purpose of achieving their individual and collective economic and social rights. It is no coincidence that the founders of the ICFTU, now nearly also 40 years ago, gave the organisation as its motto: "Bread, peace, freedom". To be sure, for free trade unions, economic and social justice and freedom are not only values to be cherished in themselves; they are also the preconditions for peace within and between countries. The recognition of that simple truth explains our deep attachment to the ILO – its principles, its objectives, standard-setting and operational activities and its supervisory procedures. We agree fully with the Director-General when he says that it is particularly urgent in these times of crisis to ensure the full observance of the principles and objectives and to strengthen the procedures and activities.

Convention No. 87 is one of the most widely ratified ILO Conventions. However, there is a serious gap between promise and performance, between ratification and implementation. I can tell you that hardly a day passes for me without receiving information and taking action – often through the ILO – on cases of violations of trade union rights. Despite certain improvements in some countries, the overall picture remains grim. And these violations range from a total denial of freedom of association to a gradual undermining of these rights, or from murder, torture and imprisonment to legal and administrative restrictions and sophisticated methods of union-busting. The most flagrant violations of trade union rights are undoubtedly taking place in countries under dictatorship, irrespective of their ideological orientation. However, in many other countries, even those with long-established democratic traditions, there are also restrictions and infringements of these rights. Whatever form these violations may take, they are all aimed at preventing trade unions from doing their job of defending the interests of their

members and the workers in general, and of playing a constructive role in economic and social development. For the ICFTU, there cannot be any double standard: all countries, whatever their political system or level of economic development, must fully respect basic trade union rights in all circumstances.

An important element in our fight for these rights is to inform our membership and the world community at large of what is happening – objectively and fully. That is why since 1984 the ICFTU has been publishing an "Annual survey of violations of trade union rights in the world". The 1988 issue will be distributed in a few days. Special attention in this year's survey is given to the 40th anniversary of Convention No. 87 and the ILO supervisory machinery on trade union rights.

Last March, the ICFTU held its 14th World Congress in Melbourne where we had the privilege of welcoming, as one of the main guest speakers, the Director-General of the ILO. Among the conclusions and decisions adopted by the Congress were two resolutions of direct concern to the ILO and which placed renewed emphasis on the paramount importance of its contribution in the field of human rights. On the basis of these resolutions, a number of delegates from ICFTU affiliates have submitted to this session of the Conference a resolution on human and trade union rights. While calling on governments to create the conditions for the strengthening of autonomous and effective trade union organisations, the resolution also emphasises the responsibilities for employers' and workers' organisations themselves in securing the independent and democratic character of their own organisations and to contribute to the best of their ability to the enhancement of democratic institutions and procedures in their own countries. It is my fervent hope that this resolution will be adopted by this session.

In so doing, you will be giving added momentum to the 40th anniversary of both the Universal Declaration of Human Rights and Convention No. 87 and stimulate governments as well as workers' and employers' organisations, each at their own level of competence, to take further steps for the ratification and full implementation of international labour standards related to basic human rights and to co-operate genuinely and actively with the ILO in monitoring progress in this regard.

The main theme of the ICFTU World Congress was "The challenge of change". The challenge of change facing the international free trade union movement in the decade ahead is the elaboration of strategies and structures which continue to meet the diverse needs of workers in an increasingly interdependent world economy in the midst of a technological revolution.

It was the unanimous view of our Congress that in this ever more interdependent world, strong joint government action through international co-operation for development, employment and an end to poverty are essential. A crucial element in this are measures to bring the world economy into a vigorous growth path. The contribution of developing countries to world economic expansion must be activated by an ample flow of resources enabling them to accelerate their economic and social development. Resumed growth in industrialised countries depends fundamentally on faster growth in developing countries, and vice versa.

The ICFTU Congress held that international co-operation to improve the world's economic prospects must be based, amongst other things, on the following: a commitment to working for full employment, equality of opportunity between men and women, and an end to poverty world-wide; a fair sharing of the costs and benefits of economic change within as well as between nations; a recognition of the responsibility of governments, both individually and collectively for the establishment of a strong framework for the conduct of economic relations; and a massive increase in the resources of the multilateral financial institutions, so as to enable a new approach to the debt crisis to be implemented, involving substantial debt relief and the replacement of failed deflationary programmes by new policies based on conditions which enable adjustment through growth.

The international free trade union movement firmly believes that in order to achieve the desired results there must be a much bigger role for the ILO in the design of complementary social and employment policies. The Director-General, in his Report, makes a number of pertinent remarks and valuable suggestions to enhance recognition for the competence of the ILO to deal with the social dimensions of world economic co-operation. This is absolutely vital to underpin the human aspect of major structural transformation. A narrow financial perspective on adjustment is doomed to failure.

Hence, our concern for the relevance of ILO standards to international trade. A social clause – a matter also raised in the Director-General's Report – which would link observance of a short list of basic ILO standards to trade (for example, those dealing with freedom of association, discrimination, forced labour, child labour, health and safety, and so on) would help to prevent cut-throat competition undermining social conditions. This is not a protectionist device in disguise. On the contrary, this would constitute an anti-protectionist measure contributing signally to the promotion of an open world trading system which gives special preference to the needs of developing countries, furthers the improvement of working and social conditions in all countries, prevents unfair and damaging trading practices and contributes to a steady and sustained expansion of world production.

I have said it before: respect for human rights, the enjoyment of civil liberties, the realisation of economic and social justice, the establishment of world peace: these are inseparably linked. To those who still would have doubts, I refer to South Africa and its abhorrent apartheid regime. That regime denies human rights and civil liberties on account of a racist ideology: it makes a mockery of economic and social justice and it is a threat to world peace; it still has Namibia in a stranglehold, and it jeopardises the peaceful development of its neighbours. Against all the odds, Black workers have banded together in their trade unions which continue to grow. But the Pretoria Government persistently strengthens its arsenal of repressive laws and regulations. A recent example is the promulgation of the Amendment Bill to the Labour Relations Act and the banning of 17 anti-apartheid organisations, which also affects one of the major Black trade union federations. Black workers and their trade unions inside South Africa reiterate their call for mandatory economic sanctions as the only adequate measure that the international

community in Harare last month unanimously agreed to update and strengthen the ILO Declaration and Programme of Action in this sense, and I sincerely trust that this Conference will unanimously adopt the updated Declaration.

I mentioned that the ICFTU Congress had as its theme "The challenge of change". I believe it is clear from my address that the challenge we face is to channel change efficiently towards the realisation of our perennial values, to give mankind a chance to live in dignity, in freedom and in peace. The creation of a peaceful world is not solely a matter of resolving military conflict; frustrated aspirations for economic development and social justice fuel tension and conflict within and between countries. The free trade unions play a significant role in alleviating this by campaigning for resources to be devoted to meeting those aspirations, rather than being wasted on massive military expenditure. Our ICFTU Congress also, once again, took the position that the ILO is for us, in this struggle, an irreplaceable ally – indeed, we took the position that the ILO and the international free trade union movement have a common responsibility.

Mr. MAPURANGA (*Assistant Secretary-General of the Organisation of African Unity*) – It is a singular honour and privilege for me to be afforded this opportunity of addressing this august assembly on the occasion of the 75th Session of the International Labour Conference. On behalf of His Excellency, Mr. Idé Oumarou, Secretary-General of the Organisation of African Unity and the entire secretariat of the OAU, it is my pleasant duty to convey to you, Mr. President, and the session, greetings and best wishes for fruitful deliberations.

Before I proceed any further, let me join the distinguished speakers who have preceded me in congratulating Mr. Beyreuther on his well-deserved election to the high office of President of the 75th Session of the International Labour Conference. In view of his rich experience and personal qualities, I am confident that he will steer this session of the Conference to a successful conclusion.

The 75th Session of this Conference is taking place at a time when Africa is still choking and groaning under the unbearable weight of the socio-economic crisis which continues to strangle and constrain African countries' individual and collective efforts towards development. Indeed, the African continent is still afflicted by the ravages of the socio-economic crisis which is being exacerbated by drought and desertification. The gradual deterioration in the standard of living is attributable to both internal and external structural constraints. The developmental efforts of many African countries are still being undermined and thwarted by the adverse effects of the fuel crisis and the soaring import bills; the ever-growing foreign debt and debt-servicing burden; monetary instability and plummeting commodity prices; as well as ever-deteriorating terms of trade.

In addition, the African condition has been exacerbated by internal forces, ranging from inappropriate financial, economic and social measures in such areas as rural and agricultural policies, investment strategies, choice of technology and utilisation of human resources.

The fact of the matter is that considerable social gains and progress achieved by African countries in

the last three decades of independence are now being considerably eroded. As a result, the socio-economic consequences on the African labour force, of our continent's external debt crisis range from a rapid rise in unemployment and underemployment levels, a drastic fall in real wages and labour productivity in most African countries, rising malnutrition and infant mortality, falling educational and training standards, a general increase in absolute poverty levels and ever-widening income differentials, a chronic shortage of foreign exchange resulting in low-level investment, labour retrenchment, closure of industries as well as undercapacity production.

At this juncture, I wish to pay well-deserved tribute to the ILO for the prompt and timely response to the African social and economic crisis as evinced by the ILO's Programme of Action which contains a number of specific medium- and long-term projects aimed, in particular, at developing the infrastructure to counter the effects of drought and desertification, and at rehabilitating agriculture and rural development as well as promoting human resources. In addition, it places special emphasis on the expansion of employment and agricultural income.

The ILO Programme of Action outlines the main priorities for ILO action in relation to African economic recovery and identifies specific areas for ILO intervention in relation to short-term, emergency-related needs, such as management training in relation to transport (ports, railways, roads), crash training for repair and maintenance, to mention but a few.

While paying tribute to the ILO, mention should also be made of the increased ILO expenditure on technical co-operation. We are grateful that these funds were spent on critically important areas in the continent's socio-economic life ranging from ongoing projects to new approvals in the fields of tripartism and implementation of international labour standards. We are optimistic and hopeful that the ILO will continue to intensify and expand its technical co-operation programme in Africa in order to contribute to the alleviation of the continent's critical problems.

Allow me also to commend the ILO for having prepared its Medium-Term Plan 1990-95 at a time when the economic recession continues to ravage African economies and when the prospects for improvement remain limited. It is encouraging to note that the Medium-Term Plan 1990-95 is designed and developed around four major objectives, namely the defence and promotion of human rights, the promotion of productive employment, the continuous improvement of working conditions, and the maintenance and strengthening of social security and welfare.

It is a matter of great satisfaction that the agenda of the 75th Session of the International Labour Conference includes four major technical items, two of which have been the major themes of the tenth and eleventh sessions of the African Labour Commission, held in Arusha, United Republic of Tanzania, and Addis Ababa, Ethiopia, in April 1987 and 1988 respectively. One such item is employment promotion and social security which we consider appropriate for Africa in particular and for developing countries generally. It is therefore hoped that while discussing the item, the session will highlight the relationship between employment promotion and so-

cial security with a view to coming up with flexible strategies that will not only take into account the different levels of socio-economic development of member States but that will also cover certain categories of the disadvantaged and vulnerable groups who find it difficult to find employment or obtain assistance in moving between occupations or geographical locations.

Another item of great relevance is rural employment promotion. Given the fact that unemployment is so rife and rampant in Africa, the creation and provision of productive and gainful employment and the alleviation of poverty are also some of the most daunting challenges facing the OAU and its member States. Since dynamic rural development remains crucial to progress in resolving the problems of unemployment, it is again my sincere hope that this session will certainly raise awareness and appreciation of rural employment problems and policies for the benefit of member States and their developmental partners.

In our efforts to implement the recommendations contained in the Lagos Plan of Action and Africa's Priority Programme for Economic Recovery in the field of labour, employment and related social issues, we in the OAU are currently preoccupied with the serious concern of promoting and providing productive and gainful employment in the three sectors of the African economy, namely the rural or agricultural, the informal and the modern sectors. We are also discussing the matter regarding the role that can and should be played by a modern Ministry of Labour in the creation of productive employment. A related question we are discussing in the African Labour Commission is the desirability of restructuring African Ministries of Labour and even changing their appellation so as to reflect, as well as to be able effectively to deal with, the important issues of employment promotion, human resources development, planning and utilisation, and vocational training, in addition to their traditional function of protection and improvement of the workers' conditions of life and work. Of course, the carrying out of these functions efficiently presupposes that the Ministry is accorded adequate financial, human and material resources.

It is with a deep sense of appreciation that I now wish to pay tribute to the Director-General of the ILO and his collaborators for the comprehensive and informative reports they have prepared and put at our disposal. In this connection, I particularly wish to commend the Director-General for his great vision and foresight in choosing and devoting Part I of his Report to human rights issues.

The architects of the OAU's Charter adopted 25 years ago were convinced that it is the inalienable right of all people to control their own destiny. They were also conscious of the fact that freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples. Furthermore, they were persuaded that the Charter of the United Nations and the Universal Declaration of Human Rights, the principles of which they reaffirmed their adherence to, provide a solid foundation for peaceful and positive co-operation among States.

The latest milestone in Africa's concern for human rights was the adoption by the African Heads of State and Government of the African Charter on

Human and Peoples' Rights in Nairobi in 1981 which came into force in October 1986, after ratification by simple majority of 26 OAU member States. By the end of December 1987, the number of ratifications had come to 35 countries, and the African Commission on Human and Peoples' Rights was formally inaugurated as one of the statutory organs of the OAU. This is a clear manifestation of the vital concern with which the OAU views the question of human rights.

Whereas the ILO Constitution, the Declaration of Philadelphia and the Universal Declaration of Human Rights are the historical and authentic international documents in which are enshrined the freedom of association, freedom of labour, elimination of discrimination and promotion of equality of opportunity, the right to work, the right to a minimum income, the right to social security, the right to adequate conditions of life and work and participation of individuals to promote and safeguard human rights, there are two members of the United Nations Organisation whose human rights record is a glaring crime against humanity.

In Africa, there is the infamous so-called Republic of South Africa whose philosophy of apartheid is characterised by the general denial of political, social, economic, legal and human rights to the large majority of the African people. The continuation of the abhorrent and inhuman system of apartheid and the illegal occupation and control of Namibia by racist South Africa, coupled with that regime's incessant aggression and destabilisation of the front-line and neighbouring independent African States is heightening the state of tension and conflict and endangering regional peace and security. The Black workers in South Africa, particularly, continue to suffer from a form of institutionalised racism and generalised racial discrimination. Their rights and freedoms to assemble, to organise and to collective bargaining have been drastically curtailed to the point that they no longer exist. The incarceration, torture and murder by the fascist forces of trade union leaders and organisers are too well known to be dwelt upon here.

A related matter to which I wish to draw the attention of this Conference relates to the looming or actual expulsion and forced repatriation of African migrant workers by the Government of the racist regime of South Africa. The crux of the problem is what is to be done for, and with, these expellees and their dependants who suffer and will bear the brunt of South Africa's wrath in retaliation for the justified economic sanctions against it by the international community. On behalf of the OAU, I wish to call on the ILO to be prepared to render timely assistance to the countries of southern Africa so that they can work out specific emergency and contingency plans and programmes for absorbing the repatriated migrant workers.

It would be remiss of me, while talking on South and southern Africa, not to underscore the commendable role played and being played by the ILO in the fight against apartheid.

Most recently, the ILO organised a Tripartite Conference on Action against Apartheid in Harare, Zimbabwe, from 3 to 6 May 1988, which was another step in the fight against apartheid. Mention must also be made of the projected holding of the Seventh ILO African Regional Conference also to be held in Har-

are from 29 November to 7 December 1988. It is our hope that the Seventh African Regional Conference will devote part of its deliberations to action against apartheid as well as support and assistance to the liberation movements and to the front-line and neighbouring States.

Apart from the racist regime of South Africa, the other arch-violator of human rights is the Zionist entity in the Middle East.

Let me just conclude, by saying that the ILO and its organs have been rightly referred to as the conscience of the whole world, in that the Organisation is the champion of the cause of the common man, the worker, the creator of the world's wealth. But the ILO's role goes beyond the world of labour. It is concerned with the destiny of man in his totality. This is a noble role, and the OAU urges the Organisation to continue along that road.

Interpretation from Spanish: Mr. MARTINEZ BRITO (*Government delegate, Cuba*) – Mr. President, I congratulate you upon being appointed to such a lofty responsibility and in doing so I am particularly happy with the fraternal relations that unite our two countries, I am convinced that under your leadership, the success of our meeting is assured and I appreciate the full significance and magnitude of the fact that, for the first time, a session of the Conference of the International Labour Organisation is being presided over by a representative from a Socialist country.

The Director-General in his Report very rightly points out the interdependence of human rights. The Report is based on the premise that civil and political rights are the responsibility of the State and states on page IV that the action required to ensure respect for these cannot be fully successful unless it is based on development. It must be emphasised, however, that development as a part of economic and social rights is also the responsibility of the State, which must create the proper structures in order to promote the harmonious development that will create the necessary economic basis for the enjoyment of freedom and for the dignity of all men on an equal footing.

We cannot speak of human rights for some to the detriment of the human rights of others, any more than we can emphasise certain human rights, while dodging or evading the importance of others without which the former cannot be exercised in isolation. This has often been repeated and the Director-General asserts in his Report that the availability of gainful employment is a vital link to the enjoyment of other human rights.

The countries that have reached more advanced levels in guaranteeing human rights as a whole, in eliminating the shameful regime of exploitation that leads to the accumulation of huge fortunes in privileged hands and the existence of vast masses of people deprived of the most elementary human rights, use the resources available to them in the cause of development and the progressive improvement of the levels of living for the population as a whole, thereby creating the necessary bases for full employment, have dignified work and raised it to the status a moral virtue of the individual, constituting, as in the case of my country, a right, a duty and an honour for each citizen. To dignify work is to dignify man.

But the situation is quite different in social systems which have not approached the question of the right to employment, on the basis of equality, and social justice, education, health and culture. In these cases we cannot see the relationship that exists between work as a right and as a moral obligation of a citizen in the endeavour to guarantee the levels of living of the people, because they have been unable to guarantee the basic rights of all human beings.

In many countries the economic crisis and its harmful effects such as the immoral and unpayable external debt seriously impair the rights of the workers, and in this field the ILO can make a considerable contribution through the proper allocation of priorities to its objectives and activities on the one hand, and through the realistic implementation of labour standards on the other.

The guide-lines contained in the ILO's Medium-Term Plan for the years 1990-95 must be taken into account in the formulation of future programmes.

Unfortunately, the world economic situation has an impact on the adoption of the Organisation's budget and this makes it all the more necessary to establish priorities in main lines of work for the ILO in the five-year period 1990-95. We consider that the four objectives mentioned in the introduction to the Plan are correct, namely the defence and promotion of human rights, the promotion of employment, the continuous improvement of working conditions, and the maintenance of and strengthening of social security and welfare. The relevance of these objectives can be seen clearly from the analyses of the present situation, because the extraordinarily high rate of unemployment prevailing in most countries, whether industrialised, developing, or those with market economies, and the alarming number of people living in extreme poverty in the developing countries constitute a challenge to this Organisation.

The promotion of employment and of training activities, continuous improvement of conditions of work and the strengthening of social security and welfare are basic activities for the exercise of civil and political rights which must be properly balanced by the ILO in its sphere of work.

The implementation of international labour standards in an objective and realistic manner would undoubtedly lead to greater respect for human rights. Hence the struggle against exploitation, unemployment, destitution and poverty inspired by the Preamble to the ILO Constitution and the Declaration of Philadelphia must become the basic commitment of this Organisation because we are dealing here with basic human rights which it is imperative to guarantee for the existence of freedom and social justice.

In this connection it is necessary to emphasise the fact that all forms of racial discrimination, colonialism, apartheid, foreign domination and occupation, aggressions and threats against the sovereignty, national unity and territorial integrity and the refusal to recognise the right of peoples to their own development, to self-determination and the exercise of complete and full sovereignty over their natural resources constitute flagrant violations of human rights and essential freedoms which the International Labour Organisation must reject.

The people of Cuba welcome the fortieth anniversary of the Universal Declaration of Human Rights, boasting significant achievements and developments

with respect to the relevant standards of the International Labour Organisation made possible by the revolutionary triumph of 1 January 1959 and three decades devoted to building a new society.

Guaranteed employment with equality of opportunity, decent remuneration, proper working conditions, a progressive social security system covering 100 per cent of the workers, full respect for trade union rights, which in our economic and social system enable active participation of trade union organisations in the management of production and services – these constitute some examples of the ways in which the Government of Cuba has complied with the essential provisions of ILO instruments. Since we are dealing with human rights, I might also mention free education, guaranteed from the primary-school level to the higher levels, and specialised medical care for the entire population.

Further to the economic and social rights enjoyed by the Cuban people, some of which we have mentioned, our Constitution, approved by almost the entire population, guarantees the full exercise of individual rights.

Where there is exploitation, racial discrimination, poverty and unemployment, it is not possible to speak of human dignity or freedom. The wholehearted struggle against those terrible evils which today affect much of mankind is the true struggle for human rights, to which we must dedicate all our efforts. My country is ready to participate in this struggle, together with the International Labour Organisation and its member States.

Let us dedicate ourselves in this session to the study and debate of these vital problems in order to justify this Conference and make it useful, and prevent the immoral and unscrupulous political manipulation of this topic within our Organisation.

On the occasion of the 75th Session of the International Labour Conference, there are other matters of extraordinary importance which we must mention.

Once again, it is necessary to raise our voices in order to condemn the hateful and brutal regime of apartheid in South Africa, as well as the aggression of that country against neighbouring independent countries. South Africa is the true source of the conflict in southern Africa, supported actively by its well-known allies.

Cuba once again reiterates its support for the application of resolution 435 of the Security Council of the United Nations concerning the independence of Namibia, as well as the right, as long as there is no peaceful solution, for SWAPO to make use of all means available to it to achieve Namibia's independence.

The military defeats suffered by the South African aggressors at the hands of the Angolan fighters and the Cuban international troops in South Angola have compelled the racists to sit down at the negotiating table. Angola and Cuba have made proposals to achieve a significant agreement which would facilitate a peaceful solution to the conflict in southern Africa. We must now await the outcome of these negotiations.

This session of the International Labour Conference is being held at a time when the criminal aggression of the Israeli Zionists against the people of Palestine is mounting.

My delegation reiterates its support for the just struggle of the Palestine Liberation Organisation and

is ready to participate actively in approving the resolution submitted to this Conference by a group of delegates, condemning the criminal aggression and monstrous crimes committed against the Palestinian people in the occupied territories of Gaza and the West Bank.

Cuba also supports the serious efforts deployed by the Sandinista Government to negotiate peace and put an end to the dirty war which for five years has been heroically and victoriously waged by the Nicaraguan people against the criminal and "well-paid" counter-revolution, supported and financed by the revolting and brutal neighbour from the North. In closing, the Government delegation of Cuba expresses its respect and solidarity for the worthy attitude of the Government and people of Panama in the face of the aggression against its sovereignty, organised by those who can think of Latin America only as their backyard. I am talking about international terrorism and Yankee imperialism.

Interpretation from Arabic: Mr. AL-SABBAH (representative of the Palestine Liberation Organisation) – It gives me great pleasure at the beginning of my statement to express to the President, on behalf of the Palestine Liberation Organisation and its Chairman, Brother Yasser Arafat, our sincere congratulations on his election to chair the 75th Session of the Conference.

I am convinced that the choice of yourself reflects the eminent position occupied by the German Democratic Republic on the international plane and its positive role in supporting the causes of freedom, development and peace in the world. I should also like to express my confidence in you, by virtue of qualities of competence, experience and honesty which will be a positive contribution to making a success of the work of this Conference and in upholding the aims and principles of the International Labour Organisation in serving the causes of development, progress and peace.

As far as the Director-General's Report on the situation of the Arab workers in Palestine and the other occupied Arab territories, which has been submitted to this session, is concerned, I should like the Director-General to visit occupied Palestine personally and see for himself the tragic situation in which the Palestinian people are living under Israeli occupation. I should like to pay tribute to the efforts made by the mission and to acknowledge the difficulties it had to cope with in drawing up the report.

There is no doubt that the Director-General's Report this year has caught the Israeli authorities red-handed, for this time they will not be able to conceal their terrorist practices, as they have been doing for so many years. The mission confirmed in its report all the practices and violations, in particular the policy of expanding settlements, the confiscation of land and water resources, and the continued implementation of a policy of repression, terrorism, murder and arrest, and the denial of all forms of rights and freedoms, be they political, economic or social.

The world still suffers from racist movements stemming from a common idea and practice, represented by the Zionist movement and the Pretoria regime in South Africa, which are unfortunately under the protection of a great power. How long will member States remain silent in the face of the ineffectiveness of international resolutions and the paral-

ysis of the international community through recourse to the right of vetoing all resolutions resulting from the international will against Zionist entity which represents the wickedest form of fascism in the world?

Previous sessions of this Conference have taken a firm stand on the racist regime of South Africa and forced it to withdraw from this Organisation in 1966. The present session is called upon to uphold this Organisation and its principles by telling the Israeli regime that it is no longer worthy of continuing to be a member of this Organisation. We recall the provisions of Article 4, paragraph 49, of the Geneva Convention of 1949, which requires the great powers to enforce respect for that paragraph by their partners. This regime continues to occupy Palestine and refuses to implement the resolutions of the United Nations and the other international institutions. It practises the most horrible forms of repression, murder and expulsion. It breaks the limbs of young people, buries them alive, and throws them on to burning car tyres. It uses asphyxiating gases which cause pregnant women to abort and asphyxiates children. It practises a policy of expansion, confiscation and appropriation of land. It does not recognise trade union, political, social and economic rights and freedoms.

The area of lands confiscated has reached 52 per cent of the total area of the West Bank and 40 per cent of the Gaza Strip.

The number of people arrested has reached nearly 20,000; 11,200 have been injured, 4,600 of whom have been seriously injured and will be handicapped for life. There have been 1,100 cases of abortion provoked by beatings or asphyxiating gases. Some 385 persons have been martyred.

The Israeli authorities have also used bombs equipped with electric charges which provoke epilepsy and paralysis.

A week ago the Israeli occupation authorities arrested Brother Chaher Saad, Chairman of the Federation of Palestinian Workers on the West Bank, and seven members of the Federation's Executive Committee.

You have no doubt followed on your television screens and through the various mass media the policy of repression and terrorism practised by the Israeli occupation authorities against the Palestinian people, its workers, its farmers, its women, its young people, its children and its elderly. Since the beginning of the popular uprising which is the result of the occupation and the worsening acts of repression and terrorism, that is since 8 December 1987, the Palestinian people has been pursuing its legitimate liberation struggle, armed only with the force of its rights, the stones of its land and its faith in its just cause against a settlement colonialism amply equipped with American weapons of destruction which strikes where it wishes and whose air force daily carries out barbaric raids on the inoffensive inhabitants of the Palestinians camps; which has occupied southern Lebanon since 1982 and which every day threatens to carry out a new invasion; which strikes at nuclear reactors in Iraq, which threatens to strike Syria; which even threatens to destroy missiles which the Kingdom of Saudi Arabia has acquired to defend itself; which launches its aircraft from the vessels of a great power in the Mediterranean to bomb the headquarters of the PLO in Tunis; and whose terrorism

reached Tunisian territory on 16 April 1988 when it added a new crime to its long list of terrorist acts with the assassination of militant leader Khalil El-Wazir (Abu Jihad) in his home in front of his wife, his daughter and his three-year-old son. The Israeli air force has bombed the camp and Lebanese villages, and the Israeli occupation forces have opened fire on Palestinian people who went out on the streets peacefully to express their feelings after the martyrdom of one of their leaders. As a result of these operations 17 Palestinian citizens died and 300 were injured; dozens were arrested.

The Israeli authorities are pursuing a policy of collective punishment of thousands of citizens by cutting communications between regions, cutting off their means of subsistence, preventing medical supplies and aid getting through, closing or besieging mosques, preventing journalists and representatives of the news agencies from doing their jobs, by ordering the closure of newspapers, and other fascist and terrorist practices of which you are all aware. What is more, the authorities have used a new weapon which is a form of powder that has the effect of paralysing a person's limbs so the victim is taken to hospital in an inanimate state. All this is in flagrant violation of the United Nations Charter, international law and the principles of the International Labour Organisation and all international conventions.

I am pleased to congratulate the Director-General of the International Labour Office for his judicious choice of the subject of his Report this year: *Human rights – A common responsibility*. This choice chimes with the objectives, mission and aspirations of the International Labour Organisation at a time when the whole world is celebrating the fortieth anniversary of the Universal Declaration of Human Rights and when we are also celebrating the fortieth anniversary of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). I agree with the Director-General when he says that the notion of human rights is indivisible and that these rights encompass civic, political, economic and social rights. These rights also cover people of Palestine, whose land has been occupied for 40 years and who live scattered and in wretched conditions. The International Labour Conference, when discussing this question, will also be reviewing the main problems and challenges which the International Labour Organisation has to face in order to guarantee the implementation of human rights for the benefit of all mankind.

The Zionist entity is practising discrimination and inequality in the various fields of work. It is violating the trade union and basic rights and freedoms of the Palestinian people by invading and closing trade union headquarters, seizing their property and arresting their leaders. The Zionist entity is proceeding to subjugate the Palestinian economy to the benefit of the Israeli economy to destroy the economic infrastructure and impose restrictions on Palestinian products. It is imposing exorbitant charges and taxes on the employers in order to weaken national enterprises. It is practising discrimination in the field of social security despite the fact that sizeable deductions are made for the purpose from the wages of Arab workers. To sum up, these practices are innumerable and are daily proof of the fact that the Zionist entity is applying a policy of racial discrimination and violation of human rights and basic free-

doms. All this is set out in the report of the ILO mission.

The United Nations and the other international organisations have adopted hundreds of resolutions, but the Zionist entity has recognised none of them, just as it has not recognised the provisions of the Fourth Geneva Convention on the protection of civilian populations in time of war. The expulsion of Palestinian citizens from their land constitutes a flagrant violation of Article 49 of the Geneva Convention, and the destruction of properties and houses constitutes a violation of Article 53 of the same Convention. Israel has flouted all international laws, conventions and practice. Its very existence represents a real threat to the principles and institutions of the United Nations. The ILO, which is the most specialised organisation, must reconsider the participation of the Israeli entity as a member in order to preserve the principles and objectives of the Organisation.

The deliverance of the Palestinian people from its sufferings cannot be achieved unless the occupation is ended and this people is allowed to exercise its right to self-determination and to establish an independent State in its own homeland. The convening of an international peace conference under the aegis of the United Nations and with the participation, on an equal footing, of the major powers and the permanent members of the Security Council as well as all the parties concerned, including the Palestine Liberation Organisation, the sole legitimate representative of the Palestinian people, offers a practical means of reaching a fair and comprehensive solution, which would spare the peoples of the region the sorrows of a destructive war, provided that the Conference is given all the necessary powers to impose peace on the basis of the resolutions of the United Nations General Assembly. We proclaim in this Conference our complete solidarity with the workers and people of South Africa and Namibia in their struggle for liberation from the policy of apartheid and for their freedom, independence and right to self-determination, because the struggle against apartheid and nazism in this world is an indivisible whole. We are convinced that all racist regimes will inevitably disappear and that the African people of Namibia and South Africa will eventually be victorious. We likewise reaffirm our solidarity with all peoples struggling for liberty, independence, progress and peace.

Wars bring nothing but ruin and destruction to the people and to the workers. This is why we have a common responsibility to stop the war between Iran and Iraq and to establish peace between these two neighbouring countries in accordance with all the clauses of Security Council resolution 598. There is no justification for the continuation of this war, and it is imperative for the future of the two peoples and their workers that it should be brought to an end so that they can dedicate themselves to the reconstruction of their countries. The party which did not respond to the appeals for peace should stop the war, accept resolution No. 598 and establish peace in the region.

The Palestine Liberation Organisation, which respects international agreements and customs, will pursue its just and legitimate struggle for peace founded on justice. These were the pragmatic words of Yasser Arafat, President of the Executive Committee of the Palestine Liberation Organisation,

when he declared, from the most important rostrum in the world, that he carried an olive branch in one hand and a gun in the other and urged the international community not to let the olive branch fall from his hand so that justice, without which there could be no peace, might be achieved.

Interpretation from German: Mr. ARBESSER-RASTBURG (*Employers' delegate, Austria*) – Allow me first of all to congratulate Mr. Beyreuther on his election to this high office. I am convinced that he will be successful in solving the difficult tasks which lie before us in this Conference.

I should like to highlight four specific points from the excellent Report of the Director-General.

First, as a permanent representative of the International Employers' Organisation to the United Nations and UNIDO in Vienna, I should like to express my satisfaction that the co-operation between the ILO and the UNIDO has been strengthened since the latter became an independent United Nations organisation. For instance, the ILO took part in September 1987 in Paris at the second UNIDO Consultation on the Training of Industrial Manpower. A tripartite delegation of the Governing Body also took part in that meeting.

Second, as an Austrian, I should like to stress particularly that the only working party of the International Labour Organisation which is based in Vienna has been able to chalk up quite a few successes. In close co-operation with Danish, Finnish and Norwegian institutions, the fourth phase of the inter-regional project for the production of material and techniques for co-operative management training (MATCOM) was prepared. In the first half of 1987, there were 634 training events with 22,689 trained staff and 494 trained teachers using MATCOM training materials.

Third, when I first participated in the work of an industrial committee 30 years ago as an Austrian employers' representative, I had no idea of the importance of such committees to the work of the ILO and those employed in the respective sectors. I can now understand from the Director-General's Report to what extent the conclusions adopted at the first Session of the Forestry and Wood Industries Committee, which I attended as Employers' member of the Governing Body, must have an impact on activities in this field. In this context, I should like to mention studies on the participation of contractual forestry workers in India and Canada and on the protection of forestry workers in tropical countries.

Fourth, the tripartite nature of our Organisation is considerably strengthened by the aid given by the ILO to employers' organisations in developing countries.

At this point, I should like to express thanks to the Danish International Development Agency (DANIDA), the Norwegian Agency for International Development (NORAD) and the Swedish International Development Authority (SIDA). These organisations, together with the international employers' organisations and the ILO have been and still are of great help to the developing countries. In addition, they co-operate with the United Nations' Environment Programme (UNEP). I am convinced that assistance of this nature considerably strengthens the tripartite nature of our Organisation.

We stress with pride that we are the only tripartite organisation in the family of the United Nations; it is therefore one of our most decisive joint tasks to consolidate this tripartism so that it can benefit the future of the International Labour Organisation.

Interpretation from Spanish: Mr. EJAPA BOLEKIA (*Government delegate, Equatorial Guinea*) – May my first words be to support the speakers who have spoken before me at this rostrum in order to congratulate Mr. Beyreuther on behalf of the delegation of the Republic of Equatorial Guinea and on my own behalf for his well-deserved election as President of this 75th Session of the International Labour Conference, and to express our trust that his excellent personal qualifications and lengthy experience will lead our debates to the success we all hope for; these congratulations we also extend to the vice-presidents.

We consider that it is a pleasant duty indeed to express our most sincere congratulations to the Director-General of the ILO, Mr. Francis Blanchard, for the quality of the Report that he has submitted to us and the very relevant way in which he has dealt with the subjects in that Report.

In a world such as ours, today facing great challenges – such as the economic crisis, with its profound effects and lengthy duration; conflicts of interests and unfair trade relations; international indebtedness and heavy burden of debt servicing; unemployment, the illegal use of drugs and alcoholism. In a world where many human beings are struggling in order to achieve minimum levels of survival, while others are living in opulence; in a world where many are suffering and being deprived of their inalienable rights for mere racial considerations; where most of the efforts are dedicated to the solution of economic problems and neglecting social problems to a considerable degree; in which programmes of structural adjustment require great sacrifices in order to achieve equilibrium in the balance of payments and the trade balances and so on – there is no doubt that human rights are facing a great trial indeed and hence the choice of the theme of human rights as food for thought by this Conference is very timely and appropriate.

The Report of the Director-General this year invites us to reflect on the commitment which all our countries must assume to comply with the ideals of peace and social justice advocated by the ILO, to which all peoples must have the right and must legitimately aspire. There is an appeal here to sincere dialogue and frank and close co-operation on a world-wide level, bearing in mind the fact that the world is facing difficult times and it is therefore up to all the peoples to combine their efforts to improve not only their social conditions and their internal economic situations but also the international conditions which enable them to develop properly; a message of solidarity to improve the lot of man in a world which is becoming ever more independent and where more than ever there is a latent need to create at the international level conditions of support for the economic and social development of each and every country in the world.

Respect for human rights is a task which the Government of the Republic of Equatorial Guinea, presided over by His Excellency Obiang Nguema Mbasogo, has imposed upon itself since it took power on

3 August 1979. As far as our Government is concerned, the human being is the supreme goal of the State. It is our obligation to respect and protect the human being; this we have laid down in article 19 of our Fundamental Law.

The right to freely chosen paid employment, freedom of association and equality of opportunity and treatment in employment; the principle of equal pay for equal work; stability in employment, the right to social security; the right to receive vocational and technical training to upgrade skills and knowledge applied to efficient development of production; equality before the law; the right to dispose of one's salary freely, just to mention a few rights, are all duly reflected in our laws and present in our ideals. Despite the economic difficulties we are facing, we are optimistic that through peace we can guarantee happiness and justice for our workers.

Peace and justice have been made a constant feature of our Government of the Republic of Equatorial Guinea, despite the great economic difficulties we are facing as a consequence of the general world economic recession, the lack of capital flows and because of trade protectionism which displaces the commodities of countries such as ours from the market by imposing low prices on our raw materials and high prices on manufactured goods. We are convinced that the well-being and progress which we all hope to achieve does not reside exclusively or decisively in possessing and accumulating material goods, but more specifically in peace of mind and moral and spiritual satisfaction, and in the firm guarantee of security created in man when he lives in peace and harmony in a society of freedom, justice and order.

We attribute vital importance to anything which directly or indirectly contributes to promoting the human being, and for that reason we should like to pay a particular tribute to the ILO for the efforts it has deployed throughout its 70 years of existence in order to promote and safeguard human rights, bearing in mind its skilful standard-setting work and its efficient procedures and governing bodies; and these efforts are supported by the member States in carrying out this common task which is to achieve universal lasting peace based on social justice.

We are happy that progress has been recorded in the measures adopted by governments in order to bring their national legislation and practice in line with the Conventions ratified as we see from the report of activities of the ILO for the year 1987, and this fills us with hope and enthusiasm.

We value highly and support the activities carried out by the ILO to promote equality and particularly its decisive action to help eliminate apartheid and end the illegal occupation of Namibia, in the shape of various technical co-operation projects and other forms of aid to national liberation movements and workers suffering from the harmful effects of this policy in South Africa, its independent trade unions and the front-line States.

I am happy and I consider it right to record the fact that the International Labour Organisation has always given valuable co-operation to the Ministry of Labour and Social Security and Promotion of Women in the Republic of Equatorial Guinea and this co-operation has been extended to other sectors of my country. We value it highly and this we said to the Director of the ILO Office for Central Africa in Yaoundé, during his recent visit to our capital from

7 to 9 April last year, when he came to assess co-operation between the ILO and Equatorial Guinea.

We hope and trust that the ILO will further strengthen this co-operation, as we said to Mr. Raymond Negre.

The delegation of the Republic of Equatorial Guinea endorses the thoughts expressed by the Director-General and expresses its hope of success in this Conference, which we hope will foster close co-operation between the peoples and achieve a world of greater solidarity.

Mr. WALCOTT (*Workers' delegate, Barbados*) – I would like to join those who have spoken before me in congratulating Mr. Beyreuther on his election as President of the 75th Session of the International Labour Conference.

This year appears to be a most appropriate one to discuss the question of human rights which has universal application and relevance to peoples all over the world.

The present economic crisis facing most developing countries clearly emphasises the importance of the human resource element in the development process. Buffeted by adverse terms of trade, protectionism, the debt problem and other factors which hinder their economic development, such countries find it increasingly urgent to depend on domestic solutions to their problems. Inevitably, more demands are being made on the workers who constitute the prime element in the furtherance of national growth and development.

At the same time, the limitations of small domestic markets made up by the micro-States of the Caribbean have urged a policy of export-led growth, in an attempt to gain access to the wealthy markets of the developing countries.

This macro-economic policy which has been developed in most Caribbean countries has definite implications for human rights practices, and can increasingly place the trade union movement under pressure in its attempts to protect its constituents.

The policy developers in the Caribbean appear to be faced by two equally stark alternatives. High unemployment is a major characteristic of the area. This is, in itself, a major human rights problem as the victims of unemployment, largely young people and women, find it difficult to project the values of self-esteem and independence which are at the base of human existence. Unemployment has become an important political issue in these countries, and governments are sorely taxed in their efforts to improve the ravages of this economic and social evil.

In looking for an answer to the problem of unemployment, governments have sought further injections of foreign capital and the stimulation of trade with the developed countries. In order to encourage both, some governments have had to enter into agreements and offer incentives which provide for low wages, resulting in a dilution of the trade union privileges fought for and won over the years. Indeed, an increasing aspect of economic development in some Caribbean countries is a low-wage sector, usually in free zones, which is bereft of the normal trade union protection. In their search for international competitiveness, businesses, aided and abetted by governments, come together in agreements which tend to militate against trade union intervention. Trade unions are thus cast in the role of institutions

bent on seeking to disrupt the status quo and prevent the countries from experiencing growth and development. The paradox is that while there is a disadvantaged sector of low-income workers, there are clear signs of a relatively prosperous middle and upper income group which benefits from such programmes. It appears that the role of the trade union movement in upholding workers' human rights must be a priority at this time.

Another macro-economic strategy which is developed by some governments is that of drastic reduction of government expenditures, resulting in wide-scale redundancies in the public sector and cuts in the social and welfare programmes. When governments take the lead in enforcing such measures, it is normal for the private sector to follow suit, with possible disastrous consequences for workers, and the social and political stability of these territories. The problem is further aggravated by the fact that some countries do not provide workers with access to redundancy payments, unemployment benefits, and a level of pensions which can cushion them against the impact of traumatic job loss. As this option is utilised more widely in the Caribbean, there will be need for even more vigilance in the trade union movement to protect the hard-earned rights won on behalf of the workers.

We cannot stress enough at this time the importance of interdependence among all nations of the world if we are to continue doing away with violations against human rights.

As I read the excellent Report of the Director-General and reflected on the subject areas treated in it, I could not help realising that many of the problems relating to human rights have their roots in the economic sphere. This is not to suggest that prosperity will necessarily eradicate human rights problems. However, it is clear that economic relations between the developing and developed countries have a tremendous bearing on the rights enjoyed by workers in the developing countries. For this reason I applaud the Director-General for including the sector on minimum standards which examines the role of trade in the guarantee of human rights.

Direct reference is made in the Report to the impact of the fall of the price of sugar on workers in the Dominican Republic. Many of the developing countries in the Caribbean still depend largely on exports of primary products to the markets of the industrialised countries. The countries now find that as a result of protectionist measures affecting these primary products, multitudes of workers, indeed sometimes the entire countries' economies, are faced with gloomy prospects. In many cases the earnings from these exports provide a major source of foreign exchange to purchase the needed materials from the developed world. The structure of these countries' economies cannot easily and quickly adjust to such a loss in income and the results for human rights can be catastrophic.

It is my hope that, as we focus on this important topic of human rights, we will be able to continue to set a standard for the world to follow in our deliberations on the hateful system of apartheid. As long as this abhorrent practice is allowed to exist, it presents a serious challenge to the world community. Indeed, there is now a discernible cleavage in the world, with some nations being aligned on the two sides of this great divide: the supporters and the antagonists of

this system. We all know that apartheid cannot exist without substantial assistance and collusion from other States. While we applaud the obvious signs that more positive actions are being taken against the system, we also urge that efforts be stepped up to bring apartheid to an end. Whatever measures are taken to improve the living standards and the rights of other workers all over the world, the continuing monolith of apartheid stands as a repudiation of these efforts. We all have a duty to help in removing this blot against humanity, and the continuing efforts of the Director-General and the International Labour Organisation in this direction must be applauded.

In concluding, I should like to congratulate the Director-General on his Report, and particularly on his focus on a matter of primary importance for workers in the developing world. Let me express my hope for a successful completion of the Conference agenda under your able guidance.

Interpretation from Farsi: Mr. GANJEI (Senior Deputy Minister of Labour and Social Affairs, Islamic Republic of Iran) – In the name of Allah, the Merciful, the Compassionate. "By the essence time, Lo! man is in loss, save those who believe and do righteous works, exhort one another to truth, and exhort one another to endurance." (Chapter 103, Holy Koran).

The 75th Session of the International Labour Conference coincides with the 40th anniversary of the Declaration of Human Rights.

The Director-General in his Report has emphasised the respect for human precepts while recalling pertinent ideas and practices. Observance of human rights as incorporated in and considered by various ILO instruments or gatherings has been recommended to the world through Conventions dealing with freedom of association, freely chosen employment, equal opportunity, equitable remuneration, desirable labour standards and the right to social security. He has also made reference to the services rendered by the ILO, including the adoption of favourable provisions, expressing concern at the shortcomings, non-compliance and non-observance of the principles implying, in fact, neglect of human rights.

Perhaps the Conference recalls that we have stressed in previous discussions that prescribing superficial solutions and imposing the whims of the industrialised world upon oppressed countries would lead to no outcome but to the further deepening and transfer of the crisis; indeed, man's fate and the fulfilment of basic human rights beings would remain shackled by the fetters of instruments in the form of serious obstructions and threats wielded by the money-grabbers and belligerent arrogant powers. This fundamental issue has been touched upon by the Director-General who has, in his present report, called for the strengthening and mobilisation of a much-needed common will, to overcome the crisis.

Respect for human rights in the Director-General's Report has been discussed as a means for attaining social justice. This is being proposed at a time when the West has achieved material progress at the expense of the natural resources and wealth of the so-called Third World and has greedily monopolised the fruits of such progress; meanwhile the oppressed world is deprived of the opportunity to utilise its own God-given possibilities to promote material develop-

ment at a time when the industrialised world extracts the costs of its excessive epicurean lust for pleasure out of the pocket of the poor through wars waged with the help of its military power.

It is noteworthy that the Director-General's discussion on human rights opens with reference to ethical notions contained in the text of international instruments and concludes by pointing out the need to pay attention to ethical precepts.

At the beginning of my speech, I quoted a chapter from the Holy Koran in which the Almighty Creator has stressed that man shall gain nothing unless he is equipped with faith so that his acts become meaningful on the basis of divine insight, doctrinaire belief and action, social co-operation and constant good works, in which case man's gain will be perfection itself.

The root causes of all the difficulties referred to by the Director-General also lie in the lack of obedience to divine values in relation to man's enjoyment of the natural rights bestowed upon him by the Almighty. What the world needs is an order in which man's material and spiritual development is a top priority. The mechanism applied in the ILO dialogue in broaching new issues and testing evolving ideas and practices against established values, as stated in the Director-General's Report, can only be constructive if it is utilised in achieving that goal.

If true human rights are to be attained, it is vital that technology, sciences and economic potential be freed from the monopoly of powers seeking domination through world organisations. Science and technology have been achieved throughout history by all people. They should not, therefore, be monopolised, because this would be a treason against all humanity and our human spiritual heritage.

As a minimal step towards the realisation of man's material rights and the respect of human rights, it is also necessary that an international committee be established to supervise the printing and distribution of "dollars" as a currency used in international transactions; in this way, a few from a far-away settlement would be stopped from imposing their illegitimate wishes upon people all over the world.

In the era of software, the sovereignty of capital and modern warfare and at a time when there is a wide gap between the declarations and acts of both the arrogant powers of East and West, a discussion on human rights might sound more like a pipe dream than a practicable assumption.

At a time when the Palestinian worker and the Lebanese farmer are continuously being suppressed and denied their legitimate rights by military agents of international Zionism, when human beings are being classified according to the colour of their skin and deprived of their natural rights, when the Great Satan maliciously sets our oil platforms on fire with the intention of preventing the Islamic Republic of Iran from enjoying the most fundamental natural right of human communities, that is the right to self-determination, when the United States capitalist system arbitrarily prints some colourful papers called "dollars" as a means to dominate the world economy under the umbrella of its militarism, when the world capitalist system greedily accumulates those unbacked papers and pours a rain of chemical and lethal weapons upon liberation-seeking but armless people in civilian residential areas in our region, killing thousands of innocent human beings all at one

instant; then indeed, talking about human rights seems a biting satire.

Human rights concept embrace the whole range and depth of man's life. Newly born children do not know whether their parents are rich or poor, Black or Anglo-Saxon and cannot tell whether they have been born into an imperialist or dominated land; only some time later will they know whether it they are going to be exploiters or be exploited. Right from early childhood, even without any perception of meanings of words, they will perceive existing distinctions and, if they are not attached to the few clans exploiting the world, they will be obliged to accept misery and misfortune instead of enjoying the beauties and flowers of life. Otherwise, they may be marked as an anarchist or a terrorist; but, inevitably, they will end up in some jail or with early death. Thus has the Namibian Black, the West Banker, the Latin American, or the Asian child been condemned to remain divested of very basic human rights by the world usurpers – even before birth.

Life is beautiful for all colours, for all groups, for all nationalities – not just for a few circles, races or individuals. The beauty of life may only become tangible if everyone truly respects human rights. Human rights will only be realised through divine teaching. The Satanic world rule overshadowed by the present hateful chaos must radically be converted into an acceptable humane order.

As you are aware, hardly ten years have elapsed since the victory of the Islamic revolution in Iran – with nearly eight years coinciding with a destructive war, a brutal oppression. Nevertheless, the Islamic Republic of Iran has done its utmost to restore the rights of her subjects for it views man as the highest of God's creatures.

Redistribution of the usurped land among farmers has brought hereditary landlordship to the verge of decline. The Supreme Labour Council annually adjusts the workers' purchasing power and consumption capacity by public means, despite the war and the political, economic and military sanctions imposed against us. The new labour laws have already been adopted, amazing all those groups who claim to be supporting workers' interests. The newly adopted Unemployment Insurance Act is now being enforced, which still seems like a dream to many of the oppressed – or, as termed by the international organisations, the "developing" countries. In addition, the Early Retirement Act has been adopted with a view enabling more young people to enter the labour market.

In order to promote self-employment and reduce worker-employer conflicts, labour co-operatives in the agricultural, industrial and service sectors have been set up. Those lacking the necessary means can now turn to these co-operatives and work on their own behalf instead of working for others; up to 80 per cent of each project is finance by public institutions.

Finally, as regards the socio-political participation of workers, it should be mentioned that workers, like all other social groups, nominated their own candidates for the third parliamentary elections which have just been held. They had full freedom of choice and the revolutionary people of Iran resolutely voted under the rain of rockets and bombs that fell upon our cities. All this bears witness to the respect for human rights in the Islamic Republic of Iran.

Resistance and struggle for the rights of human beings are the most important factors for the restoration of man's dignity.

The Islamic Revolution in Iran has been striving for the cause of man's material and spiritual development, resisting all sorts of plots instigated by the world's arrogant powers, which range from sanctions to the war imposed upon it. It is progressing ever more vigorously with the strong conviction that great aspirations require a great sacrifice, and that man's liberation demands an indefatigable fight against the enemies of humanity. We have started on our mission. The task is difficult but feasible. Indeed, the prospect alleviates suffering and sweetens all bitterness.

Peace be upon us and the true followers of Allah!

Interpretation from Spanish: Mr. VILLALOBOS (*Employers' delegate, Venezuela*) – I would like to join in the general approval of Mr. Beyreuther's appointment as President of what he has so aptly called the World Parliament of Labour. His opening speech on taking office augurs well for the fulfilment of our wishes and the success of his task.

As was the case in the 1968 International Labour Conference, the central theme of the Report of the Director-General commemorates the Universal Declaration of Human Rights by the United Nations and the two international agreements which preceded it: the one dealing with civil and political rights and the one dealing with economic, social and cultural rights, though we must not forget the fact that legally both categories are inseparable. This commemoration emphasises the fact that respect for and the effectiveness of these rights should be striven for daily, whereas in fact the reality is diminished, deformed, or, still more often, totally disregarded, shamelessly and with impunity.

Nor should we overlook the role of the United States Constitution and France's Declaration of the Rights of Man and the Citizen as the roots of the Universal Declaration of Human Rights. We must also recall, as the Director-General, David Morse, noted in 1968 the influence that the ILO Constitution and the Philadelphia Declaration exercised on the Covenant which specifically enshrined economic, social and cultural rights.

It redounds to the honour of Western culture that this combination of rights and guarantees constitutes the nucleus and substratum of democracy. Many of those who used to be ideological opponents are today moving slowly but surely, with the sun behind their backs, from the inexorable, negative conditions of yesteryear towards democracy.

The ILO, through its Conventions, with the natural force of an international covenant, and its Recommendations, with their clear practical influence, is a pioneer in the essential function of setting specific legal standards in this Universal Declaration. It is also a pioneer in creating operating procedures for taxation and applying the instruments it adopts, whether through information, *in situ* recognition, the reports of its Committee of Experts on the Application of Conventions and Recommendations, the conclusions of the Tripartite Committee on Application of Standards, the Tripartite Committee on Freedom of Association, the Commission of Inquiry, the resolutions of the Governing Body or the judgments of the International Court of Justice. All this is

worth enumerating because it shows clearly the distance separating ratification of Conventions from their effective implementation, in the same way as the vigorous and constant efforts deployed by the ILO to obtain this implementation do not always meet with success.

To mention only two eloquent examples of such failures: the infringement with impunity of the obligation, laid down in article 13, paragraph 2 (a), of the Constitution, according to which member States will pay the travelling and subsistence expenses of delegates and technical advisers from Employers' and Workers' groups, as well as their own.

There are nuances in the constant violation of this duty, according to whether it is carried out against workers or employers. With respect to the former, political motives and personal discrimination predominate. As to the latter, the stress is on ideological retaliation and an anti-Employer attitude, or, at least, pose the residual product of an abandoned revolutionary posture sometimes spiced with a sad awareness of other people's real or supposed well-being.

Among the non-complying governments there are those which can adduce their dire poverty on their deeply serious financial situations, but long experience shows that both the one and the other is open to despoliation for the benefit of the public treasury and its predators. Then there is the lack of compliance with the obligation, indicated in article 3, paragraph 5, of the Constitution, according to which Governments are obliged to nominate non-Government delegates and advisers in agreement with the professional organisations which are most representative of employers and workers, as the case may be, if such organisations exist in the country in question.

On our continent, there is a well-known case, which has been rejected, of a Government, which is obstinately and rudely contrary to all the evidence, refusing to give the most representative organisation of its country, the Supreme Council of Private Enterprise (COSEP) its proper representation and title at these Conferences. I say "at these Conferences" because the most recent Regional Conference of American States Members of the ILO, held in Montreal in 1986, unanimously without abstentions, approved a proposal of its Credentials Committee which, in passing judgement on the permanent complaint of failure in this regard, stated categorically that there was no doubt that COSEP was the most representative employers' organisation of its country. This judgement was all the more delivered on America's own territory where we know each other best and where we best know where the shoe pinches.

These two violations to the Constitution of this Organisation are serious and frequent. And they change and distort the fact and composition of these assemblies, which should therefore undertake a revision of this Covenant in order to suppress them once and for all. But the geographical, political and personal appetites or the demagogic postures disguised as democratic claims should be mentioned because they were, among other, determining motives of the most recent constitutional revision already out of date, which took place after twenty years of tough, tiring and largely futile discussions, involving incalculable human resources, time, typewriters, typing ribbons and paper, as well as an enormous and precisely

quantifiable sum of money which deserved a better fate, since it is always scarce and urgently required for the proper duties and functions of this useful and necessary Organisation.

There is an increasing scarcity of funds which affects the whole United Nations system. And this leads us to insist on an old argument of ours, to the effect that we should decrease the number of items on the agenda of these Conferences because not all of them are absolutely necessary and the Governments do not pay for the travel and per diem of the many technical advisers required by their discussions. We should also decrease, with a view to their complete suppression, the traditional and periodical meetings of the Tripartite Committees to examine and improve working conditions and social security in sectors and subsectors of various branches of the economy because these objectives can be achieved more quickly and effectively through collective agreements, which this Organisation rightly advised and promoted as being the proper instrument par excellence, not only to render flexible and to adjust the social and economic claims of the workers to the potential of the company or companies or a given economic sector or subsector but also to strengthen trade unionism by respecting its commitments.

These far-reaching reflections apart, attention should be given to the proposed revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107). Indeed, we were well aware at that time that because the instrument covers certain areas which fall within the competence of other international bodies, it required, as it still requires, the effective institutional participation together with ILO of the United Nations, FAO, UNESCO and WHO. That did not prevent reservations from being made by various States with respect to the competence of the ILO.

In these circumstances, as a minimum procedure for the proposed revision, the text should have been drawn up with the active participation of the above-mentioned international organisations or, at least they should have given, in writing, their full agreement with the text. There is no mention of this in the two volumes of the report on the subject as distributed to this Conference.

Thus, the ILO was quite right to express reservations as to its competence "*ratione materiae*" when Convention No. 107 was adopted, when the United Nations Economic and Social Council authorised the creation of a working party on indigenous populations and when that group at its fourth session held in 1985 decided that the goal would be to draw up, as a first formal step, a draft declaration on indigenous rights that the General Assembly could adopt.

In the light of these events, it would seem that there is undue haste in wishing to revise Convention No. 107, and for this reason I must insist here on the suggestion that a working party should be set up, composed of the legal advisers of the ILO and the other international organisations, that collaborated in preparing and drafting this Convention, and that they should determine the competencies of the various organisations of the different areas of the Convention.

A serious question of substance compels me to make a few more comments on the matter.

Among the recommendations that the meeting of experts submitted to the Governing Body for the

purpose of placing the revision of the Convention on the agenda of this Conference, there is one which states literally that the scope of the revision should be limited to the social, economic and cultural aspects.

However, if we compare this recommendation with the ambiguous questionnaire sent to Governments and the draft text of the revision which supposedly reflects the majority replies to this questionnaire, we are surprised to see that with a view to terminological consistency in international language, the word "populations" has been replaced by "peoples". This is to overlook the very important universal political connotation, intimately bound up with national sovereignties, which for thousands of years has been attached to the concept of "people" in domestic and international law, as well as the very important legal and political consequences and effects. The draft text attempts to demonstrate its case with sentences such as the following: "Governments should have the responsibility, in co-operation with the peoples concerned"; "policies should be adopted, in co-operation with the peoples thereby affected"; "to this end they should be involved, to the extent possible, in the formulation and implementation of plans and programmes for the development of the areas which they inhabit"; "Procedures should be established to resolve any cases of conflict between customary and national law."

Because of the legal and political implications of the concept of "people", the word "lands" (private law) is replaced by "territory" (public law). The penal customs of the people are mixed up with the rights of States, which are quite different, because in applying sentences you take into account the cultural evolution of the population of which the accused is a member, which is an orthodox discretionary method in penal law and even I as a judge applied it before it was laid down in Convention No. 107.

In addition, the individual property of indigenous population is done away with without any argument. Only the collective property and possessions of the peoples concerned are mentioned, in several paragraphs.

So we are convinced that the guide-lines for the revision of Convention No. 107 contribute nothing or very little to the subjects of concern to the ILO. These guide-lines could serve to set up micro-States within States as sanctuaries to shelter subversion, guerilla warfare, drug trafficking and common delinquency, at least in Latin America. That is why we will vote against the revision of the above-mentioned Convention.

Interpretation from Spanish: Mr. ISAIAS (Government delegate, Dominican Republic) – I am very honoured to take the floor at this session of the International Labour Conference as Secretary of State for Labour of the Dominican Republic. Allow me first of all to congratulate Mr. Beyreuther on his election to the presidency of this Conference. We know that he is capable of directing the deliberations of this Conference and that our work will be crowned with success. In particular, I am very happy to be in this international forum and glad to greet all those present on behalf of the Dominican Government and the people of the Dominican Republic. I would like to associate myself with them in the overall framework of our discussions.

I do not intend to make a detailed analysis of the achievements or social problems of my country, but I must say something about crisis we are experiencing as a result of the external debt, the reduction of import quotas and the drop in prices for our traditional exports.

This very difficult situation has compelled our Government to devise solutions with the social partners in order to alleviate its consequences.

In this respect our Government's attention has concentrated on the promotion of employment, on protecting the purchasing power of the lower income groups, and institutionalising tripartism and concertation as forms for debates on these problems.

To fight the acute problem of unemployment, which has such tremendous social consequences, the Government undertook a campaign of public investments which led to the creation of 150,000 new jobs, the building of thousands of new homes, and basic infrastructure projects to improve the situation of the most disadvantaged classes.

We have also sought to facilitate the creation of new enterprises, especially through free-trade areas throughout the country, which have absorbed tens of thousands of unemployed workers.

In order to protect purchasing power, wages have been increased nominally through tripartite negotiations between Government, employers and workers.

To this I must add indirect measures which have a direct influence on the purchasing power of the workers, such as the policy of guaranteed minimum prices for basic commodities and the extension of social security in the near future to many poor families.

Another measure that has had an effect on wages is our Government's promotion of collective bargaining, and the establishment of a legal basis within our labour legislation for genuine collective agreements which may be renewed from time to time to adapt to the economic situation and raise the standard of living.

The institutionalisation of negotiations through tripartite dialogue has, despite certain difficulties, given very good results; in addition to the above-mentioned extension of social security benefits to poorer families, these negotiations have led to the revision of the income tax Act in order to favour the lower income groups, to a 40 per cent increase of the minimum wage, to the revision of sections 69 and 78 of the Labour Code relating to the dismissal of workers by increasing trade union guarantees and job security, and to the creation of a permanent secretariat, under the supervision of the Catholic Church, to search for new agreements to promote a social consensus.

As regards the Dominican Republic's application of Conventions 77, 81, 87, 95, 98 and 105, the administration of President Joaquín Balaguer, which prides itself on its faithful compliance with the law and with all international instruments ratified by Congress, in response to the comments made by the Committee of Inquiry of the International Labour Organisation which visited our country in 1983, adopted resolutions concerning the employment of minors, medical examinations and labour inspection, and banned payment through vouchers redeemable only at the company store for workers in the sugar-cane industry.

We promote freedom of association and collective bargaining, as shown by the revision of sections 69 and 78 of our Labour Code.

Since the President of the Republic, Doctor Joaquín Balaguer, came to power, the Government has taken a number of steps to promote respect for freedom of association, and foster an atmosphere which encourages the development of trade union activities. Since August 1986 more than 200 trade union organisations have registered in accordance with the provisions of our Constitution and international instruments on freedom of association and the protection of the right to organise.

Collective bargaining has also benefited and many agreements have been signed.

In our legislation there is nothing to prevent foreign workers from joining existing trade unions. Likewise, the negotiations between employers and workers concerning section 69 of the Labour Code will ultimately prevent abuses such as those which arose formerly under this section of the Code; this is characteristic of the political thinking of the present Government.

Aware of the importance of standards and measures to promote their implementation, the Secretary of Labour, assisted by experts from the Interamerican Labour Administration Centre, has undertaken a restructuring of labour inspection machinery so as to ensure its modernisation and greater efficiency; the aim is not only to do away with the bureaucratic tendencies of former times, but to foster a more active and responsive role, consistent with the guidelines which Conventions lay down to ensure the application of labour legislation.

On the legislative level we have reintroduced Bills to improve labour legislation and bring it into line with international Conventions. We can thus refer to the Bill which calls for the establishment of labour courts to facilitate the settlement of labour disputes.

Before concluding I would like to emphasise my Government's commitment to the principles and standards of the ILO.

I would like to say that at present the people and the Government of the Dominican Republic are firmly committed to respecting and implementing all the standards established in the field of human rights. Therefore, it would be most fitting for this international body, which on previous occasions has denounced certain violations in my country, to acknowledge that the Dominican Republic has espoused human rights, in general, and labour rights, in particular, even when the latter have had adverse effects for native Dominican workers who, like others, suffer the unfortunate consequences of unemployment.

Mr. RAGUNATHAN (*Workers' delegate, Malaysia*) – It is with much pleasure that I congratulate Mr. Beyreuther, on behalf of the Malaysian Workers' delegation, on his election to the presidency and wish him every success in your task. I also extend my congratulations to the three Vice-Presidents who have been elected to assist.

I would also like to take this opportunity to convey to the Director-General of the International Labour Office, Mr. Francis Blanchard, the Malaysian Workers' delegation's deep appreciation of his Report. The Director-General's choice of the theme for this

year, *Human rights – A common responsibility*, is most apt. Nearly 40 years have passed since the adoption of the Universal Declaration of Human Rights, yet in many parts of the world governments have not translated the principle they accepted into a global reality. The twentieth century has been a century which has witnessed the grossest violations of human rights. The struggle against human rights violations cannot be left to governments. It should be undertaken by ordinary men and women through effective action. No institution is more suited to discuss this vital aspect of man's freedom than the ILO.

The ILO's commitment to tripartism and tripartite consultation would be of great assistance in helping the international community to realise that recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. The promotion of universal respect for and observance of human rights and fundamental freedoms must be a primary role of the ILO. As the Director-General so aptly put it, all ILO activities are related to human rights and the ILO has a special responsibility. It is ironic that the greatest violation of human rights is to be found in the Third World where man's material welfare and well-being are least developed. There appears to be a correlation between economic standards and the nature of human rights. Civil and political rights and economic, social and cultural rights appear to be directly related to economic levels.

As stated by the Director-General in his Report, "although civil and political rights are entirely a national responsibility, no attempt to ensure respect for these rights can be fully successful unless it is backed by development."

So long as the Third World countries continue to be plagued by poverty and lack of capacity for economic development, the question posed by the Director-General in his Report, "Have we the will-power to overcome the crisis *together* or are we going merely to continue coping with it as best as we can; are we going to resign ourselves to it?", will remain a question continuously asked without a will to overcome the crisis together.

It cannot be denied that what is happening in the Third World nations is the making of the developed nations. As the indebtedness, unemployment and poverty spread and the gap between the rich and poor, both amongst individuals as well as nations, becomes wider, the regard for human beings, ethical notions and ideals and human dignity lose their values.

As the Director-General pointed out way back in 1968, the human rights debate must be placed in the context of the harsh realities of daily lives which for many were the realities of underdevelopment and undernourishment. Those who proclaim the aim of the universal enjoyment of human rights need to prove their sincerity by greater efforts and greater sacrifices to reduce the gap between the rich and the poor, between the developed and developing nations of the world. Here the developed nations have a special role to play.

Two decades ago the Director-General warned against the danger that preoccupation with economic development might make us forget that all human endeavour must be aimed at ensuring the freedom and dignity of man.

In the Third World, in an attempt to squeeze economic progress achieved over two centuries by the developed nations into two decades, the slogan to achieve that progress is that "freedom and dignity of man must be sacrificed in the interest of the nation". The developed nations, on the other hand, in their attempt to exploit cheap labour and low-priced primary commodities, impose conditions that leave the Third World nations with no choice but to use the basic rights and freedoms of the workers as pawns. The denial of this freedom is hawked by the Third World nations in their competition for the capital and technological resources of the developed nations.

While moving resolutions, declarations and Conventions in this august body, the governments and employers back home continuously disregard the rights, standards and principles set by them.

In the environment of today, where the world economy is going through serious tests, improvements can be achieved only through the joint efforts of the three parties involved in development. Trade union rights are an integral part of the improvements that are being sought. The rights of workers are a part of respect for civil liberties. The development of strong and independent workers' organisations is an essential element of progress and social advancement. Unless governments and employers are prepared to accept these truths, the possibilities of achieving the goals set will remain remote.

With the gravity of the world economic situation as it is today, there appears to be a concerted move by nations, both in the developed as well as in the developing nations, to restrict human rights, standards and principles, in particular to restrict the rights of workers.

A solution to the instability and tensions resulting from such an economic situation seems to be found not only in the restriction of the rights of workers but also, in an alarming way, in the privatisation of public enterprises. In this endeavour, governments completely disregard the fact that trade unions have a primary role to perform in promoting social and economic development and the advancement of the community as a whole.

The trends towards the privatisation of public enterprises are bound to contribute to unemployment and underemployment in an ever-increasing way, in particular in the developing countries where capital structures are still weak and unstable.

In the anxiety to get over inflation and economic ills, privatisation seems to be the solution found by governments. Full employment does not seem to be of any concern. Austerity programmes are enforced even if they result in unemployment. A kind of policy is adopted to create unemployment as a means for underemployment. It is a way of creating a competitive labour market for underemployment. These then become havens for the commercial giants to move in, to maximise their profits and have a field day, to exploit the vulnerable economies of the developing nations.

Perhaps at this moment I may pause and draw your attention to an exercise of looking at ourselves and the institutions of the United Nations agencies and their work, in all fields of endeavour, in particular the economic and social fields. For nearly half a century, tremendous work has been put in. Valuable literature has been produced. Resolutions, declara-

tions and conventions have been passed on human rights, the economy and social development.

A widening gap is clearly appearing between the impressive standards set and the achievement of those standards. Are we plagued by a syndrome of honesty, sincerity and integrity? Do those who represent national governments in drawing up standards and in participating in the adoption of resolutions, declarations and conventions act without mandates? Is the gap really a credibility gap? The time has come to address ourselves to these questions. It is not good enough to be just satisfied that the standards formulated by the ILO have values in that their striking impact in attitudes, policies, laws and conduct are in themselves achievements.

At no time have the values of global institutions like the ILO been put to the test as they are now. As the Director-General puts it, "under the impact of an adverse economic environment, ILO standard setting is under strain". Is this the result of an adverse economic environment or is there a growing tendency for national governments, in particular those among the developing nations, to view the endeavours of the ILO to secure, in particular, respect for human rights, as the means formulated by the developed nations to weaken the economies of the developing nations? In such an environment, will the ILO succeed in making the nations where two-thirds of mankind live ratify the standards, and in ensuring compliance with ratified standards? There is an urgent need to address ourselves to these fundamental questions and find answers to them.

It is at a session like this that real meaning could be given to the Declaration of Philadelphia. The Universal Declaration of Human Rights, as the Director-General points out, could be realised in real terms only through ILO objectives. Much work had been done in the past in this field. It will, however, remain only on paper unless ratifications and compliance with ratifications are enforced. The greatest of the challenges to the ILO lie here. The credibility of the ILO's standard-setting activities will have to be seriously reviewed to ensure firm and effective systems of supervision.

Interpretation from Arabic: Mr. EL-HADJ SASSI (representative of the Arab Federation of Petroleum, Mines and Chemical Workers) – In the name of God the All Merciful, I have the pleasure of addressing you for the third time, as representative of the Arab Federation of Petroleum, Mines and Chemical Workers in order to convey to you the greetings of the Secretary-General of the Federation and the members of the Governing Council. I wish you every success in your deliberations.

I take advantage of this opportunity to convey to the President our greetings and respects and to wish him success. I congratulate him on the great trust that has been placed on him by the international community that has elected him to this position. It is clear evidence of his scientific capabilities, his moral integrity and his qualities of leadership. It is also a great tribute paid to his country.

At preceding sessions we have spoken about our Federation, its objectives and the activities that it carries out in the fields of trade unionism, training and science. We have referred to its national, regional and international relations; its actions in defence of the rights of Arab workers, to protect their rights,

and to ensure their training and education. We have also spoken of the information made available on current problems, and particularly the Palestinian problem which is at the very heart of the concerns of the Arab world, of its activities to promote Arab unity and of other activities that I need not go into again here.

I would like to say something briefly about the reports of the Director-General, and particularly the report on human rights in Palestine and South Africa, as our Federation is interested in these problems which bear, as a whole, the rights of workers in the Third World and the Arab world.

On this occasion I would like to refer to the Report of the Director-General entitled *Human rights – A common responsibility*. We are very satisfied with the valuable information contained in it, especially as we see that the ILO has paid particular importance to human rights in the achievement of its objectives, since the concept of human rights pervades the Organisation's basic objectives and principles as well as the ILO Conventions, in particular the Freedom of Association and Protection of the Right to Organise Convention, the Right to Organise and Collective Bargaining Convention, the Forced Labour Convention, the Abolition of Forced Labour Convention, the Equal Remuneration Convention, the Discrimination (Employment and Occupation) Convention, the Employment Policy Convention and in other international Conventions which cover human rights in general, and the rights of the workers in particular, given the close links existing between these rights.

We appreciate the efforts made by the ILO in the field of human rights, which have finally resulted in a series of safeguarding measures that have contributed in a tangible fashion to the improvement of conditions of work and life and to respect for human rights. All these efforts echo the Universal Declaration of Human Rights. This is the common ideal of all peoples and all nations since it crystallises the moral principle of respect for human dignity. The Declaration aims at ensuring the moral and physical security of every individual on the basis of a body of legal standards.

In this connection we would like to say something about the practices and legal standards relating to human rights, whether they are negative or positive.

From the positive standpoint, we would like to mention the recent measures adopted by the Libyan Arab Jamahiriya in the field of human rights. This country has released all political prisoners and annulled all judgements against them. This general amnesty was extended to all prisoners condemned to prison, whatever the type, or to death. These measures had considerable impact both outside and inside the country. This State showed tolerance and extended its pardon to prisoners of conscience – an example which every country should follow. In addition to all this, authorisation was granted to all those who had been previously prevented from leaving the country to leave if they wished and to return to the country without any restrictions. Lists of persons under the ban were torn up – and passports that had been confiscated were returned to their holders. All citizens were allowed to leave and re-enter the country freely. These measures are in conformity with the provisions of the Universal Declaration of Human Rights. Furthermore, the Libyan Arab Jamahiriya,

in surpassing all these humanitarian measures, issued the national Declaration of Human Rights which, amongst other things, re-establishes freedom of movement and introduces the right to work, to property and education. It abolishes all special courts and makes all citizens equal under the laws promulgated by the People's Courts; it invites all those who left the country to return, without any restrictions and limitations, and annuls any ruling made against them. Now, this Declaration also looks into the final abolition of the death penalty. These positive measures can be considered as a victory for freedom everywhere in the world, and the final elimination of dictatorship, arbitrariness and exploitation.

From a negative point of view, we should like to note what was said in the Report of the Director-General with regard to the population of the occupied Arab territories in Palestine and of the situation in South Africa. In the Director-General's Report relating to human rights, we have noted that he does not expressly mention the repressive measures applied by the Zionist occupation against the populations of the occupied Arab territories but the basic and general principles contained in it, and which the Report calls on to be followed and applied, are really an explicit condemnation of these arbitrary Zionist measures. The declaration contained in the Report presented by the Director-General to the 70th Session of the International Labour Conference expressly says that the situation is very bad in the occupied Arab territories. He described the situation as being identical with that in France during the Nazi occupation. The condition of Arab workers in the Gaza Strip is sheer hell. This is absolutely clear and constitutes a denunciation of the arbitrary measures taken by the Zionist authorities in the occupied Arab territories.

Through the various international mass media, even those which are favourably disposed to the Zionist authorities, the world has witnessed the injustice, iniquity and repression to which the Arabs in the occupied territories are subjected. Old men, women and children are murdered and torture is carried out with means which were not even used by fascism and Nazism. You cannot have forgotten the pictures of Israeli soldiers breaking the limbs of two young Arabs and burying alive four other Palestinians, the use of toxic gases which resulted in the killing of small children and abortion for 40 pregnant women, the expulsion and deportation of Palestinian citizens, the destruction of houses, aggression against the Arab press in the occupied Arab territories, the ban on correspondents and press photographers entering the confrontation zones, and, what is more, the desecration of holy places, the theft of cultural property, the destruction of historic monuments, and the oppression, discrimination and exploitation of which the Arab workers are victims. All this appears in the Report of the Director-General.

In the face of all these arbitrary measures applied by the Zionist authorities towards the Arab workers and population of the occupied territories, and in the face of the determination of the Palestinian people which is unceasingly demanding its legitimate rights to the creation of a state on its land, and its right to self-determination, the Arab federation denounces all these arbitrary and inhuman measures which violate human rights; it insists that an end be put to all these practices so that the Palestinian people may

enjoy their fundamental rights and freely establish their own State.

We have read carefully the *Special Report of the Director-General on the application of the Declaration concerning the Policy of Apartheid in South Africa*. We support this report and we call upon the international community to take even more forceful economic, political and military action to put an end to this abominable racist regime, and to eliminate once and for all this regime which applies racist practices which are contrary to international principles and standards of morality. This regime might have been more easily eliminated had the international community firmly decided to fight it, and had the great powers ceased to provide it with military, economic and political support. It is precisely this support that enables the regime to occupy Namibia and continue its aggression against Angola and the front-line States' liberation movements.

The war between Iraq and Iran is entering its eighth year of horror and tragedy. It has become an obsession for us. It is an unjustified war, wreaking destruction, death and devastation.

During preceding sessions, we called upon the warring parties to reason and stop this human and economic haemorrhage, turning from bloodshed to constructive production.

At the previous session, we foresaw the external consequences that might arise from the war's continuation. We warned against military and political dangers. Now we see that our fears were warranted. Western fleets are now sailing in the Gulf, imposing their force and engaging in conflicts with both of the warring parties. The war threatens to encompass other Arab States in the Gulf, and certain Arab countries have broken off diplomatic relations with Iran. We sincerely hope that the war will soon be ended in order to avoid serious regional and international consequences.

We support all the measures taken by the ILO in the field of freedom of association and to promote employment and social security. We approve the proposals made for the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107). We ask that further action be taken and Conventions adopted to preserve the rights of the workers and to free them from humiliation, exploitation and servitude. We call for the application of new international standards regulating participation in production and in benefits and the suppression of posts – with all the ensuing negative repercussions this implies – so that the workers will no longer be subjected to the exploitation of the employer. In this way, the Libyan dictum that producers should be “partners and not wage-earners”, will see light of day. We also demand that trade union freedoms be applied without restriction and that all imprisoned trade unionists be released in accordance with international conventions.

The PRESIDENT (Mr. SMITH) – I give the floor to Mr. Peterson, Government adviser, United States, to exercise his right of reply to the statement made earlier by Mr. Martans, Minister of Labour and Social Welfare of Panama. I would like to remind the Conference that the reply should refer only to the point under debate; it should be brief, not exceeding three minutes, and should not give rise to any further

remarks. Lastly, it should be couched in correct and parliamentary language.

Mr. PETERSON (*Government adviser, United States*) – I have raised a point of order and now appreciate this opportunity to exercise a right of reply to the Panamanian representative's statements earlier this afternoon. First, let us be absolutely clear that the sanctions referred to by the Panamanian representative were requested by the legitimate Government of Panama. The aim of United States policy is to support the Panamanian people in their effort to control their economic and political institutions and re-establish a civilian constitutional Government. We recognise that economic...

The PRESIDENT (Mr. SMITH) – I give the floor to Mr. Martans, on a point of order.

Interpretation from Spanish: Mr. MARTANS (*Minister of Labour and Social Welfare, Panama*) – I just wanted to point out that the delegate of the United States is straying from the subject. He is referring to a legitimately constituted Government. Our Government is legitimately constituted and that is why we are here.

The PRESIDENT (Mr. SMITH) – I invite Mr. Peterson to resume, taking due cognizance of what has been said.

Mr. PETERSON – We recognise that the regime of Mr. Noreiga, together with the legal actions taken by the representatives of President del Vallo to freeze official Panamanian assets in United States banks, has had an adverse effect on the Panamanian economy. However, we should note that the blame for this damage lies with Mr. Noreiga. He has put his personal welfare above that of the Panamanian people. We cannot tolerate the drug trafficking that is so adversely affecting United States citizens...

The PRESIDENT (Mr. SMITH) – I give the floor to Mr. Martans on another point of order.

Interpretation from Spanish: Mr. MARTANS – The delegate of the United States is referring to something which is completely extraneous to the subject we are discussing here. I therefore urge that we stick to the subject at hand.

Mr. PETERSON – Mr. Noreiga has been charged with federal narcotics violations; he has exploited his official position of public trust and received pay-offs in return for assisting and protecting international drug traffickers, for protected cocaine shipments flown to the United States. We do not want to continue the application of sanctions longer than necessary...

The PRESIDENT (Mr. SMITH) – I give the floor again to Mr. Martans on a point of order.

Interpretation from Spanish: Mr. MARTANS – We demand that we apply the Standing Orders of the Conference. In my statement I never mentioned any political aspects; carefully I explained that the political motives behind our problem and the economic aggression had nothing to do with this Conference. The delegate, however, is speaking specifically about this. Mr. President, I request that you have him abide by the Standing Orders.

Mr. PETERSON – We believe it would be a tragic error if a premature lifting of the sanctions permitted the Noreiga regime to cling to power in Panama and frustrate the desire of the Panamanian people to determine their own economic and political destiny. We have stated that we are prepared to assist Panama in a programme of economic recovery once the true Government is restored in that country...

The PRESIDENT (Mr. SMITH) – Do you wish to make a point of order, Mr. Martans?

Interpretation from Spanish: Mr. MARTANS – Yes, Mr. President. Since there appears to be a misunderstanding, I would like the Legal Adviser to clarify the Standing Orders of the Conference.

The PRESIDENT (Mr. SMITH) – The matter will be referred to the Legal Adviser. However, I will read to you the relevant provisions of the Standing Orders: "A delegate may at any time rise to a point of order, which shall be decided forthwith by the President". That is taken from article 14, paragraph 5. You may wish to put in writing the points you would wish me to raise with the Legal Adviser.

(The Conference adjourned at 6.15 p.m.)

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Ninth (special) sitting

Tuesday, 7 June 1988, 10 a.m.

President: Mr. Beyreuther

ADDRESS BY HIS EXCELLENCY MR. FELIPE GONZALEZ,
PRESIDENT OF THE GOVERNMENT OF SPAIN

Interpretation from German: The PRESIDENT – It is my pleasure to open this special sitting of the 75th Session of the International Labour Conference and to welcome Mr. Felipe González, President of the Government of Spain.

I invite Mr. Blanchard, Secretary-General of the Conference, to introduce Mr. González to the Conference.

Interpretation from French: The SECRETARY-GENERAL – Mr. President, it is a great honour for me to present today to the International Labour Conference His Excellency Mr. Felipe González, President of the Government of Spain.

The presence of President Felipe González in this assembly, often referred to as the World Labour Parliament, is of great significance, particularly this year which commemorates the 40th anniversary of the Universal Declaration of Human Rights and of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

It is true, Mr. President, that defence of human rights and freedom of association have profoundly marked your life.

During your youth in Seville, your home town, you shared, as a young university student, the life of workers and underprivileged people living in Andalusia. Much affected by their fate, you undertook to serve them as a lawyer. With your knowledge of law acquired at the university of this same town, you committed yourself fully, together with your friends, to fight for the defence of workers' rights and for freedom and democracy in your country.

The outcome of all this was that you were elected by a majority of voters in Madrid to the Cortes in 1977, where you have remained ever since. Only a few weeks ago, I was privileged to visit this assembly of the Spanish people; the Cortes, once again, to speak about the work of the ILO.

Under your firm guidance, the Spanish Workers' Socialist Party won the legislative elections twice, in 1982 and 1986, and you were invested with the high mission of presiding over the Spanish Government.

But the range of your activities very quickly extended beyond the frontiers of Spain.

You gave your personal stamp to that historic occasion, when Spain joined the European Community.

What is more – because I have heard you are a tireless traveller – you have travelled around the world as an emissary of democracy and peace. We

know how much the support you have given during your travels in Latin America to democratic movements has lent their arguments weight and helped them make their voices heard, thus leading this continent once more towards the path of democracy. You have given them hope and courage gained through your experience in your long struggle, over many years and often in secret, to restore liberty and democracy to your own country.

Let us not forget, Mr. President, what an important moment it was for the International Labour Organisation – and so long awaited – when your country, Spain, ratified Conventions Nos. 87 and 98.

You have before you the International Labour Conference which has followed with passion and hope Spain's political, economic and social developments. It sees you as a man of openness and dialogue, characteristics that inspire and mark any action on the part of the ILO. I know that the governments, employers and workers of the almost 150 countries present here today are anxiously awaiting your words.

I would therefore like to conclude by asking the President of the Conference to invite His Excellency Mr. Felipe González to take the floor.

Interpretation from German: The PRESIDENT – I would now like to invite our distinguished guest, the President of the Government of Spain, Mr. Felipe González, to address our Conference.

Interpretation from Spanish: His Excellency Mr. FELIPE GONZALEZ (*President of the Government of Spain*) – First of all, I should like to express my thanks to the Director-General, Mr. Blanchard, for having extended to me this invitation to attend this assembly today and to share with you some thoughts on the current international situation and its impact on the work and future of this Organisation.

Might I also, Mr. President, express to you my satisfaction in seeing you in front of this important annual meeting and express my confidence that you will lead this Conference to a successful close.

Thank you, Mr. Blanchard, for your kind words of introduction and for having recalled a past that is closely linked to the work of the International Labour Organisation.

The International Labour Organisation shares in full the ideals, goals and principles of the United Nations, but one could also say, bearing in mind the many years of existence and experience of the Organisation, that this is one of the organisations of the United Nations system which has best been able to combine idealism and pragmatism in addition to

having served as an excellent forum for dialogue and negotiation.

The evolution of Spanish society has been closely linked with the International Labour Organisation. Spain, a founding Member, undertook at an early stage and particularly in the 1930s a broad programme of social reform specifically based on the international labour Conventions that it was ratifying.

Spain was absent from the Organisation as a result of the regime set up by the Civil War, but returned to the Organisation in 1956. From that time on the Spanish Government of the time was faced with an ongoing conflict between the principles of trade union freedom defended by the ILO and the labour structures that existed at that time in the country.

Indeed, my first steps – as Mr. Blanchard recalled – in the professional and political field were taken as a labour lawyer who, together with many other Spanish democrats, sought to apply the principles of this Organisation to the working world in Spain in dealing with the paternalistic and restrictive concepts imposed by the dictatorship.

Today Spain has fully recovered its democracy, and progress and social well-being are goals to be achieved in freedom. It owes a special debt of gratitude to this Organisation for the firm vigilance shown in difficult times when we had not yet recovered our public freedoms.

This debt and our recognition were particularly highlighted by the visit of the King of Spain and his speech in this forum in 1979, a date which marked the beginning of a new and fruitful stage in the history of relations between Spain and the ILO.

The principles and ideals of this Organisation have inspired the labour philosophy of our Constitution, by virtue of which international labour Conventions – once ratified – become part of internal law and are directly applicable by the courts of justice. When one considers that Spain has ratified 115 of these international instruments, one can understand the degree of social commitment of my country to the ILO and how much it values the international labour standards.

This year we are celebrating the 40th anniversary of the proclamation by the United Nations of the Universal Declaration of Human Rights. I think it is timely to highlight the anticipatory recognition of these rights to be found in the basic texts of the ILO in the Preamble to its Constitution in 1919, and subsequently recalled in the Declaration of Philadelphia of 1944.

It has often been stressed – and this is something that is fully endorsed by the United Nations although it is not always recognised and applied in practice – that human rights as a whole are indivisible and interdependent.

Indeed, it is not acceptable to proclaim the theoretical predominance of social and economic rights using as an excuse the fact that formal freedoms do not guarantee the satisfaction of the primary needs of the individual and the community.

Today we cannot be satisfied with the effective implementation of the entire range of civil and political rights, trusting that market forces and the various interests involved will solve the economic, social and cultural needs of society as a whole.

Within the framework of this Organisation, at the threshold of the twenty-first century, it is more nec-

essary than ever that public authorities should duly guarantee the collective rights of a social nature which are above all the rights of each individual.

As the Director-General very well puts it in his Report to this Conference: "The denial of civil and political rights tends to have adverse effects also on the enjoyment of economic and social rights: neglect of social protection and well-being goes hand in hand with the inability of poorer and more vulnerable population groups (or the people as a whole) to have a voice in influencing decisions."

Spain knows very well that the fight for social conquest, which will have an impact on the well-being of the majority, for real trade union freedom and true representativeness almost always goes hand in hand with the fight for civil and political freedom. This rule is applicable in any latitude and whatever the ideological content of the political system which, in practice, stifles any type of freedom.

Therefore, the right of expression, trade union freedom and social justice are part of a single whole – the irrefutable dignity of men and women as citizens and as workers.

At the same time, it is the clear duty of politicians and the collective organs of this Organisation to move from the stated to the real, especially in such times of crisis as we are now experiencing.

We must, above all, be imaginative and practical and we must find ways to ensure that the progressive adoption of new technologies will lead to a higher level of social well-being for all. Technological progress morally cannot and must not be accompanied by higher unemployment and therefore frustration for the entire population.

It is therefore our duty to give impetus, in consultation and dialogue, to the search for solutions to the problems that worry us most and that have greatest impact on the most underprivileged sectors: on workers with little vocational training who have little resistance against the movement towards technical innovation; on young people whose frustration understandably grows when they cannot find a worthwhile job after great intellectual and material investment; on women who quite rightly demand that the vestiges of inequality be eliminated; and on migrants who are always welcome in times of prosperity but are rejected and banned in times of crisis.

Anyone who claims that this Organisation is not entitled to deal with political problems is wrong. All of the organisations of the United Nations system are by their very nature political, even if some of them deal with specific technical problems. It is also clear that the violation of human rights is the very focus of the concern of this Organisation.

One of the systematic violations of this right is the perpetuation of the apartheid system, and it is logical that the ILO should have been paying due attention to this important matter. Evidence of this is the recent convening in Harare of a specific conference on this topic. All the voices of the various multilateral forums are not enough to denounce this intolerable denial of human dignity by the South African regime.

It is also logical that we have become increasingly concerned in the past few months at the violation of human rights in the Arab territories occupied by Israel. The Spanish Government supports the search for a comprehensive, just and lasting solution to the Middle Eastern conflict and supports any decisions

adopted by the International Labour Organisation within the framework of its jurisdiction.

On the other hand, in Central America, almost a year ago, a path towards hope and realism opened up. Whilst expressing our satisfaction at this initial progress, I must reiterate that any external interference in this process will be counter-productive, and I would also recall that at the root of the ills of the region is the continued existence of an unjust economic and social situation, which will have to be dealt with by international co-operation.

With respect to international social and economic matters, we must note the success obtained in the recent High-Level Meeting on Employment and Structural Adjustment which was convened by this Organisation. Its conclusions, adopted unanimously, demonstrated the serious social impact of economic adjustment in industrialised countries, thus highlighting the problems of international commodity prices and the burden of the foreign debt.

It is also timely to determine the best use in the future of the ILO's two major means of action: international labour standards and technical co-operation.

No one has questioned the inestimable work of the international labour instruments in creating a common international social law, but there have been various opinions on the rate of standard-setting, the way the standards are applied and the control systems.

Many international Conventions have become outdated and it seems vital to create a new set of standards by revising those already in existence. This is a prime task of the Governing Body which must cautiously but audaciously undertake this task when the agenda of future International Labour Conferences is decided.

We must also recognise the very important role of the bodies which monitor the implementation of such international instruments. To my mind, the supervision system does work satisfactorily and does not constitute any interference whatsoever in the internal affairs of States Members. The fact of ratifying an international Convention is a demonstration of the sovereignty of the State which, when accepting obligations under international law, must be consistent in its legal commitment to meet those obligations satisfactorily.

Another major question is minimum labour standards, that is those which, to grant workers a basic level of protection, must be accepted and observed at world level. Some have felt that this might constitute a hidden form of protectionism, but in any case the increasing trend towards international competitiveness should not be at the cost of exploiting the workers. International economic relations cannot be based on what has come to be known as "social dumping".

Together with its standard-setting activities, the ILO has developed a second means of action to achieve its objectives: technical co-operation. Technical co-operation should not be considered as a form of benevolent assistance or condescending instruction but rather as the vital contribution of industrialised countries to the achievement of one of the basic rights of nations: the right to development. Might I reiterate here the Spanish commitment to this form of co-operation, whether bilateral or multilateral.

The recent economic and financial crises have had repercussions on programmes and the labour market, aggravating such critical problems as unemployment, further eroding the strength of workers in industrial relations, and fueling the spread of clandestine employment.

Moreover, the terminology of social relations has become populated by terms covering polyvalent realities. Labour flexibility is one such term, if not the most important. To some social economists, this flexibility is limited to the job market, the deregulation of industrial relations and the reduction of legal guarantees as regards job security.

For others – and this is the case in Spain – flexibility is a vast concept which applies to modalities of employment contracts, forms of remuneration, distribution of working time, duration of working life and the structures of vocational training, which are closely linked to the requirements of the labour market. Flexibility, therefore, is not a code word for total economic licence, but describes a reasonable adaptation to a broader and more dynamic understanding of economic conditions.

In the fight against unemployment, which is our top priority, we seek imaginative and varied solutions that can strike a proper balance between the promotion of self-employment, the regulation of part-time work, the protection of homeworkers and, invariably, the adaptation of the educational system to job opportunities.

The diversification of production processes encourages the development of new models of collective bargaining which are more sectoral and more decentralised. The greater complexity of major collective agreements makes it more difficult to reach mutually acceptable results. The transformation which is taking place in workers' and employers' organisations is closely related to this phenomenon and requires a new methodology in the practice of internal and external relations.

Growing difficulties have been encountered in social dialogue and concertation as the economic crisis gradually fades. We are convinced, however, that these difficulties can be solved through dialogue, and that is where we are investing our efforts.

Recent years in Spain have been marked by two milestones: first, the passage from an authoritarian political system to a system of freedom, and second, the overcoming of the economic crisis.

Looking back, one cannot fail to appreciate all work that has been carried out in these years of transition to improve the conditions of life and the protection of workers, and to promote the participation of trade unions in the life of the nation.

Nor can one fail to notice legislative efforts to set up a democratic framework for industrial relations. New legislation has been drafted in consultation with employers and workers; to a great extent, it has satisfied their needs and aspirations. In many cases, the essence of reforms had been agreed previously through social pacts. This process of democratic consolidation and our success in overcoming the economic crisis would not have been possible without responsible attitudes displayed by the social partners.

The current Government has worked hard to reverse the trend of falling levels of employment, which was so prominent in Spain in the period 1975-85, by attempting to bolster the competitiveness of

Spanish enterprises, and consequently their capacity to create new employment.

Without wishing to go into too many details, the introduction of the 40-hour week, 50 years after Francisco Largo Caballero introduced the 48-hour week in Spain, the broadening of unemployment protection, the rationalisation and extension of the social security system, the full introduction of trade union rights for workers and civil servants, the settlement of disputes concerning the award and use of the assets of trade unions of the past, in accordance with ILO guide-lines, and our efforts, which we recognise as still insufficient, to bring young people and women into the productive process, the establishment of consultative councils and the General Vocational Training Council, confirm the Spanish Government's commitment in the social field, and its admission that more still remains to be done.

Then is no question of Spain's strong economic growth, which was twice the European average last year; or of its success in controlling inflation, modernising the productive apparatus, improving the purchasing power of wages and pensions and increasing the ranks of the employed. We have reason to look with confidence to the challenge of the expansion of the European Community market in 1992, and the chance to continue to improve the outlook for job creation in our country.

For 1992 we want a Europe for everyone. We are looking forward to social conditions in Europe which will guarantee cohesion, so that we may eliminate the differences between areas with different levels of development through greater inter-regional solidarity.

We are aware that any effort in the social field can be perfected. Ours is an ongoing struggle. Our priority is still the creation of jobs; thanks to economic growth, we hope that this policy will enable us to offer more and better jobs while improving the well-being of our citizens and promoting social equality. We are going to develop new occupational health legislation which will enable us to take up the challenge of constantly changing production processes, new technologies and new environmental agents.

We are also about to create a new forum – the Economic and Social Council – in which workers and employers will be able to participate in formulating the major aspects of Spain's economic and social agenda.

In conclusion, I would like my last words to be words of encouragement and support for the tasks and future of this Organisation. Everyone knows that a recurring topic in these past few years has been the so-called crisis of the United Nations and its specialised agencies.

A financial crisis, granted. But let us be frank: a crisis of credibility. Certainly, there is a lot to be changed, and perhaps cost-cutting measures are possible. This process of reform has already been undertaken and is now starting to bear fruit. But let no one delude himself and try to draw political gain, for everyone would lose in the end.

The international organisations can be perfected; they are capable of taking decisions which we do not like and, indeed, sometimes they take the wrong decision. In the final analysis, they are not supranational

organisations, and the member States are not infallible either.

Let us apply to this democracy of nations the same standards we apply to our own democratic political systems. Let us accept the opinions of the majority with due respect for the minority. Obviously, this should not be a pretext for demagoguery, together we are capable, with humility and without any prior bias, of ensuring that the multilateral machinery works better and achieves that which the men and women of our planet are expecting. Spain will not relent or falter in this task.

Interpretation from German: The PRESIDENT – On behalf of the delegates to this 75th Session of the International Labour Conference and on my own behalf, it is a great pleasure for me to express my thanks to His Excellency Felipe González, President of the Government of Spain, for the message that he has given us.

We have listened with the greatest interest to your comments on human rights and on economic and social progress, issues of grave concern to mankind. We have heard your act of faith and your recognition of the principles of international co-operation in social and economic matters as set forth in the Constitution of the International Labour Organisation and in the Declaration of Philadelphia. Your speech has shown quite clearly the extraordinary value that you attach to our Organisation and its work within the United Nations family for the welfare of mankind.

Your visit is particularly significant because it comes at the same time as the 40th anniversary of the adoption of those important international instruments, the Universal Declaration of Human Rights and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

Your words will be an inspiration to our Organisation to continue to fight for the further recognition and implementation of human rights – civil, political, economic, social and cultural.

In listening to you, we were all aware that we were listening to a politician whose personal dedication to the cause of dialogue and co-operation in international relationships is recognised throughout the world. Your commitment to the solution of regional conflicts reflects the desire of the peoples of the world for peace. For decades peace has been symbolised by a dove, which has found masterly expression in the work of that great Spaniard of world repute, Pablo Picasso.

I believe that I speak on behalf of everyone here when, with your message still in our ears, I assure you that the hopeful signs of increasing solidarity in the international arena will encourage the Members of this Organisation to work even harder to improve the living standards of the workers.

Mr. President, your visit to this session of the International Labour Conference is an honour. We bid you farewell with the conviction that today we have heard a true statesman whose name is esteemed throughout the world. We should like to thank you with all our hearts for your contribution to our common work.

(The Conference adjourned at 10.45 a.m.)



Provisional Record

Seventy-fifth Session, Geneva, 1988

Tenth sitting

Tuesday, 7 June 1988, 11 a.m.

Presidents: Mr. Tsujino, Mr. Beyreuther

FOURTH REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

The PRESIDENT (Mr. TSUJINO) – The first item on this morning's agenda is the adoption of the fourth report of the Selection Committee. I call upon Mr. Vargas Escobar, Government delegate, Nicaragua, Chairman of the Selection Committee, to submit the report.

Interpretation from Spanish: Mr. VARGAS ESCOBAR (Government delegate, Nicaragua; Chairman of the Selection Committee) – I have the honour to submit to the Conference the fourth report of the Selection Committee which appears in *Provisional Record* No. 5C.

The report deals exclusively with changes in the composition of the Committees of the Conference. I recommend to the Conference that it adopt this report.

The PRESIDENT (Mr. TSUJINO) – The fourth report of the Selection Committee is now before the Conference. If there are no objections, I take it that the report is adopted.

(The report is adopted).

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (cont.)

The PRESIDENT (Mr. TSUJINO) – The next item on the agenda is the discussion of the reports of the Governing Body and of the Director-General.

Mr. RODGER (*Minister of Labour, New Zealand*) – I should like first of all to join those who have addressed this Conference before me in congratulating Mr. Beyreuther on his election as President of the Conference this year. The Conference has a full agenda and much important work to do. We wish him success in his efforts. The New Zealand delegation will provide him with its co-operation and support to that end. I also wish to express my compliments to my friend and colleague, Director-General Blanchard, who has provided us with another thoughtful and important Report this year.

New Zealand welcomes the focus on human rights at this Conference. I feel it is most significant that, at a time of world-wide economic volatility, we focus on human rights as being central to the establishment of a decent quality of life.

New Zealand has long been a party to the principal human rights agreements. We give firm support

to the very comprehensive body of international law relating to human rights, to which the ILO has made a substantial and practical contribution.

Commitment to the ILO's standards, in my view, offers one of the most effective ways of ensuring that basic human rights and freedoms are preserved and protected by all nations.

We recognise that more work needs to be done in certain areas, but we are also mindful that in elaborating new standards duplication is best avoided. New Zealand therefore welcomes the revision of existing Conventions in agenda items IV, V and VI.

New Zealand, like most countries represented here, is facing economic and social challenges. My Government is determined that both be met, for we believe that with greater economic efficiency we will also be able to achieve a fairer and more just society.

In my speech last year, I discussed the reform of our industrial relations system as a means of ensuring that it keeps pace with economic reform and of enhancing the concept of freedom of association. This culminated in the implementation of the Labour Relations Act in August last year.

This Act is designed to encourage the development of effective union and employers' organisations so that they can operate independently of legislative support.

It encourages the formation of larger unions more capable of providing the services and protection workers need. It provides for registration which confers certain rights and obligations on those unions, such as the right to use the institutions administered under the Act and the right to negotiate on their members' behalf.

A key feature of the Labour Relations Act is that it allows the parties the freedom to negotiate, administer and enforce awards and agreements relevant to their workplace.

Freedom of association and the right to organise are also guaranteed.

In April this year, we passed the State Sector Act. This carried the reforms of the Labour Relations Act through into the state sector.

This means that state sector unions become registered industrial unions, with no restrictions on the activities they engage in or the matters they negotiate with their employers. Private sector provisions, which ensure the accountability of unions to their members and provide a democratic procedure for extending the coverage of registered unions, now also apply to state unions.

The most substantive variation from the Labour Relations Act is in the provision of arbitration. Where a private sector union has access to voluntary

arbitration, a state union under the State Sector Act may invoke a clause effecting a trade-off between compulsory arbitration and the right to strike or lock-out.

The State Sector Act has also made changes in management structures.

Each government department now becomes an individual employer of staff, headed by a Chief Executive who is appointed on a fixed-term contract. Provisions are included to protect working conditions.

The Chief Executive is required to comply with the principle of being a good employer, according to certain specific requirements.

These include good and safe working conditions, an equal employment opportunities programme, the impartial selection of suitably qualified persons for appointments based on merit, and the recognition of the employment requirements of the indigenous Maori people, women and the disabled.

Throughout this process of industrial relations reform the Government has continued to review the activities and objectives of state organisations, many of which have had a sometimes contradictory mix of social and commercial objectives.

This has resulted in the establishment of a number of commercially oriented state-owned enterprises, in such fields as forestry, land management, coal, postal and telecommunications services, and electricity. These enterprises now have clearly defined business objectives and are expected to make a substantial return to the New Zealand taxpayer.

Reform of the public service has also included the restructuring of many departments, leading to greater accountability, efficiency and quality of service.

For example, in my own department, an internal review recommended that the Department of Labour establish five single-function service units.

These units are employment, occupational safety and health, immigration, training and industrial relations. All will have clear accountability and definition of function.

Against this background, my Government is also focusing on the issue of industrial democracy at the workplace level. Consideration is being given to the establishment of an inquiry to review all the options, and employers, unions and workers will be fully consulted before policies to promote worker participation are introduced.

Occupational safety and health is one of a number of social policy priorities in New Zealand. We are developing a new policy on this subject, with the assistance of the Tripartite Advisory Council on Occupational Safety and Health.

The Convention and Recommendations on safety and health in construction proposed for adoption at this Conference will be taken into account in this work. We do, of course, already have many occupational safety and health standards in force. We recently adopted a code of practice on visual display units; another recent code dealt with employee participation in workplace safety and health.

Protection of equal opportunity and remuneration have become important issues in this period of economic change.

A working group on equal opportunities and equal pay is considering legislative and administrative options to secure equality of employment opportunity and equal remuneration for work of equal value,

following completion of an equal pay study at the beginning of this year.

To protect the low-paid, the statutory minimum wage was, in February, again increased, in line with wages generally. A unit within my department has ongoing responsibility for undertaking research on lowpay issues, and its findings are made available to employers and workers.

For those displaced by economic change, a government committee is considering redundancy, re-training and relocation issues.

Unemployment is still an issue of major concern in New Zealand.

Last year I spoke of our new training initiative called ACCESS. The purpose of ACCESS is to give unemployed people an opportunity to be trained in the skills required by their local labour markets. ACCESS aims to enhance the employment prospects of the most disadvantaged groups in the labour market. Current indications are that the programme is indeed reaching these groups and generating positive outcomes.

My Government is also engaged in a major review of the administration and funding of post-compulsory education and training.

The driving force behind these reforms and reviews is our deep and underlying commitment to human rights and freedoms.

The Universal Declaration of Human Rights, which we are commemorating this year, established a frame of reference that all of us here today recognise.

Our world is small and interdependent and ultimately, like any family or community, depends on caring for the individual's dignity and well-being.

It is timely that we reaffirm our commitment to human rights throughout the world.

U THANG (*Government delegate, Burma*) – It is my pleasure to extend to Mr. Beyreuther, on behalf of my delegation as well as my own, our congratulations on his election to the chairmanship of this session of the International Labour Conference. I am confident that under his able guidance, the discussions and deliberations of this Conference will be objective and fruitful. I hope that this Conference will indeed reflect the noble principles of the ILO. May I also congratulate the Vice-Presidents whose election amply demonstrates the high esteem in which they are held by the distinguished delegates in this hall.

I must also compliment the Director-General for the lucid Report he has submitted to the Conference, the first part of which is focused on human rights. He has correctly pointed out that this would provide an opportunity for the Conference to take stock of the measures taken by the ILO for the promotion and protection of human rights. It is quite opportune that the facts set out in the first part of the report are in harmony with the spirit of the 40th anniversary of the adoption of the Universal Declaration of Human Rights as well as the Freedom of Association and Protection of the Right to Organise Convention – one of the key Conventions of the ILO on human rights. The second part of the Report, which describes the activities of the ILO, is also satisfactory.

The ILO standards have contributed immensely to the promotion and protection of human rights. As a matter of fact, the ILO standards and human rights

have become practically inseparable. The truth of this statement is adequately demonstrated by the history of the International Labour Organisation. The Conventions adopted by the ILO reflect many facets of basic human rights which we all hold dear and subscribe to as a common responsibility of mankind. The Conventions and Recommendations on conditions of work, social security, employment of young persons, migrant workers and tribal populations and so on are all designed to deal with both social and economic problems of the present-day world.

We believe in the welfare of human society. We respect the dignity of labour and, moreover, the dignity of man and his creative ability. To achieve this, we are striving to the utmost, guided by the belief that man will be emancipated from the want of basic needs only when exploitation of man by man is brought to an end. Thus, we always support the lofty ideals of the ILO. In trying to realise these ideals, we should not forget that our Organisation is composed of many countries with different political, economic and social systems. However, these differences should not be stumbling-blocks in our endeavour to achieve unity and cohesion in the work of this Organisation. Thus, one of the main criteria to be considered seriously in adopting a standard is that it should be acceptable to the majority of member countries.

If we are truly realistic and practical in adopting the international labour standards, I am confident that the allegation that some have made that the Conference Committee on the Application of Standards is taking a judicial role by investigating the activities of member countries will finally end. If we are to be successful in undertaking our most important task of setting up international labour standards to improve the working conditions of workers who have different historical and cultural backgrounds, we have no alternative but to commit ourselves to finding the right approach acceptable to all of us.

We are about to adopt two instruments, "Safety and health in construction" and "Employment promotion and social security" at this session. Our views on these two instruments were clearly expressed in the statement by the leader of the Burmese delegation to the 73rd Session in 1987. At the same time, we are about to commence discussions on partial revision of the Indigenous and Tribal Population Convention, 1957 (No. 107), and will also be having general discussions on rural employment promotion. The Declaration of Philadelphia affirms that all human beings have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity. Bearing this in mind, this Organisation, at its 40th Session in 1957, adopted the Convention concerning the protection of indigenous and other tribal populations. This Convention, which came into force in 1959 and is now ratified by 27 member countries, enumerates the basic rights in the economic, social and cultural fields of the minority groups in independent countries. Three decades have passed since this Convention came into force and many distinguished delegates would certainly agree with me that it is now time to review it in order to meet the needs of the changing international situation. By examining whether the provisions contained in this Convention have been successfully implemented or not, we should be able to formulate appropriate amendments. In order to

ameliorate the conditions of mankind, suffering from inequalities in the economic and social sectors, serious consideration should be given to the objective developments in the respective countries.

The common characteristic in the economies of developing countries is the presence of excess labour in rural areas. The acute urban unemployment problems in these countries are making it impossible for them to pay due attention to the rural areas. It is high time for us to have a general discussion on promotion of the employment of the rural labour force for the social and economic development of Third World countries. Unless we come up with an appropriate approach, we shall not find any satisfactory solution to this problem. Our objectives are to improve the living and working conditions of the rural labour force, to raise their cultural and material standards, to eliminate poverty and to ensure stable employment under tolerable conditions.

Both the international financial and trade situations in the world seem to be unfavourable to the majority of the Third World countries. Although various regional groups have been formed and attempts are being made to correct the state of affairs through dialogues and co-operation, to be candid, the results thus obtained are quite far from satisfactory. Third World countries suffer more and more from trade imbalances, instability in the international monetary markets and protectionism practised by the industrialised countries. The above factors are no doubt the root causes of disparity between the developed countries on the one hand and developing and less developed countries on the other. The international market prices of the raw materials and goods produced by the Third World countries are deliberately kept down while the industrialised countries raise the price of their manufactured goods, shielding behind protectionism.

Because of these trade and financial imbalances, the poor countries become poorer while the rich get richer. Against this backdrop of the ever-widening gap, the big powers are engaged in military build-ups and armament races, thereby wrongly channelling the resources and wealth of the world which is the common heritage of mankind. If such military expenditures were redirected for the development of mankind, most of the social and economic problems of the Third World countries would be solved, leading to peace and stability throughout the whole world. Only by concerted efforts on the part of all nations based on mutual understanding, co-operation and respect for each other, can we overcome the economic and social difficulties of the entire world.

In conclusion, allow me to reiterate our conviction that, under the wise and able guidance of the President and through the sincere efforts of all of us gathered here, this session will bring us nearer to our objectives of universal and lasting peace and well-being for all mankind.

Interpretation from French: Mr. RUPHIN (*Minister for the Civil Service, Labour and Social Legislation, Madagascar*) – On behalf of the delegation of the Democratic Republic of Madagascar that I have the honour of leading at this 75th Session of the International Labour Organisation's Conference, I should like to address my warm congratulations to Mr. Beyreuther, Secretary of State for Labour and Wages of the Democratic Republic of Germany, on

his election to the presidency of this Conference. I should also like to congratulate the other Officers on their election. We wish them every success in their high duties and hope that under their guidance and thanks to their experience, this session will produce positive and beneficial results for all member countries.

We should also like to thank Mr. Blanchard, the Director-General of our Organisation, for his excellent Report that we are going to discuss during this Conference.

His clear and precise analysis, his objective views on our world and the information contained in these documents merit our particular attention. As he has pointed out in his Report, we are commemorating two anniversaries this year: the 40th anniversary of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the 30th anniversary of the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations.

What harbingers of hope these anniversaries are in a world in crisis in this year of 1988. They provide us with an opportunity to view our Organisation in its true light and to determine its role in the future.

The agenda before us shows the continuing concern of the International Labour Organisation to devote itself to improving workers' standards of living. I shall refer only to two items, but these, in themselves, sum up the relentless will of our Organisation to embrace all aspects of the world of labour: employment promotion and social security; rural employment promotion.

But I could not overlook what we consider capital in the Director-General's Report, *Human rights - A common responsibility*.

Everything hinges on their significance and scope.

In fact, the concept of human rights dates back to 1789. Since then, other texts and conventions have followed the same line of thought: the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights of 1961, which came into force in 1976; the Universal Declaration of the Rights of Peoples, drawn up in Algiers in 1976; the African Charter on Human and Peoples' Rights, Nairobi 1981.

In addition, the Declaration on Social Welfare, Progress and Development adopted by the United Nations General Assembly in November 1969 advocates a change in international economic relations. As for the International Labour Organisation, it has not failed to define rights and to recognise them and facilitate their application.

With the emergence of new independent States in the 1960s and the advent of structural economic crises, new attempts to explain human rights have been made. For instance, the interdependence between human rights and the rights of peoples presupposes self-determination and sovereignty. No economic progress can be achieved without self-determination and national sovereignty, whatever the country or its riches.

The ethnocentric approach to human rights and those of peoples which advocate national, almost stereotyped behavioural patterns imposed legally by a civilisation supposed to bring progress and light, must be banned. However, this does not mean that we can justify barbaric acts which infringe the rights of man when critically examining human rights. De-

veloping countries continue to show solidarity and co-operation in interdependence. In this context, human rights will no longer be merely a formal matter but will enable millions of humans to emerge from their poverty and fears. The developing countries have gone beyond this stage of sterile claims.

However, it is relevant to raise this problem in a forum like ours because it enables us to have a fresh view of certain concepts - or even to review those that might be out of date. A case in point is the application of the principle of human rights in the field of freedom of association during this year so rich in anniversaries. It is most auspicious that Conventions Nos. 87, 98, 29, 105, 100, 111 and 122 of the ILO endeavour to apply these noble ideas.

Let us not be afraid to raise these contemporary problems. The Director-General has traced the path for our discussion in his Report. Another scandalous problem which affects human rights is the debt. This is an idea that we would like to launch to this august assembly since rights are purely and simply the guarantee of human dignity. We are convinced that there is no dichotomy between the rights of rich people and the rights of the poor; this would be contrary to the elementary principles of democracy that we understand. Ever since we started denouncing the pernicious consequences of the debt, no consensus has been reached to settle this gangrene which is the debt. Amongst the stop-gap measures suggested are: case by case studies, annulment and restructuration; however, these lose their impact because they are totally ineffective.

What right do we have to speak of human or workers' right in Third World countries, when the industrialised countries pay ridiculous prices for the products of farmers who account for 85 per cent of the active population in the developing countries?

What right do we have to speak of the right to work and trade union rights when measures advocated by international financial organisations lead to the closing of factories and enterprises which employ over 30 per cent of the labour force of developing countries?

The recent ministerial meeting of the OECD countries, which is preparing for the summit of the rich in Toronto, dwelt upon the debt problem but gave us no glimpse of a future solution. Apart from some wishful thinking, we nevertheless had the satisfaction of hearing people advocating a reorganisation of the world economy which necessarily implies a restructuring of the present monetary system. World economic problems, amongst them the debt, may result from factors outside those developing countries such as enormous budgetary deficits, which exist alongside surpluses. Errors have been committed due to a lack of control over planning, which was mostly based on fluctuating export revenues. There are three approaches adopted at present by the creditor countries towards the debt. First, there are the pragmatics who have opted for immediate and radical solutions. Unfortunately the level of their financial commitments are rather low. Second, there are countries who are full of good intentions but for various reasons, their action is not very convincing. Third, there is a last group countries that put forward no idea and maintain a regrettable status quo.

During this time, the producer countries of raw materials have become irremediably submerged in the crisis. In international forums, developing coun-

tries have advanced the following propositions: first, a 20 years' moratorium; second, a partial or total remission of debts; third, the transformation of credits into capital or participation; and fourth, the limitation of the debt to a reasonable threshold of 10 to 20 per cent of export receipts.

At present, no planning is possible and unemployment is gaining disquieting proportions of the active population. Much water has passed under the bridge since the Marshall Plan came to the help of European economies ravaged by the Second World War. The countries of the Third World have neither spared their efforts nor their means to find original or national solutions. This is why Madagascar has advocated the setting up of three funds between development countries; that is a monetary fund between non-aligned countries, a development fund and a price and raw materials stabilisation fund, including petroleum.

Along the same lines, the delegation of the Democratic Republic of Madagascar wishes to broach the subject of rural employment. In collaboration with the UNDP and the ILO, a number of labour-intensive projects will be extended to other regions, following the success of pilot projects. These projects will all take place in rural areas since our aim is to tap the abundant local resources during the off-season to develop social and economic infrastructures. The project pays the workers equitable wages and improves their standard of living. This policy is consistent with our objective of achieving nutritional self-sufficiency among peasants and farm-workers. I do not wish to pre-empt the discussions of the Committee on Rural Employment, so I shall merely identify some issues that may cloud its debates. Developing countries, however well covered by the media, remain the victims of unflattering clichés: apartheid, drought, famine, war, poverty, etc. In the present circumstances, external aid is certainly indispensable; it is the basis of solidarity. But this assistance, be it humanitarian or nutritional, should focus on the core of the problem, and not be seen as charity.

Recent diplomatic events are grounds for hope in mankind's quest for a better life.

The last summit of the super-Powers opens a new chapter in history. We have passed from conflict and antagonism to a phase of dialogue and co-operation. We hope that this summit is a prelude to a true rapprochement between the rich countries and the developing countries that will enable us to tackle long-standing problems, including the settlement of debt, which will spur growth in the developed countries and make it possible for the Third World countries to get their economies off the ground. The era of peace which is heralded by the summit meeting between the United States and the USSR should spur each of us to work to stamp out the poverty and unemployment that affect billions of people.

The ILO, thanks to its universal character, can and must lead the drive to answer the legitimate aspirations of the Third World countries for the settlement of external debt, and to set up fair terms of trade between developed and developing countries, and thus lead the world towards peace.

Finally, I am sure you will agree that the apartheid regime in Pretoria, allied with Israel, is a shame for our Organisation and an insult to democracy. Its elimination and that of Zionism, which oppresses the Palestinian people in the occupied Arab territories,

should be uppermost in the mind of the international community.

Before concluding, I would like to thank you for your attention and wish every success to the 75th Session of the International Labour Conference.

Long live the International Labour Organisation!
Long live international co-operation!

(Mr. Beyreuther takes the Chair.)

Interpretation from Spanish: Mr. LEORO FRANCO (*Government delegate, Ecuador*) – Mr. President, I would like to read out the address that the Minister of Labour and Human Resources, Mr. Chang Durango, would have made to the Conference had he not been held up at the last moment and be unable to arrive until the day after tomorrow.

First of all, I should like to congratulate you on your election to the presidency of this great assembly of labour, a wise choice which holds out the hope of fruitful results as the product of fairly and democratically conducted debates. I thus associate myself with the congratulations you have received from all those who preceded me on this rostrum.

Like all the other participants who have spoken, I shall now refer to the Report presented by the Director-General. In doing so, I would stress the fact that I find it fair and reasonable that the question of human rights should have been chosen as the basic theme of this Report.

These rights relating to the equality and dignity of persons, to their security and protection, to employment and to the free choice of this are an integral part of the national laws of Ecuador.

As the Director-General has done, we would like to express our views on the philosophy and modalities of those human rights and on the various bodies of the United Nations system that deal with the subject within their respective jurisdictions. We want to see these bodies act fairly, without discrimination and with due heed for the balanced interlinkage of national laws and international conventions, which are directed towards the same goals.

The Universal Declaration of Human Rights, proclaimed by the General Assembly of the United Nations on 10 December 1948, enumerates the basic rights and affirms in article 29 that it is only within the community that the free and full development of each one's personality is possible. It is in the community, the legally organised society, that human rights, whether individual or social, can be enforced. It is the State which guarantees the prerogatives of the individual and of the citizen, so that the full realisation and enforcement of the rights, powers and liberties of persons entail, on the other hand, the respectful observance of the law, respect for the political and legal existence of the State, without ever seeking to destroy the State or to dismantle it, which would be a basic contradiction of the validity of the principles that guarantee these same human rights: tranquillity, social order, national development and the very existence of a legal order of the State, without which laws and international treaties would be meaningless.

Although the basic rights of countless members of the human family have been scorned and flouted in the past, the shocking and barbaric acts recalled in the Preamble to the Universal Declaration of 1948,

and which gave rise to its proclamation – whose fortieth anniversary we are now commemorating – cannot recur nor can humanity be subjected to oppression and tyranny, since the premises of this Declaration are irremediably founded on the continued existence of the legal order of the State freely established and agreed to by the people.

It is only with this in mind that we can understand article 28 of the Universal Declaration of Human Rights which states textually that: “Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realised”. Nor must we not forget that the first article of the International Covenant on Civil and Political Rights fully enshrines the basic principle that “All peoples have the right of self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development”. It further states that: “All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation... In no case may a people be deprived of its own means of subsistence”. It is incumbent upon us, therefore, to realise that human rights not only comprise the rights of the individual and the duties of States with respect to the individual, but also the obligations of the individual to others, to society, and to the State, which they sometimes appear anxious to see as a body without the right and the duty to protect its internal and external security, and to prevent arbitrary interference in its sovereign decisions on the organisation of its internal system or the disposal of its resources. A State could not exist in an international society in which the basic principles of the Charter of the United Nations were not fully observed by all – by States and by international organisations. These organisations do not and cannot have supranational powers.

Thus, if we truly wish to see the full realisation and enforcement of human rights and freedoms with all their powers, we must respect all rights, laws and the institutional legal order. If committees or councils, however eminent their members, consider themselves entitled to follow their whims in examining international standards interpreting national legislation and adopting resolutions intended to disrupt laws freely enacted after careful thought, in keeping with the national realities, by the constitutional bodies of those States, this would simply deprive public security of all protection and violate the provisions which make it possible to have an international legal community whose basic and immutable standards are enshrined in the principles of the Charter of the United Nations.

My country, as defined in its political Constitution, is a sovereign, independent, democratic and unified State. Its Government is republican, presidential, elective, representative, responsible and rotatory. The current Government of Ecuador, which I have the honour of representing in this hall, is the product of completely free elections in which it obtained the majority vote of Ecuadorians. The Ecuadorian people exercises its political rights without any restriction whatsoever. Each citizen is entitled to vote and exercises that right every four years in designating the President of the central Government. The National Congress is also elected every four

years and the provincial deputies are elected every two years by direct universal suffrage.

Democratic rotation is a vital reality in my country where we have just had an uncorrupt, free general election in which the opposition triumphed. The present Government has thus shown that it abides fully by the laws and respects the decisions of the national political collectivity. The next administration will take power on 10 August this year. Sovereignty resides in the people. The rulers exercise their mandate for and on behalf of the citizens.

Ecuador wholeheartedly abides by the principles laid down in the Universal Declaration of Human Rights and in the Covenant on Civil and Political Rights. This is a tradition; it is nothing new. The constitutional history of my country shows this. Ecuador came into being as a democratic republic and remains one. Its institutions have been perfected over time, with a view to the common good. Naturally, we condemn apartheid and we hope that this inhumane practice will shortly be done away with.

In my country there is no death penalty. The maximum penalty for the most serious crimes cannot exceed 16 years' imprisonment. There is no slavery in my country and no forced labour. We have been saying this for many years. On many occasions we have quoted the enlightened provisions of the Ecuadorian Constitution of 1845 which stipulate that “No one can be born into slavery in the Republic nor can be introduced into the Republic in such a condition without being freed”. Over the years, therefore, the last forms of unpaid agricultural work (*concertaje*) and casual labour have been done away with. The Penal Code severely penalises violations of these liberating provisions.

In Ecuador, everyone is entitled to a job, and this is considered as a moral obligation. Even prisoners are granted the right to a freely chosen job and a fair wage for that job. Ill treatment is prohibited. The prison system has been planned in a humanitarian manner for purposes of rehabilitation. The Constitution grants equality of civil and political rights to men and women and prohibits discrimination for reasons of race, religion, ideology or social status. Ecuadorians are entitled to move freely within the national territory, to leave it and to return, and are equal before the law.

The people of my country are protected against interference in their private and family life; they are entitled to dignity, honour and culture; they enjoy freedom of thought and expression, the right of peaceful assembly and association; freedom to rest and to have leisure time. All this is laid down in the Constitution and the laws and is enforced in practice. Trade union freedom and the right of association are guaranteed and protected. The child, the mother and the family are protected by law. The social policy of the Government has been aimed at protecting the living conditions of the people, improving working conditions and maintaining purchasing power. Under the current administration, the minimum wage has been increased four times, and since 1984 it has increased 119.7 per cent.

At the present time, a further 25 per cent increase is being considered in the National Congress.

Comparing the figures for the last Government and this one with respect to labour conflicts, we see that there were 1,746 conflicts under the former, of which 1,648 were settled while, under the current

Government, there were 1,143 conflicts of which 1,065 were settled.

With respect to strikes, there were 451 under the previous Government and 289 under the present Government.

As regards vocational skills, under the previous administration 6,899 courses were organised, that trained 143,525 workers in 60 months; under the current Government, 8,281 courses have been given, training 156,498 persons in 45 months.

With respect to employment, the greatest efforts have been made to maintain and extend the sources of work despite the crisis facing the country and the world. We have promoted the development of sources known to generate jobs; we have managed to prevent the closure of companies, and have reactivated them. We have set up a microfirm programme, which is giving admirable results in providing skills and financial assistance and in promoting the informal sector, as part of an effort to transform persons who were unemployed or underemployed into independent, productive workers. We have also encouraged the handicrafts sector. The National Government has relied on the usefulness and desirability of trade unionism and the efficiency of dialogue. It has encouraged collective negotiations as an appropriate instrument for regulating labour relations and facilitating wage-fixing. It has judiciously controlled calls for general strikes, limiting government action to preventing vandalism and protecting the security of citizens. Despite such movements, which usually lacked a platform with proper labour demands, the Ecuadorian Government is gratified to state that the period between 1984 and 1988 has been one of relative and beneficial harmony in the labour field. Since August 1987, 157 new trade union and handicrafts organisations have been registered.

The Ecuadorian Government, which I have the honour of representing here, has approved the new regulation on workers' health and safety and the improvement of the working environment, which safeguards the important values of the health and very life of the worker, and can also pride itself on the great conquest of extending social security to the rural sector.

Thus, my Government has made a living reality of the principles which the Director-General rightly included in his Report as additional human labour rights.

I would reiterate my congratulations on your appointment, Mr. President, and my confidence in the fact that, under your democratic leadership, this session of the Conference will have the hoped-for results for the member States of the ILO.

Interpretation from Hungarian: Mr. GASPAR (representative of the World Federation of Trade Unions) – Mr. President, it is a great honour for me to be able to congratulate you, on behalf of our Federation, on your election to this most noble, but by no means easy, post. I am convinced that under your chairmanship our session will be able to face its multiple tasks and play an important role in improving the lot of workers in the world.

Allow me to express our thanks and appreciation to the Director-General for the Report, and for the documents – which are so rich in content and give rise to new ideas – which have been presented to the

present session of the Conference and to the Committees.

It is with great satisfaction that we welcome the special part of his Report dealing with the question of human rights, thus conferring on the subject recognition as the central theme of this year's session.

The 40th anniversary of the adoption of the Universal Declaration of Human Rights is a good opportunity to take stock of what the International Labour Organisation has done to enhance the principles embodied in the Declaration.

Our Federation and its member organisations – although there have been discussions and divergent opinions have been expressed on certain specific matters – pay tribute to the work done by the ILO in this field. What characterises the aspirations of the ILO is the fact that, in the year when the Declaration was adopted, an agreement on freedom of association and protection of the right to organise was adopted by the International Labour Conference.

It is an historic experience that trade union rights and their development constitute an extremely complex problem, and the struggle for them is as old as the history of human society. The demand for the guarantee of fundamental human rights has been a key aspect of the work of trade unions throughout their existence. For us, all human rights are equally important, but we believe that nowadays priority should be given to the most important of them.

We consider that, when speaking of the defence of human rights, one should stress above all the importance of the fundamental right – that of the right to life – for this is the prime condition for any kind of human progress.

I think we are all very happy that our session has met this year, in a period when we can hope, and even be confident, that the world will take the path of guaranteeing a peaceful future rather than one of confrontation. It is natural that the not insignificant results achieved in the negotiations on armaments reduction and the promising prospects give hope to hundreds of millions of workers. The workers expect, and with good reason, that the vast material resources freed as a result of disarmament will serve to improve their living and working conditions and to solve the most acute social and economic problems. The ILO – if it wishes to remain faithful to its vocation and to the aspirations it has expressed so far – should give rigorous support to the process of disarmament, which guarantees the fundamental human right and serves progress.

We are fully in agreement with the idea expressed in the Report of the Director-General according to which the question of human rights must be dealt with only on the basis of taking into account real economic and social conditions.

Nowadays, unfortunately, we often witness manipulation of human rights and the dissociation of different rights for political ends. This is unacceptable to trade unions. We are confident that the synthetic aspects of the question, the close correlation between its different components make it essential that in international co-operation each should have strict respect for the principles of equality, justice and mutual understanding.

One must therefore respect above all the rights of peoples to self-determination. The guarantee of this right is fundamental from the point of view of civic

and political rights as well as social, economic and cultural rights.

In the matter of human rights, as with many initiatives serving workers' interests, the World Federation of Trade Unions has always been the partner of the ILO, and it will continue to be so. The WFTU takes part in such work with pleasure since guaranteeing fundamental human rights in the social and economic field has always been a prime demand of our Federation, and it will continue to be so in the future as well.

We are of the view that respect for trade union rights is an important aspect of the supremacy of human rights. Respect for the freedom to organise is of vital importance in defending the interests of the rights of workers. It is not merely by chance, therefore, that to stress its importance, our member organisations have submitted a resolution to the session on human rights and trade union freedoms.

In our opinion, the ILO must make greater efforts than it has in the past on behalf of the more efficient defence of human rights and trade union freedoms. Brutal and serious violations of these freedoms are increasingly frequent in the world. As result, trade union leaders are often taken to court and in many cases their lives have been threatened. The current system of examining grievances is incapable of coping with the situation.

The Governing Body must devise and submit to the Conference for discussion and adoption specific measures that can discourage States once and for all from violating trade union rights. It is high time that the Conference developed some kind of efficient machinery for guaranteeing the right to organise and the enforcement of the other basic principles embodied in the Organisation's Constitution.

We are convinced that the application of the principle of the independence of the trade union movement endorsed by the ILO is essential to the normal functioning of trade unions.

As I have already mentioned, our Federation firmly supports the people and nations struggling for their inalienable right of self-determination. The reinforcement of the policy of pitiless repression in the occupied Arab territories, including Palestine, and in South Africa and Namibia is a source of serious international concern. We appreciate highly the ILO's efforts to combat apartheid and consider the updating of the 1981 Declaration of priority importance. However, the ILO's action in this field needs to be better co-ordinated with the activities of the United Nations. The ILO should not just describe the changes that are taking place within the apartheid system, but should demand its total eradication. Only in this way can we put an end to all forms of racial segregation in this part of Africa.

Our Federation is prepared to participate in every form of international action aimed at intensifying the solidarity with the South African people, with Namibia, with the Palestinian population in the occupied territories and with any other region where human rights and trade union freedoms are being grossly violated.

Interpretation from Russian: Mr. FOMICHI – (Government delegate, Byelorussian SSR) – Mr. President, allow me to add my congratulations and wishes for your success and that of your Vice-Presi-

dents on your election to the elevated post of president of the 75th Session of the International Labour Conference.

This 75th Session of the International Labour Conference is taking place at an important period in the development and intensification of international political dialogue. The Soviet Union and other socialist countries are constantly and consistently proposing concrete ways of building a secure world in which, Mr. Gorbachev has said, "an atmosphere of trust and neighbourly co-operation would be strengthened among all nations regardless of their social and economic systems". The vital necessity to save humanity from the threat of self-destruction requires every country assiduously to seek answers to the problems posed by the new reality of the end of the twentieth century. Efforts are being made to intensify the process of removing the nuclear threat, banning and eliminating chemical warfare and undertaking the limitation and reduction of conventional weapons. If this is achieved, extensive possibilities of economic and social progress for all countries will open up. Furthermore, favourable conditions are being created to give new impetus to international co-operation between all States of the world. This correspondingly increases our common responsibility eventually to take full advantage of the new possibilities within the ILO and elsewhere and to take considered decisions on solving economic and social problems.

While I would like to call on the ILO to improve its work still further, it is worth pointing out that the search for the way of dialogue and practical co-operation is becoming increasingly evident within our own Organisation, as we may see from the Director-General's Report, *Human rights – A common responsibility*. Our consciousness of the interdependence of various aspects of international life means that we must recognise that we cannot consider the problem of ensuring human rights in isolation from international security, the lawful right of nations to self-determination and strict respect for national sovereignty. It follows that the different social and political structures of the various countries, with their accumulated traditions, must be taken into account. This means that interference in the internal affairs of other States is unacceptable. The need therefore arises to protect this sphere from any extraneous distractions, political prejudice or a confrontational approach, to find practical, attainable forms and criteria for international co-operation, to concentrate our efforts on the most important problems of vital interest to States and to ensure compliance with the universally acknowledged principles of international law and inter-governmental relations.

The experience of the last few years has shown that the Universal Declaration of Human Rights, whose 40th anniversary is being celebrated this year, has received wide recognition in the international community and was an important stage on the road to the preparation and acceptance of the international covenants on human rights as well as several ILO Conventions. The present aim must therefore be that these documents should receive universal acceptance, in other words that all governments should ratify them.

In talking of human rights, our starting point is the inseparable, mutual link between all the fundamental rights: political, economic, social and cultural. In

in this context, we share the objections already expressed in general discussion to the Director-General's thoughts on the ILO's priorities regarding the rights of political groups as opposed to other rights. The ILO Constitution states that the basic efforts of the Organisation should be directed to the provision of social and economic rights for workpeople, in particular the solution to the problem of unemployment.

Ultimately, the yardstick for the development and achievement of full human rights is the extent to which the material, social, economic and political conditions of life in any given society serve the purpose of opening up wide possibilities and opportunities for each person.

In the Byelorussian SSR the process of speeding up social and economic development and high quality re-education in every aspect of life has progressed on a broad front. However, we do not consider the process of attaining all the rights and freedoms of human beings to be completely fulfilled. Our priority therefore is to improve socialist democracy and to strengthen its legal and material guarantees of citizens' rights and freedoms. The *perestroika* (restructuring) now taking place in our country is predicated on people's best qualities: their knowledge and intelligence.

Particular attention is being paid to various aspects of the problem of self-management, that is, the extent of involvement by working people in industrial and social decisions. For example, the right to work is a basic condition of not only economic, but also political human freedom. This right is guaranteed by our Constitution and is provided for by the planned development of the national economy. However, this right in our opinion involves not only the possibility of obtaining work, but also the right to a creative job, corresponding to the level of education, qualifications and interests of the worker.

In the developed capitalist countries, as the Report of the Director-General points out, there are at present more than 30 million unemployed and their number is expected to increase. It is our conviction that to deprive so many workpeople of the possibility of earning their means of subsistence by their own labour is incompatible with the aims of the ILO and with the principles of democracy, freedom and equality. My delegation would therefore like to emphasise the important standard-setting role of the ILO in its work for human rights, which can be seen in the increase in ratification of ILO standard-setting acts.

ILO activity must also be improved in the field of applying Conventions and Recommendations to provide practical help to member States. We support the proposal that national legislations in the area of human rights should comply fully with international standards.

The Byelorussian SSR therefore firmly supports effective international co-operation in human rights. The efforts of the ILO are also essential to halt the terror and repression of the South African racists against the African majority in its country and to put an end to Pretoria's aggressive policy against its neighbouring African States and its aim to retain its domination of Namibia, which it occupied illegally.

We would like to express our solidarity with the Arab countries in denouncing and condemning the policy and practice of state terrorism by Israel against the Arab countries and peoples. Our position is that the only correct solution of the Middle East problem would be to call a plenipotentiary conference on this topic under the aegis of the United Nations, with equal participation by all interested parties, including the PLO and the permanent member States of the Security Council.

As regards Part II of the Report of the Director-General on the ILO's activities, we should like to point out that such Reports should preferably not be limited to expounding this or that set of procedures and facts, but should also contain in-depth analysis of their causes, a view of possible future change and, above all, an analysis and assessment of the effectiveness of measures taken by the ILO.

Our delegation takes a positive view of the ILO's achievements over the last year on the problems of the external indebtedness of developing countries and would like to express its support for the importance of carrying out the decisions made in November of last year by the High-Level Meeting on Employment and Structural Adjustment. At the same time, we regret that the Governing Body of the ILO continues to take no action on carrying out the resolution concerning the economic and social consequences of disarmament adopted by the Conference in 1981, although the Report of the Director-General stresses the organic interdependence between war and peace on the one hand and social and economic development on the other.

In conclusion, I should like to emphasise that the realities of the contemporary world compel us to understand that progress for all means progress for each, that material and spiritual riches and economic, scientific and technical achievements open up new horizons for overcoming separateness and developing security in the interests of all.

May I express the hope that this session will give new momentum to the ILO's activities and will be outstanding for its fresh approach and demonstrations of goodwill in the interests of achieving concrete results in the future through more fruitful dialogue and co-operation in order to achieve social progress, which is the purpose of our Organisation.

(The Conference adjourned at 12.30 p.m.)

Eleventh sitting

Tuesday, 7 June 1988, 3.15 p.m.

Presidents: Mr. Adiko, Mr. Beyreuther

RATIFICATION OF TWO CONVENTIONS BY THE USSR

Interpretation from French: The PRESIDENT (Mr. ADIKO) – I have pleasure in announcing to the Conference that the Director-General of the ILO has registered the ratification by the USSR of the following Conventions:

Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148);

Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159).

This brings the total number of ratifications of international Conventions to 5,345.

RATIFICATION OF THE INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION, 1986

Interpretation from French: The PRESIDENT (Mr. ADIKO) – It is also my pleasure to inform the Conference that the Director-General of the ILO has registered the ratification by the United Arab Emirates of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986.

This brings the total number of ratifications and acceptances of that Instrument of Amendment to 38.

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION: (cont.)

Interpretation from French: The PRESIDENT (Mr. ADIKO) – We will now continue our discussion of the reports of the Governing Body and of the Director-General.

Interpretation from Portuguese: Mr. VAZ D'ALMEIDA (*Minister of Labour and Social Security, Sao Tome and Principe*) – First of all, may I congratulate the President on his brilliant election to the presidency of this session.

On my own behalf and on behalf of my delegation, may I express our confidence that under his brilliant and wise leadership, our efforts will be crowned with success.

We have carefully examined the Report of the Director-General and we consider it outstanding. It is clearly a reflection of the Director-General's talents, and yet another in a long line of excellent reports.

Might I express in this august forum, our gratitude to Mr. Francis Blanchard for the work carried out by

the ILO in 1987, and for the valuable results of that work.

Since my country was admitted to this Organisation, we have received great support; we would like to express before this august assembly our thanks to the Director-General, for much of this support is due to his noble and arduous efforts.

My country, like other countries of the so-called Third World, is undergoing an economic and financial crisis which prevents us from properly meeting our obligations to this prestigious Organisation, particularly as regards our financial contributions.

Owing to the crisis, my country is engaged in a programme of structural adjustment, in accordance with the outcome of negotiations with the World Bank, the International Monetary Fund and the African Development Bank. This programme entails various restrictions and limitations.

The economic crisis has led us to concentrate our efforts and energy on solving our major national problems.

All the institutions in my country are engaged in this effort, meaning that some problems take priority over others.

The relative scarcity of specialised staff is another factor which has kept us from fulfilling our obligations.

However, I am pleased to report that my Government has submitted all the instruments adopted at the 68th, 69th, 70th and 71st Sessions of the International Labour Conferences to our national legislative body.

We have also taken internal measures with a view to submitting the necessary reports on the application of ratified Conventions. At great cost, we also have paid all our back contributions to the ILO, and this shows the importance that we attach to the ILO and to our participation in it.

We feel that the various items on the agenda are of great importance. Owing to the over-population of urban centres it is very appropriate that we should discuss the promotion of rural employment.

With respect to Sao Tomé and Principe, inasmuch as our programme of structural adjustment compels us to reduce employment in the public sector, one of the best ways of dealing with the social impact of such measures is to promote rural employment.

Thus, we ask for and count on the valuable co-operation of the International Labour Office in the search for realistic and coherent solutions to this difficult situation.

We feel that the partial revision of Convention No. 107 is very timely because the instrument's paternalistic orientation is not in line with the times.

We endorse the report of the Director-General on apartheid. We are pleased to see that it is on our agenda, evidence of the Organisation's preoccupation with situation in the southern part of Africa.

The position of my country with respect to the conflict in that region is well known. We would like to join our voice with those condemning the hateful regime in South Africa, and reiterate our solidarity and unfailing support for our brothers in Namibia, Angola, Mozambique and the other front-line States.

Before concluding, might I assure this Conference that my delegation and I personally will do everything in our power to ensure success of the 75th Session of the International Labour Conference.

Interpretation from Spanish: Mr. FRANCO GUACHALLA (*Government delegate, Bolivia*) – First of all, may I, on behalf of my Government, my colleagues in my delegation and on my own behalf, sincerely and cordially congratulate Mr. Beyreuther on his well-deserved election to chair this august assembly convened to discuss very important matters of the labour world.

I should also like to congratulate the Governing Body and the Director-General of the ILO for their extremely realistic Reports to the Conference. They reflect the effort, skill and great spirit of solidarity of those who, together with the ILO, must cope with the problems which afflict our nations. We admire this vocation of service to the cause of concern to us, the cause of social justice.

Mr. Blanchard referred to the fact that the general trend in the world economy and the social repercussions which have ensued, are matters of profound concern: "Since 1982 growth rates remain modest and markedly lower than in the 1960s ... The long-term trend is towards a decline in growth rates. Subject to any major decisions of policy that may be taken by the principal industrialised countries to counteract that trend, it appears set to continue – if not indeed to worsen – in the years immediately ahead."

The prodigious scientific and technological revolution influences and will increasingly influence the life of the medium-sized powers and underdeveloped and dependent countries which must face a restructuring of the international division of labour and the change of roles imposed by it. In a partial and asymmetrical form, these changes will alter the internal structures of production, totally modifying the philosophy of marginal companies.

We, the underdeveloped countries and, in particular, the Latin American countries, cannot face the remodelling of our modes of social existence with success if we do not make the necessary internal changes and if we do not revigorate the processes of economic and social integration with a view to building a continental community to move closer to the ideal of Bolivar the Liberator of a great nation of republics.

We must also point out that for our countries the foreign debt problem continues to be the main factor limiting our possibilities of reactivating production and of once again making economic and social progress. The amortisation of capital and the payment of interest, despite the efforts made to renegotiate and find other means of alleviating the debt, are taking a large proportion of the hard currency received for

our exports, thus reducing the financial resources available for projects for the production of goods and services at national, sectoral and regional level.

In order to remove or substantially reduce the harmful impact of these problems, it is necessary to have the concerted participation of the entire international community, from east to west, from north to south, to deal with the challenges of the year 2000, so that together we can reduce the ever-increasing poverty in the labour sector in urban and rural centres, which is leading to marginality and social ills on a large and dangerous scale.

The ILO and member States must give consideration to solving the problems arising from the increase in the informal economy which is giving rise to atypical employment, sometimes in depressing conditions, because of the pitiless exploitation of the workforce which is in over-supply, without the minimum conditions of institutional protection and legal protection.

The efforts of the present constitutional Government of Bolivia to climb out of one of the most tragic situations of economic and financial deterioration caused by hyper-inflation are well known and appreciated. In the middle of 1985 our hyper-inflation reached 22,000 per cent, which is a record for the depreciation of a national currency. The democratic Government under Paz Estenssoro had to take drastic and heroic measures to avoid the destruction of the Bolivian economy. We reduced the crazy rate of inflation to the healthier rate of 10.5 per cent, which is the average annual rate of our monetary depreciation today.

This feat was accomplished in the worst imaginable conditions, when there was a landslide in the international price of tin and the prices of other minerals and agricultural exports went down as well. Five hundred years of mining were at an end. We had to face foreign debt problems, we do not have normal earnings from traditional exports and we depend to a certain extent on natural gas, a non-renewable resource. Lastly, the external credit market has narrowed considerably, and it is much more difficult now to get fresh money and conditions are harder than ever.

Despite the efforts made by the constitutional democratic Government, it is true that the Bolivian economy has shrunk. In other words, the national "cake" is smaller and we do not have enough money to satisfy either the just requests for salary increases, operating capital for companies or resources for work of regional and national development. Our greatest desires as a government are frustrated by stern reality.

As citizens and as men with a social conscience, we are saddened by the depressed situation of many of our compatriots. We are a de-capitalised country without sufficient financial resources. What we have done in the social field may be considered insufficient, but we cannot do more than what we are trying to achieve.

Using the financial resources of the Emergency Social Fund, which is sustained by donations from friendly institutions and countries, we have created new temporary jobs in public works and openings for self-employment and we have reinforced the co-operative system as a way of reactivating the small and medium-sized company economy which can absorb skilled unemployed workers.

His Holiness Pope John-Paul II, in his recent five-day visit to Bolivia, identified quite rightly the factors and problems which hold back our development. He therefore urged the industrialised countries and international bodies to look at the need for ongoing co-operation and, more importantly, for productive and social plans and programmes in Bolivia, while urging the Bolivians to enter into the necessary dialogue and understanding for the adoption of shared solutions which will put into practice the values of solidarity with authentic Christian faith and hope.

At the same time, the Ministry of Labour launched an appeal to all the forces of the country, particularly the productive elements and the political and intellectual leadership, to put aside their doctrinaire positions and partisan interests and talk about the philosophy appropriate to a new stage of profound change in the world economic structure, so that Bolivia can confront the current crisis and so that we can all agree on the basis of a new economic structure. We must bring this about by adapting our reality to this change, made necessary by the scientific and technological revolution which has brought down the old structures erected by the first and second industrial revolutions, on which the current superstructure is based.

What type of economy should we set up in Bolivia? What can our country export to the known world? What type of industrial economy can we talk about?

The national plan drawn up by the entire leadership of the country can give us cohesion, fraternity, the will to achieve and the security to overcome the crisis.

I would like now to refer to the excellent relationships that we have had with the ILO. In 1987 and at the beginning of this year, we have received from the ILO, through its Regional Office in Lima, services of evaluation in work administration.

A regional adviser for labour legislation has drawn up an outline working programme so that a commission of national advisers can undertake a revision of the diffuse existing social legislation, drawing up new labour legislation to bring it into line with the principles, Conventions and Recommendations of the ILO. This is a major step on the path to legislative modernisation which Bolivia feels it has a duty to follow.

In accordance with the agenda of this Conference, there are two topics of great interest to my country.

The first is the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107). Countries such as Bolivia with aboriginal populations feel that this is a subject of major importance, which must be treated without falling back on any discriminatory criteria or false notions of racial supremacy. The human race is one race. We can only talk about human types who in specific conditions of life can produce particular cultural and material values.

The second topic relates to the general discussion on "Rural employment promotion". The most underprivileged social sectors in the developing countries are indeed the rural peoples. More than 30 years ago the national revolution, headed by Victor Paz Estenssoro, initiated a vast agrarian reform, totally abolishing semi-feudal lands and giving the land to the rural workers, under the slogan "The land is for those who work on it". However, it was not enough to make former servants into owners, since

the primitive conditions of life continue, we still have hand tools and poverty among our rural workers, though they are the demographic majority. Their work must be remunerative so as to improve their living conditions, but these conditions can only be achieved with international financial co-operation which will enable us to create the necessary public service infrastructure with a view to industrialising the countryside, providing new villages and reorganising our agricultural sector for the sake of exports and industrialisation.

In conclusion, may I say that I hope the ILO will continue its mission of cementing peace in the world on the basis of a profound dialogue which must take place between the factors of production and the political leadership of all countries of the international community associated with it in order to deal with the crisis brought about by the scientific and technological revolution originating in the computer and communications revolution. Manufacturing man is being replaced by programmable robots, the second generation of which will be equipped with sight and touch. But we cannot cut ourselves off from these decisive new influences. Still less should we be like the Luddites and destroy what human intelligence is creating for the sake of progress. It is time to make all the workers of the world understand that the current stage of history is a transition between a dying life and culture and a new one which was born with the splitting of the atom. It is revolutionising the very structure of the economic conditions of life and looks to replace man with the computer. It is up to the ILO to speak now.

Mr. CHAUDHARY (*Government delegate, Nepal*) – It is a great honour and privilege for me to have the opportunity of addressing this august gathering. I would also like to take this opportunity, on behalf of my delegation and on my own behalf, to extend our heartiest greetings and congratulations to Mr. Bayreuther on his election as President of the 75th Session of the International Labour Conference. I am confident that under his wise leadership and able guidance the Conference will achieve the desired results.

My delegation is pleased to reaffirm Nepal's support to all the efforts made by the ILO over the years to improve the working and living conditions of the labour force and to promote peace throughout the world. Nepal has adopted the non-party *Panchayat* democratic system which envisages a society free from exploitation, where all citizens can live together in harmony with freedom, justice and peace. Our foreign policy is based on the principles of the Charter of the United Nations and the objectives of non-alignment. The basic tenet of our foreign policy has always been to promote peace and foster harmonious relations among nations. This is reflected in the proposal put forward by our august sovereign, His Majesty the King, to declare Nepal a "zone of peace". So far, 87 friendly countries have extended their support to this noble proposal. Bearing in mind the close nexus between peace and development, we wish to have peace institutionalised in our country so that the meagre resources that we have may be utilised to raise the economic standards of our people. It is a well-known fact that we live in an interdependent world where a country's efforts to achieve its desired goal of economic progress are also dependent

upon the co-operation and policy of other countries. This has led us to support the creation of a new world economic order based on justice and equality, to attain peaceful coexistence and prosperity throughout the world.

My delegation considers the Reports of the Governing Body and the Director-General to be working documents of great value. On behalf of His Majesty's Government of Nepal, we would like to express our thanks to Mr. Blanchard for his tireless endeavours and pragmatic approach.

In view of the large proportion of the labour force employed in the construction sector of the economy, we consider the issue of safety and health in construction to be of great importance. My delegation believes that human life is precious and this concern must find expression at the workplace. We believe that adequate provisions should be made to protect workers from industrial accidents and illnesses. Considerations of profit should not impose conditions which may endanger the health and security of workers. The time has now come to devise and strengthen an appropriate system for preventing and monitoring workers' occupational accidents and health hazards, especially in the developing countries.

We believe that employment promotion and the creation of social security systems deserve special attention as unemployment is a pressing problem in most countries, particularly in the Third World. In order to improve the employment situation, His Majesty's Government is in the process of establishing a central labour supply centre – a training institute in Kathmandu, the capital of Nepal. Currently, there are labour supply centres in a few districts outside the Kathmandu Valley. Existing vocational training centres in and outside Kathmandu have been strengthened to overcome the shortage of national, skilled labour. In fact, in all our skill-development training programmes and activities, the main emphasis is placed on producing skilled manpower to gradually replace expatriate workers. In addition, various measures have been undertaken to promote employment in income-generating activities. Soft loans and marketing facilities are also made available to encourage self-employment activities.

As regards social security systems, Nepal, like any other less developed country, has a long way to go. Retirement pensions and superannuation benefits are mainly confined to public sector employees. Unemployment and disability benefits, as well as family allowances, have yet to be instituted. However, there are various Acts, rules and regulations to safeguard and promote labour welfare in the country. The Bonus Act and Rules, the Apprenticeship Training Act, the Disabled Persons Act, and the Overseas Employment Act contain several provisions to protect the workers' interests. Plans are also under way to improve the existing legislation and to enact new laws. It may be mentioned here that the Social Service National Co-ordination Council, which is chaired by Her Majesty Queen Aishwarya Rajya Laxmi Devi Shah is actively engaged, through its various social organisations, in improving the lot of the weaker and underprivileged section of society, such as women, children and the physically handicapped.

With regard to item VI of the agenda, my delegation agrees with the view that respect be accorded to the culture, ways of life and traditional institutions of

the indigenous and tribal populations whilst they are being integrated into the main stream of national development.

My delegation strongly feels that the promotion of rural employment is of strategic importance to most developing countries. The rural population constitutes one of the most vulnerable groups having to face serious problems such as economic uncertainty, unemployment, poverty and ignorance. Promoting rural employment, however, is no easy matter. None the less, this aspect has received due attention in our ongoing Seventh Five-Year Plan.

I would like to turn to the issue of updating the Declaration concerning the Policy of Apartheid in South Africa. We have always raised our voice against injustice and have condemned any discrimination based on caste, colour, creed and sex. My delegation fully appreciates the efforts made by the ILO to protect and promote equality of rights and to eliminate apartheid in South Africa.

Before I conclude, I would like to mention that in accordance with the noble wishes of our beloved monarch, His Majesty King Birendra Bir Bikram Shah Dev, my country is embarking upon a comprehensive programme to provide for the basic needs of the people such as food, clothing, shelter, health, education and security by the turn of the century. Nepal is one of the least developed countries with more than 40 per cent of its population below poverty level and more than 40 per cent of its young people unemployed or under-employed. These programmes will certainly help improve the living conditions of workers and peasants in the lowest income group. Nepal is also faced with the problem of providing appropriate training programmes and creating adequate job opportunities. I would, therefore, like to urge the ILO to extend more support to help us achieve our national objectives. Apart from technical assistance, we require more opportunities for training and fellowships for government officials as well as for representatives of both workers and employers.

I hope that future ILO activities will consist of more programmes geared to the specific needs and requirements of the developing countries. It is heartening that the agenda of this Conference deals with issues of critical importance to developing countries.

Interpretation from Spanish: Mr. JIMENEZ AGUILAR (*Employers' delegate, Spain*) – On behalf of the Spanish employers, I should like to express our hope that the debate and activities of this 75th Session of the International Labour Conference will be crowned with success.

This session of the Conference has a particular meaning for us because of the presence, as a special guest, of Mr. Felipe González, President of the Spanish Government. In a forum such as this, whose cornerstones are tripartism and social dialogue, we take his presence to be a recognition of the role that employers' and trade union organisations have played in Spain through the policy of concertation and a reflection of his personal commitment to this policy of social dialogue which must be the basis of tripartite efforts in the process of adapting our economic and social structures to the new framework for Spain within the European Economic Community.

In 1988, the ILO celebrated 40 years of work in favour of human rights, basically from the social and

economic point of view. The Report of the Director-General reviews the unceasing and meritorious work task of both promoting and safeguarding such rights.

The participation of the employers' organisation in achieving these goals has been and is continuous within the tripartite framework of the ILO.

The Freedom of Association and Protection of the Right to Organise, Convention 148 (No. 87), is, in our view, an essential factor for the development of all these tasks and commitments. As is logical, I refer not only to the freedom of association of workers but also to the freedom and right of association of employers.

When, in 1985, new legislation on freedom of association was established in Spain, we, as employers, saw with satisfaction that our role in labour relations and society seemed to be covered and protected by the international conventions signed by my country and, in particular, by those of the ILO.

At the same time, pluralism within democracy, if it is to be effective, requires social agents who can independently promote and defend their legitimate economic and social interests.

In the Spanish Constitution, article 7 recognises that employers' organisations are a social agent of the first order together with trade unions.

From 1977, when Spain ratified Convention No. 87 and from 1978 when our Constitution was approved, the employers' organisations have been developing their activities and consolidating their position in their work, thus contributing to social order and understanding through labour relations in which collective negotiations came to be recognised as an instrument aimed primarily at social stabilisation rather than a mere factor of conflict.

Social concertation, as seen in major social pacts and agreements in Spain, although this has always not been so in periods of prosperity as is the case now, had none the less contributed to creating a social climate in which difficult problems such as inflation or conflict have largely been solved.

The ILO sent a mission to Spain in 1984 to make a report on labour relations. At the time, the representatives and experts of the ILO were able to see that much of the substance of the international Conventions and the Recommendations of the ILO were being shaped not only into national legislation, but also into the context of collective negotiation.

None the less, we should not hide the fact that some of the problems to which the Director-General's Report refers this year still need to be dealt with and solved. There are, for example, the problems of strike regulation and of the measures to be taken by employers in case of conflicts.

The absence of standards on these matters has not only been highlighted by the Government, but also by some of the events that have occurred in 1988, mainly in the public sector, and which have required court decisions.

Although employers created more than 800,000 jobs in Spain in 1986 and 1987, thanks to intensive investment and modernisation, we must not ignore the problem of youth unemployment.

On this topic, the Report of the Director-General has some very interesting things to say. This is a problem which adversely affects industrialised countries as well. Therefore, as the Director-General has said, it is sometimes necessary to resort to special programmes for young people that combine job-

creating procedures and measures which will give them work experience and temporary employment, thus making it easier for them to find a more permanent job.

Spanish employers, through the CEOE, have been paying particular attention to the employment and training of young people in the past few years, sponsoring measures favourable to young people and making them widely available. For instance, contracts for training and practical work for young people increased from 7,235 in 1981 to almost 450,000 in 1987. But there are still young people who are unemployed or who need to improve their qualifications. This is why we have noted with interest some government initiatives that have been publicised in Spain in the past few weeks, such as the project of educational reform which is under way.

Another aspect on which the Director-General made some thought-provoking observations is that of social security.

The CEOE, since it was established, has constantly endeavoured to ensure that the social security system in Spain is viable and of high quality, but in such a way that it does not imperil the hiring practices for competitiveness of companies.

On certain occasions, there has been criticism of the level of social protection in Spain based on cold and unconnected macro-economic figures. It is true that out of a general state budget of some 14,000 billion pesetas, 5,000 billion are allocated to social protection. The effort in terms of contributions has been, and continues to be, extraordinarily broad and substantial for firms and for employment, and the increased contribution of the State to the coverage of social security expenditure has done little to alleviate the burden on Spanish firms.

Between 1979 and 1988, although the contribution of the State increased by over 1,000 billion pesetas, expenditure over that same period increased by 3,200 billion pesetas.

What matters is not to spend more but to spend exactly what is necessary; managing the expenditure in such a way that benefits reach people in time and are provided with thoughtfulness and humanity, as is especially in health assistance.

The CEOE has offered its co-operation in whatever social security reforms have been undertaken, and we will, of course, continue to offer it in the reforms that will inevitably have to be made in both financing, which penalises employment and reduces competitiveness, and the management of social security benefits.

Another of the subjects for reflection in the Director-General's Report is health and safety in the workplace.

This is one of the most noble subjects in the field of human rights in which workers and employers can work together in their respective spheres of responsibility.

Future legislation in Spain should, therefore, to our mind, follow a line that is consistent with economic and industrial reality, as pointed out by the ILO in the most recent instruments adopted and in the PIACT programme.

In all the fields that we have mentioned, the CEOE has done all that it could, using dialogue as its philosophy for reaching solutions.

Finally, I should like to refer to the work of the ILO in promoting employers' activities, which coin-

cides with one of the current priorities of our Confederation.

In view of the very difficult employment situation in Spain, which, as in many other countries, hits the young particularly hard, we are convinced that the creation of small firms and the development of own-account employment could offer an effective solution to this major problem.

A society that is permanently changing, that is dynamic and that has to adapt to new economic and social realities must find in the development of employers' activities the clearest expression of its values of freedom, initiative and individual effort within the framework of social responsibility.

Our Confederation devoted a series of events to this last week in Barcelona, in the firm belief that anything that contributes to the creation and training of new employers is the best guarantee of future progress in Spain. We hope that this concern of the employer's organisations will be shared by other sectors of society, particularly the administration, the trade unions and young people.

I hope that the Governing Body of the ILO, at its meeting next November, will decide to include on the agenda for the 1990 Conference the topic proposed on the promotion of own-account employment, which should complement the discussions held last year on the promotion of small and medium-sized firms.

These are the concerns which we, Spanish employers, wished to voice in this forum for social dialogue provided by the ILO and which we hope to share with governments, trade unions and employers throughout the world in the search for the greater well-being of all our countries.

Mr. ENGSETH (*Minister of Local Government and Labour, Norway*) – On behalf of the Norwegian Government, I would first of all like to congratulate Mr. Beyreuther on his election and I wish him every success in his task. I am confident that we shall all benefit from his competence and vast experience.

Human rights has been chosen as a main theme for this session of the International Labour Conference. This is a suitable way to commemorate the 40th anniversary of the Universal Declaration of Human Rights and that of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). In this connection Norway welcomes the Report of the Director-General on *Human rights – A common responsibility*.

Despite the many standards set by the international community to protect human rights and prevent the abuse of state power, it is a sad fact that millions of human beings are victims of violations of basic human rights. Unfortunately, these grave violations also result from the failure to implement standards adopted by the ILO.

Unemployment, underemployment and poverty in countries all over the world lead to tension and social conflicts. All too frequently such situations result in repression and the use of force against workers' and employers' organisations, and their members and leaders.

The need for active maintenance and monitoring of ILO human rights Conventions is as great today as ever before. My Government will continue to give active support to the work of the ILO in this area.

Today no country can pursue its economic and social policies in isolation from the development of the world at large. That is especially true of the economic policies of the industrialised countries. There is a need for a global approach to the debt of the developing countries and the technological and economic gap between the developed and developing countries. International collaboration and solidarity are vital factors in resolving these problems. It is in the interest of all countries to find workable solutions.

International solidarity is also important if we are to achieve the respect of human rights world-wide. However, the main responsibility for the respect of human rights rests with individual governments. It is their duty to pursue economic and social policies which can improve the living conditions of the most vulnerable groups of society.

One human right – the right to work – should be inseparably linked with the implementation of economic and social policies of all countries. Employment not only provides the economic basis for survival but also gives the human being a feeling of self-respect and dignity.

The ILO should continue its standard-setting work and advisory assistance to governments in their efforts to fulfil their obligations, and strive for effective systems of supervision. Special attention should be given to the exploitation of children and to the discrimination and exploitation of women. Equal payment for men and women should be ensured. It is also necessary to give high priority to measures to prevent injuries and occupational diseases, especially those due to chemical or biological hazards.

Among the human rights' questions facing the ILO is that of apartheid.

My Government is pleased to note that the drafts for updating of the Declaration concerning Action against Apartheid in South Africa and Namibia were adopted by consensus at the recent tripartite Conference in Harare. This is a sign to the oppressed Black majority in South Africa that they are not forgotten. It is my earnest hope that our work at this Conference will demonstrate our concern and determination to eradicate apartheid.

If the deplorable and totally unacceptable situation in South Africa and Namibia is allowed to continue, it could lead to an escalation of violence and threaten international peace and security. In an effort to contribute to the eradication of apartheid, Norway, together with the other Nordic countries, has introduced an economic boycott of South Africa. We hope this will stimulate other countries to follow suit, and that together we may be able to carry out effective measures against apartheid. If we do not take the situation seriously, we shall all be responsible for the disaster that may be the fate of South Africa.

The world of labour is closely linked to factors affecting the environment. There is a clear relationship between safe and healthy conditions at work and a sound general environment. The working environment is an important and integral part of the human environment as a whole. Improvements in the working environment will also enhance the quality of the general environment. Furthermore, we are convinced that there is a link or inter-relationship between environmental requirements and employment creation.

The ILO could and should play an important role in the follow-up of the report of the World Commission on Environment and Development. The basic message of the Commission's report is the need for sustainable economic development. The Commission makes recommendations to ensure that today's economic activities do not erode the very resource base for future economic activities. It is not just environmental protection in the traditional sense, for the sake of the preservation of the environment, as such. It is also a question of preserving the environment and natural resource base in order to provide for future employment opportunities, employment creation and employment growth.

We have noted with great satisfaction the very positive attitude of the Director-General towards the report of the World Commission, and we appreciate the measures already taken by the Office in preparation of the ILO's contribution to the international follow-up of the report.

Efforts are now being made to integrate the principle of sustainable development into the plans and programmes for the coming years in all United Nations agencies. To this end, a conference will be held in Oslo in July which will be attended by the United Nations Secretary-General, as well as the heads of its major agencies – including the Director-General of the ILO.

My Government is very much looking forward to this event.

To this year's session of the International Labour Conference, the Nordic Governments have submitted a resolution on the follow-up of the report of the World Commission. My Government sincerely hopes that this Conference will adopt a resolution on these matters, to serve as guide-lines for the ILO's work on environment, employment and development in the coming years.

This session of the Conference is also considering the revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107).

The Norwegian Government welcomes this revision of the only existing international instrument for the protection of indigenous peoples. Norway is engaged in these matters from an international perspective, inter alia, through the United Nations Commission on Human Rights, as well as on a national basis, since about two-thirds of the world's Sami population live in Norway. Norway has not ratified the existing Convention, because of its orientation towards the assimilation of the indigenous population, rather than the respect for their cultural and social identity.

I will not go into the details of this revision work. That is a matter for the committee concerned, in which we participate actively. But I would like to stress that the Norwegian Government gives high priority to close co-operation with the representatives of the Sami people, especially in cultural and social matters. According to a new Act, a Sami Assembly will be elected by the Sami people in 1989. Recently the Norwegian Parliament added a paragraph to our Constitution, concerning the Sami people's right to maintain and develop their traditional culture.

The international economic situation is difficult. Many countries are experiencing an economic crisis. This unfortunate situation sometimes makes it difficult to achieve progress in the implementation of ILO standards. At the same time, one can say that

the problems many countries face make the work of the ILO even more important. The ILO should, therefore, not be allowed to suffer, or be forced to reduce its activities. It is precisely when the international community is faced with serious problems that international co-operation is most needed. In order to ensure that the ILO can make its contribution, all member States must do their utmost to live up to their obligations to the Organisation so that it can serve us well in the difficult times ahead.

Interpretation from Spanish: Mgr. MULLOR GARCIA (*Apostolic Nuncio, Permanent Observer of the Holy See in Geneva*) – This session of the International Labour Conference commemorates very convincingly the proclamation the Universal Declaration of Human Rights, adopted 40 years ago. The distinguished Director-General has devoted the first part of his Report to this topic, highlighting the relations that exist between the respect of human rights and social progress.

Indeed, where the former are respected, the latter move to new and major frontiers. But when social conquests stop, there are very menacing dangers for the freedom of man. Recent history has shown that this is so. Vain are the efforts of those who claim to build the integral well-being of man whilst denying him the right to think, to express himself, to pray and to decide his destiny according to the dictates of his own conscience.

The delegation of the Holy See would like to take up this evidence and show the contradiction – relative at least – between the classical dispute between partisans of the primacy of civil and political rights and those who defend the predominance of social and economic rights. Both series of rights constitute ideological and existential pillars of that just and universal peace which is mentioned in so many political programmes and above all in the intimate convictions of all men. The dove of peace, might I point out, as the President did this morning, cannot fly nor can it take its message of peace and hope to the four corners of the earth if one of its wings is wounded or missing. And these wings today are called freedom and work. Respected freedom and ennobled work together in fact summarise the formula for peace.

To believe this, it is enough to look without passion or prejudice at socio-political developments today and in the past. Of the two major blocs which dominate the world today, one is centred on the idea of freedom and the other on the idea of work. The ideologists of both sides try to show the advantages and supremacy of their respective systems. Politicians who put their postulates into action are fighting to impose on their countries, if not on whole regions of the world, programmes which promise peace and well-being that never become reality. The efforts of both sides sometimes turn into struggles which unfortunately leave millions of dead on fields which in order to give rich harvests of peace, instead of the blood of soldiers and the pounding of cannons, need drops of calm sweat and the happy songs of workers.

Years and years of ideological confrontation and even armed peace have shown that, alone, neither liberty nor work can guarantee peace or well-being. If it is not to lead to antagonisms which benefit those who are strongest economically and politically, freedom needs the moral counterweight of other rights which are guaranteed to those who are weaker, less

gifted, more fragile, those who are poor and those who are most exposed to marginalisation. In order to be an effective source of social well-being and an agent of political progress, work cannot be reduced to a mere economic category nor can it be seen only from a materialistic point of view. Both freedom and work and the entire series of rights arising from them require a moral climate which involves both and which puts them both within the framework of solidarity and social and political peace.

These considerations give their full meaning to the triptych made up of the social Encyclicals of John Paul II: *Redemptor hominis*, *Laborem exercens* and *Sollicitudo rei socialis*. All three endeavour to provide a message of hope by offering dispassionate solutions to serious and specific problems. In the first, the Pope highlights the intrinsic dignity of man as a subject of creative and inalienable freedom. In the second he exalts the value of work as an activity which complements creation and is an imperative universal value for all members of the human community. In the third and most recent Encyclical, he suggests a bold framework of measures to correct the adverse consequences for the integral development of peoples and for each individual of the dynamics of blocs which leads to cold war or war by proxy, thus keeping alive the tragic menace of total and open war.

The Pope's analysis and the measures that he proposes are not dictated by material interests. He is moved only by the desire to serve men in all latitudes and at all times. Following the Second Vatican Council, as a result of assiduous contact with the realities that he has seen for himself in the five continents, John Paul II is giving a dynamic impetus to social doctrine in the Church, and this doctrine, far from being an intellectual ghetto for those who profess Catholicism, is a proclamation of truth inspired by the Gospels and at the same time is open to the consideration of any honest person who wishes to contribute to the creation of a social and political climate which is more worthy of man.

This represents an effort that has been going on for almost a hundred years by the Roman Pontiffs from Leo XIII to John Paul II, and according to the latter it "is not a third way between liberal capitalism and Marxist collectivism nor even a possible alternative to other solutions less radically opposed to one another. Nor is it an ideology, but rather the accurate formulation of the results of a careful reflection on the complex realities of human existence, in society and in the international order in the light of faith and of the Church's tradition."

Precisely because the social doctrine of the Catholic Church is not a third way, its postulates can be useful for anyone who, from the point of view of defending basic rights or of giving greater dignity to the working class, wishes to propose outlines for a society whose achievement do not meet the hopes of those in the regions of the world where these outlines are given concrete form in daily life.

In the past few years the liberal world has experienced the arrival in its midst of masses of unemployed and new poor, people who have degrees but no work, young people facing an uncertain future or exposed to paralysing frustrations. Liberty is going through a crisis which leads to unsuspected servitudes such as the use of drugs or uncurbed consumerism. In extreme – but not unusual – cases the exercise

of free will is jeopardised when a choice has to be made between quantity and quality.

Despite often gigantic efforts to try and give the worker greater dignity and make him the centre of political and social concerns, the collectivist world is increasingly witnessing the contrast between bureaucrats and proletarians: these two new social groups, one the leader and the elitist and the other submissive and silent, who, by means of a strange and unforeseen alchemy, have replaced those social classes whose disappearance led to bloody revolutions and raised hopes of liberty and dignity for the masses that had always been oppressed.

Aside from the limitations of certain basic rights and freedoms in this world, as the Director-General's Report points out, we have seen the advent of the disturbing phenomenon of unemployment and labour conflicts; this, in turn, calls for a reform in economic management.

Both systems have their positive and negative aspects. With the increase in communications, everyone will become more aware of their own limits and those of others. As the world, as a whole becomes more accessible, it also becomes smaller and makes people realise the need for solidarity. The existence of a first, a second, a third and a fourth world – the worlds of liberal economy, controlled economy, emerging economy and negative economy – is only due to the fact that there are areas in our one and only world of which the limits – whether wealth or poverty, development and underdevelopment and even super-underdevelopment, peace and war – have not yet been defined.

On this eve of the third millennium, only those whose minds are centred on national, personal or class interests will dare to fly in the face of this evidence. The Director-General of the ILO, in his latest Report, has highlighted the interdependence between human rights, pointing out that "the denial of civil and political rights tends to have adverse effects also on the enjoyment of economic and social rights" and that each day it becomes more evident "that no country can pursue economic and social policies in isolation from developments in the world at large".

Looking at the situation from his own moral standpoint, after having stressed that a world divided into blocks dominated by rigid ideologies is a world submitted to the structure of sin, John-Paul II points out that "interdependence must be transformed into solidarity" and asks the "stronger and richer nations" to "surmount every type of imperialism", inviting them to "have a sense of moral responsibility for the other nations, so that a real international system may be established which will rest on the equality of all peoples and on the necessary respect for their legitimate differences".

The International Labour Conference this year is celebrating its 75th Session and is undoubtedly the most senior member of all international organisations. As such, it is a privileged forum to examine this moral call. The delegation of the Holy See hopes that this call will be taken up and acted upon by all those taking part in our discussions and by all those who in other social, political, economic and financial institutions set out to create a better future for humanity; a future in which, by drawing fully upon their creative freedom, all men and women may, through their work, contribute towards finding once

again whatever it is that makes creation fall short of the "paradise" that the first man and woman lost because they used their freedom wrongly. Freedom and work will therefore be harmonious once again so that we can create a true climate of hope and peace.

Interpretation from Spanish: Mr. MARIN (*Vice-President of the Commission of the European Communities*) – May I begin by saying that I am pleased to see that the items on the agenda of this Conference largely reflect the social issues and problems faced by the European Communities, particularly in relation to employment, social security and occupational safety and health.

But I do not wish to dwell on matters that will be discussed at length during this session of the Conference.

I would rather take this opportunity to share with you some thoughts concerning the great challenge facing the European Community. I am referring, of course, to the inauguration in 1992 of the unified common market, which will give birth to a community of 325 million European citizens, unencumbered by borders and able to move freely, without restrictions of any kind.

The approval and ratification of the Single Act, which calls for the establishment of the unified common market in 1992, will give new life to the building of the new Europe and enable the Community to play its part of the world's political and economic stage, while safeguarding its own economic development, cohesion and stability.

However, we must be honest with ourselves.

The establishment of this market is not enough to make a community. It is a necessary condition but not a sufficient one. It should be considered as an instrument, a tool, and not as an end in itself.

It is most unlikely that we are mistaken in saying that the unified common market will likely fail if objectives, such as a convergence of economic policies, and therefore the strengthening of the European monetary system, as well as scientific and technological co-operation, the formulation of a common foreign trade policy, and a greater social and economic cohesion through the community, are not pursued simultaneously.

Economic convergence presupposes, in the first place, a higher standard of living and the development of the Community's less developed regions and countries.

The per capita GNP, measured against a Community average of 100, is 115 in the Federal Republic of Germany and Denmark, but only 54 in Portugal and Greece.

These figures cause some to view the unified common market with apprehension, fearing that all its benefits will accrue to the more structurally sound members of the Community. And these benefits are substantial: economists estimate that the unified common market may add to non-inflationary growth to the tune of 200 billion ECUs, at 1988 prices, and lead to the creation of 5 million new jobs.

From the beginning, the Commission and the Council have been aware of the political dimension of this apprehension, which is why they propose doubling the level of structural funds – a proposal which will be adopted by the Council of Ministers in the very near future, bringing the total of community

financial resources for structural purposes to 13 billion ECUs.

The economic convergence also presupposes a more homogeneous financial environment in which the freer flow of capital will lead to closer co-operation between financial authorities and spur progress in the European monetary system that may eventually lead to the establishment of a central community bank.

However, the Community is not only an economic unit and it did not take the Single Act to make this clear.

Those who drafted the Treaty of Rome had already foreseen the social dimension of the Community when they acknowledged the need to improve the conditions of work and life of workers, and to achieve equality through progress.

One might be inclined to think that this would be a natural consequence of setting up the great single market, just as those who drafted the Treaty of Rome placed all their hopes in the Common Market.

To be sure, the less developed countries will experience a higher standard of living, provided they manage to secure a share of the additional resources generated by the elimination of all barriers.

However, this will not be enough.

The social dimension of the unified common market must be seriously tackled, and not merely talked about in an effort to persuade the workers of the unguaranteed promise of the unified common market.

The workers, on the contrary, must be involved in this objective, in its profits as well as in its difficulties so that they will understand that they are genuine protagonists in its fulfilment, and not merely helpless observers of what politicians, employers and technocrats may do.

As I have said, words are not enough. For this reason, the Commission in 1985 renewed the social dialogue which, as you know, subsequently led to the Single Act.

The difficult task of translating into European terms the elements of social dialogue and negotiation prevailing in individual member States must not again prevent employers and workers from reaching common solutions which can give impetus to the labour-bargaining process in each country, and which will enable the Commission to achieve a very specific aim.

Indeed, it is a question of developing a consensus among the social partners on which to establish simple and clear rules of social relations; namely minimum guaranteed social rights; the development of continuing training for all workers; the participation of the workers in the management of the European enterprise of tomorrow, etc.

The Commission, furthermore, is not overlooking the social aspects of the economic and technical harmonisation required to bring about this unified common market. This concern is reflected in the efforts of the Commission, in particular as regards occupational safety and health, as part of the general harmonisation of policies in preparation for the internal market of 1992.

In conclusion, I repeat my firm conviction that we will not be able to set up the unified common market without taking into account its social dimension.

We must never consider this social dimension incidental, but as essential and positive. I am convinced

that one day, as foreseen by the Single Act, collective bargaining will take place on the European level.

Interpretation from French: Mr. RUHIGIRA (*Workers' delegate, Rwanda*) – It is a great honour for me to be able to address this august assembly for the first time in the name of thousands of workers in Rwanda grouped in the Confederation of Trade Unions of Rwanda.

I should like to take this opportunity to address my hearty and sincere congratulations to our President who has been elected to chair the proceedings of the 75th Session of the International Labour Conference. Thanks to his wisdom, his experience and his great knowledge, the work of this Session will undoubtedly proceed in a brotherly atmosphere and be crowned with success.

My congratulations also to Mr. Francis Blanchard, Director-General of the International Labour Office, who, despite many difficulties, continues to lead this Organisation in its struggle for world justice as a *sine qua non* for the achievement of lasting peace and for enabling everyone to exercise their right to pursue freely their economic and social development.

For two years or so now the Workers' delegates of the Rwanda Republic have been addressing this august assembly in order to announce the establishment of the Confederation of Workers' Trade Unions of Rwanda. They have spoken to you of their organisation and its difficulties, but also of its achievements and hopes.

May I, today, in my turn, tell you about the way in which the trade union movement is taking root in our country. Our Confederation now comprises about 70 per cent of the workers counted in the country. On 21 and 22 December last year, we held our second National Congress which elected a new executive team to replace the provisional team which had been responsible for managing the Confederation since the first Congress in August 1985. We have now effectively changed over from the provisional to the definitive but we have not yet attained our cruising speed. This is why I am taking this opportunity in order to thank, on behalf of all the workers of Rwanda, all the fraternal trade unions, the International Labour Organisation and the other organisations that have come to the aid of our young trade union organisation in one way or another. All I ask of them is to continue to give us a hand since we still need their help and their wise counsel.

I know that the present world economic recession is very hard on workers, particularly those in developing countries. I feel, however, that in this very difficult situation, international solidarity must come to the fore. Without such solidarity to help us through hard times I am afraid that world peace, the promotion of the exercise of human rights and social well-being will be hopelessly compromised. Let us all work together then for a better world, and preserve what we have already achieved despite the current economic problems. In this respect, I would like to join my voice to that of Mr. Blanchard who said "In difficult times equity and regard for human needs and aspirations are all the more important in determining choices and priorities".

In the Report of the Director-General to the 75th Session of the International Labour Conference we see that the accent is placed on basic human rights

with reference to the ILO Conventions on freedom of association. I think this is a most important aspect for workers, particularly in these difficult times. We must alert politicians and the public authorities not to sacrifice the workers' interests and employment on the pretext of economic problems. It is precisely at these difficult times that consultation and general consensus, bringing together all the living forces of the nation, are needed to face up to the new challenges.

I am happy to be able to announce to this august assembly that such consultations have begun in my country and that, on the whole, the trade union movement is progressing on a favourable legal basis. The Government has already ratified the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the Workers' Representatives Convention, 1971 (No. 135); the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). Additional instructions have been given in order to facilitate the application of these international instruments. The political climate is also favourable to the exercise of the right to organise, and the President of the Republic himself stresses, whenever he has the opportunity, that his ambition is to make Rwanda a true State of law.

Unfortunately we cannot say the same of the trade unions in South Africa which are threatened with extinction by the minority government of the country. The shameful application of the criminal policy of apartheid remains one of the main obstacles, and, unless eradicated, the world can never hope to attain either universal peace or social justice which have been the main concern of our Organisation since its inception.

The Confederation of Workers' Trade Unions of Rwanda, despite its youth and its very meagre resources is, like the Government of my country, in favour of joining with all other organisations, national and international, which have already been instituted or are about to be instituted, in order to courageously pursue the struggle for the liberation of the inhumanly oppressed majority people in South Africa.

I should like to conclude this brief statement by thanking most sincerely all those who have already come to the aid of our young organisation. I appeal once more to the generosity of all trade union and other organisations to support the workers of Rwanda in their process of organisation. I also appeal to the International Labour Organisation and its executive arm, the International Labour Office.

Long live the International Labour Organisation!
Long live international solidarity!

Interpretation from Arabic: Mr. AL-JASSEM (*Employers' delegate, Kuwait*) – It is my pleasure as I take the floor to convey to the President the best wishes and esteem of the workers of my country whom the Chamber of Commerce and Industry of Kuwait has the honour to represent at the local and international levels. I congratulate the President most sincerely on his election to chair the 75th Session of the International Labour Conference, while wishing him every success in directing its work. I am sure that he will be completely successful thanks to his experience, his abilities, and his wisdom, which are recognised by all.

It is also my pleasure to congratulate the Vice-Presidents of the three groups, and I wish them every success.

Many speakers have preceded me at the rostrum and have left little for me and those who follow me to add to what they said. That is why my remarks will appear to be to some extent restatement and repetition. But we are all in agreement on proclaiming what is right and speaking the truth, and remarks that are repeated here are not done so needlessly since they have the force of unanimity and consensus, particularly when it is a question of human rights.

Human rights, which the Director-General chose as the theme of his Report to this year's session of the conference, are undergoing a profound crisis which threatens to snuff them out altogether in many regions and fields. Most of the communities which have power and money and which have an influence on the regional as well as the international plane are in practice content to adopt the attitude of spectators who sometimes revel in, sometimes despise and sometimes express rather ineffective indignation at what is happening. Some of these communities do not hesitate to distort the truth, disguise and support evil, and revive bloody conflicts if their material interests so demand.

Those who stand in judgement are those who have delivered up human rights to ruin and destruction. They are those of whom God said in His Book that they disguise evil and conceal the truth in all conscience. They move heaven and earth for marginal or individual incidents if they find a favourable response with them or serve their interests. But their information media fall silent, their tears dry and their principles are cast aside and forgotten, when it is a question of the tragedy of an entire people, or even of many peoples. Often, in fact, they are implicated in the horrors of colonialism and racism from which the peoples of the world suffer and in the supply of instruments of death and destruction to the forces of oppression and aggression.

Guided by the firm stance adopted by the Chamber of Commerce and Industry of Kuwait, which I have the honour to represent, in steadfast defence of human rights in general and employers' rights in particular, I address my distinguished colleagues, representing the employers of the developing and the industrialised countries, and ask them to meet their responsibilities in full and in the face of the injustice suffered by the Arab employers in Palestine and the other occupied Arab territories, adopt an honourable and just attitude similar to the humanitarian attitude they have adopted on other less serious and less harmful occasions in other regions of the world in the past. For injustice, repression, arrests and expropriation are the same and do not differ whether in Palestine or any other country in the world. The situation is extremely grave and no delay or shilly-shallying is admissible.

The Chamber of Commerce and Industry of Kuwait expresses the views of the employers in my country, Kuwait, when it confirms the position adopted by the Director-General of the ILO, which states his respect for the ideals and values set out in the Universal Declaration of Human Rights, which is aimed at eliminating the injustices and sufferings of which men are victims wherever they may be, whatever their sex, race or creed, and to establish justice,

equality and freedom of opinion and belief. In fact, these values fill the hearts of us Arabs and Muslims, since they were inculcated in us more than fourteen centuries ago by our glorious Islamic religion with a generosity of spirit which has known no equal. But the employers of my country do not share the view of the Director-General that the ILO has a specific area of specialisation in the field of human rights which is restricted to promoting their international standards of work, technical assistance programmes and certain missions specified by the Conference or the Governing Body. We feel and we believe that the ILO is, in its essence and by virtue of its objectives, a humanitarian organisation whose activities and actions are all aimed at achieving the freedom and dignity of man as the basic and objective of development. Therefore, the ILO must follow and pursue the events and conflicts taking place in various parts of the world, as well as their negative impact on human rights – through their influence on economic activity, the development and utilisation of human resources, the stability of labour relations and on other areas which are related to the life and preoccupations of the three parties which constitute the structure of the ILO.

We should have liked the Director-General's Report to have exposed and analysed the flagrant violations of human rights perpetrated in many countries and territories of the world, so that your august session may face up to its responsibilities and confront the forces of oppression and aggression which are spilling man's blood with impunity and violating his dignity and rights as if God has made them masters of the destiny of mankind.

The world you represent, whether at the official level or at the economic or labour levels, expects from your session the adoption of a historic position which would restore to human rights a part, even a tiny part, of their violated greatness and squandered values. This is not to demand the impossible of a conference which represents the conscience of the social world, and each of us must realise that if we are silent in the face of injustice suffered by others, then the corollary is that we might suffer in silence ourselves in some not far distant future.

Turning to the part of the Director-General's Report dealing with the treatment to which the Arab workers in Palestine and the occupied Arab territories are exposed – despite its cautious style and language – we can only ask the session to adopt a firmer stance with respect to the unjust and inhuman practices, which concern not only workers but also employers through exorbitant taxes, the closing down and wrecking of business, the destruction of industrial plant, the arrest of a large number of employers and the expulsion of others.

This is why I should like to take this opportunity to ask this august session to expand the field of the ILO's concerns and efforts so that it includes investigation of the conditions and the situation of employers in Palestine and the occupied Arab territories, since they suffer the same acts of injustice, repression and oppression as their brother workers at the hands of the Israeli occupation authorities.

In this context, may I remind delegations present here of what was said this morning by Mr. Felipe Gonzáles, the Head of the Spanish Government, about his Government's concern and the importance it attaches to the Palestinian cause and the problem

of the Middle East, and also of what he said about the need for the ILO to take into account the sufferings of which man is a victim all over the world, whether on the political, social or economic plane.

There is no doubt that you share the opinion of the Kuwait employers that the continuation of the war between Iraq and Iran, which has been going on for more than eight years, is a terrible nightmare not only for the two warring States but also for their neighbours and for the whole world. We trust that the international community will adopt a firmer, more credible attitude, so that this war which is having a devastating impact on economic and human resources which could be utilised for the cause of development and progress may be brought to an end.

We cannot but support the positive attitude of Iraq which has launched appeals for peace, and we should like to launch an appeal to Iran that it may hear the voice of reason...

(Mr. Beyreuther takes the Chair.)

Interpretation from German: The PRESIDENT – A delegate of the Islamic Republic of Iran is calling for a point of order. I should like to point out that, as we decided at the beginning of this session of the Conference, you can ask for a right of reply and I should like to ask the delegate of the Islamic Republic of Iran to make use of his right of reply if in his view the speech has not been within the limits of the basic topic of the session. I should like to appeal to the session to be quite clear that we must speak on the topics which are on the agenda of the Conference. If you abide by this rule, you are not going to find yourself in contradiction with another delegate. I should like to ask you to make your speech as brief as possible and it should not contain any insults or accusations against any other delegations. You may now continue.

Interpretation from Arabic: Mr. AL-JASSEM – At the beginning of the session you said that if a delegation had a comment to make it could be done after the speech which was then being read was completed.

I was saying that we support the position of Iraq in its appeals for peace, and we should like to ask those responsible, in Iran, to heed the voice of reason and put an end to the bloodletting and conserve resources and energies for the good of man on earth, in accordance with the principles of Islam.

Part II of the Director-General's Report mentions all the activities undertaken by the ILO in the past year which are characterised by continuity and diversity. We are proud to see that in spite of its financial situation and the diminution of its resources the Organisation has been able to maintain a high level of competence which we all recognise. For this reason, the Chamber of Commerce and Industry of Kuwait, which I have the honour to represent, has sought to co-operate with the ILO in a joint programme which we began together last year and which took concrete form with a project for training and exchanging experience for a certain number of officials of Arab chambers of commerce. We trust that this co-operation will be continued and will extend to officials from other chambers of commerce in the near future.

As regards the training courses, I should like to draw your attention and that of the organs of the Organisation to the fact that the participation of the Arab countries in the workshops and seminars devoted to the Asia region has been at a low level in spite of the fact that they belong to that region in accordance with the resolution of the Governing Body adopted at its 216th Session in May 1981. I hope that the Organisation's organs will take that into account in future.

To return to the main subject of human rights, we are facing a grave violation of human rights in several regions of the world. I am sure that delegates present here will share my view when I say that the most arrogant symbols of the violation of human rights are Israel and the racist regime in South Africa, not to mention the forces supporting them. The role played by the Government of the racist minority in South Africa, which constitutes a base for colonialism and expansionism, is complementary to the role played by Israel as a base for colonialism and expansionism in the heart of the Arab and Islamic world.

There is no doubt that the co-operation between the two racist States on the political, economic and military levels and their pernicious methods of oppression, violence and terrorism prove that the racist Government of South Africa is an African Israel and that Israel is a racist South Africa implanted in the very heart of the Arab and Muslim world.

To conclude, I appeal, on behalf of the Chamber of Commerce and Industry of Kuwait and the employers of Kuwait, to all delegates present here to make concrete their support for the values of justice, fairness and liberty in acts of which this session will be able to be proud. That could take the form of support for the resolution presented to this session of the conference on the rights of the workers and employers in Palestine and the occupied Arab territories. The very people whom the occupation authorities have deprived of their most elementary rights and who have become strangers and foreigners in their own homeland. It would be regrettable and unfortunate if we were to call this session the human rights session and close it without adopting such a resolution.

Interpretation from German: The PRESIDENT – Before I give the floor to the next speaker I should like to point out once again a few basic principles on which we agreed at the beginning of this session of the Conference. At the time we said that freedom of expression was a important aspect of the International Labour Organisation. If, however, we want to exercise this right in a spirit of mutual respect, all of us have to accept a certain degree of discipline so that our work may continue in an orderly manner and be successful. We must therefore be careful and abide by these principles. The Officers of this Conference have committed themselves to observing these rules. I repeat once again that your President has the duty to intervene in a debate whenever a speaker is slandering a State or a Head of State or is insulting another delegate. We are all delegates to this Conference and I urge you to make use of parliamentary language and only to speak on subjects which are relevant to this Conference and to avoid digressing from them. The other point I would like to make is that if a delegate present disagrees with a statement or cannot agree to such a statement for

whatever reason, he has the right of reply at the end of the debate of a given morning or afternoon session. They should therefore notify the President of his intention to exercise the right of reply. That is how we agreed to proceed. We stressed that the right of reply should be brief, no longer than three minutes. It must also deal only with the topic under discussion and under no circumstances be a pretext for a new statement. Furthermore, in exercising his right to reply, the delegate must restrict himself in his comment to concrete and relevant topics and not resort to any insulting statements.

I thank you for having listened to this statement and for having listened to my repetition of the rules upon which we have all agreed for this Conference. I urge all the speakers to continue making their statements in this spirit.

Interpretation from Arabic: Mr. GHARIB (*Workers' delegate, Iraq*) – In the name of God, the Merciful and Compassionate!

I have the pleasure of greeting you and of transmitting to you from Bagdad, the city of civilisation and peace, the greetings of the workers of Iraq and their trade union organisation. Allow me, Mr. President, to congratulate you on the occasion of your election to President of this assembly and to wish you every success.

I must pay a tribute to the Director-General of the International Labour Organisation for his Report and wise selection of the topic, *Human rights – A common responsibility*. I share his point of view concerning the humanitarian guide-lines mentioned there and reiterate my thanks for the choice of topic, which he has made at a time when the 40th anniversary of the Universal Declaration of Human Rights is being celebrated and 20 years after the International Year of Human Rights.

There are a number of ideas and moral values of general value in the Universal Declaration but also certain specific items having to do with work and workers. The ILO, within its terms of reference, has translated this general trend into concrete reality through the elaboration and adoption of numerous international Conventions and Recommendations having to do with freedom to work, trade union freedoms, the workers' right to minimum wages, the right to social security, equality of treatment and the right of workers to satisfactory living and working conditions.

The Organisation, over a period of 70 years, has adopted legal instruments which have contributed and continue to contribute to strengthening the foundations and principles of human rights in general and workers' rights in particular. The workers of Iraq, like workers throughout the world, aspire to greater achievements in this vital sphere.

May I be permitted briefly to mention in connection with the first part of the Director-General's Report, certain achievements in Iraq and the innovative role assumed by the trade union organisation in that country. The workers and their trade union organisation have been in the forefront of struggle and productive work since the revolution of 17-30 July 1968, thanks to the permanent support and guidance of our President of the Republic, his Excellency Saddam Hussein – may God grant him long life! These active forces, which were previously margina-

lised and powerless have now become a key element in public life and are making a vigorous contribution to building a brighter future.

The revolution has provided proper guarantees for the establishment and maintenance of trade unions. It ensures and preserves the right to association. Thus the trade unions have been able to assume their rightful role in the workers' lives and in society, in a climate of democracy and progress. There has therefore been an increase in workers' participation in trade unions in all areas.

In the legal sphere Iraq has acceded to labour Conventions, both Arab and international, and this has made it possible for trade unions to fulfil their mission: reaffirming the sanctity of labour, protecting the workers' rights, helping them to preserve their dignity and improve their qualifications and talents. The trade union organisation has achieved these results by guaranteeing each citizen who is capable of working the right to work in equal conditions and with equal opportunities for everybody without distinction of sex, race, language or religion. The worker also receives satisfactory wages to meet the basic needs of himself and his family.

It was with considerable interest that we read the part of the Report on the activities of the ILO in 1987. I am gratified by the praiseworthy activities carried out in the five continents concerning human rights and international labour standards, the promotion of equality, women, and labour relations. This part of the Report also deals with the International Programme for the Improvement of Working Conditions and Environment, occupational safety and health, social security, manpower planning and demographic policy. Once again I should like to pay tribute to the efforts deployed, but I should like to stress the importance of workers' activities, both horizontal and vertical. This would be very useful, in fact even more useful than the programmes carried out by the Organisation, particularly when we think of the high level of qualifications required to be able to cope with technological progress in this era. Considerable work has already been accomplished by the ILO. Our Conference is requested to pay greater attention to the items on the agenda of this session of the Conference. The topics to be discussed are of capital importance for the cause of the workers of the world now and in the future, and worthy of due attention in discussions in Commissions and at the Plenary Session of the Conference.

Since 4 September 1980 Iraq has been the victim of an armed aggression aimed at slowing its progress and development and sapping its freedom and independence. Iraq has declared itself prepared to heed the appeals of regional and international organisations. This pacifist attitude had met with rejection on the part of our adversary who continues to make war and has extended it to neighbouring countries, while continuing to bomb residential neighbourhoods, schools, hospitals, factories, houses of worship and educational institutions.

As workers, we feel solidarity with the workers of the world in their aspirations and hopes. We know that those who lose most in a war are the workers. This is why we have always supported our political leaders in their efforts to put an end to this war and restore peace. We have supported workers throughout the world in this respect, when through national, regional and international conferences and meetings

they have expressed their considerable concern over the continuation of the war.

The last such conference was the World People's Conference for Peace, which was held the last week of May; it was attended by more than 1,000 persons, including politicians, trade union officials, writers, journalists and intellectuals from around the world, who reaffirmed their opposition to this war and requested the application of resolution 598 of the Security Council.

From this international platform, friendly and fervent appeals have for seven years been launched for an end to hostilities. While transmitting the cordial wishes of the workers of Iraq to all who long for peace and ask for an end to the war, I should like to share with you their hope that the adversary will listen to reason and put an end to the war, by accepting ...

Interpretation from German: The PRESIDENT – A delegate from the delegation of the Islamic Republic of Iran has raised an objection. I should like you to take note of this and not to deviate from the topic of the Conference. You may continue now.

Interpretation from Arabic: Mr. GHARIB – The International Labour Organisation says on the first page of its Constitution that its objective is peace and I am only advocating peace here, nothing more. We are only asking for peace but in return we get war. Isn't this deviating from the topic or from the Constitution of this Organisation?

It would seem, the people here are all seeking peace. This is not contrary to the objectives of this Organisation. Am I not permitted to ask for peace? Must I ask for war? Well, then let us all ask for war, since that is how it is here.

Interpretation from German: The PRESIDENT – I should like to ask you to refrain from polemics. You yourself pointed out that your subject would add an explosive note to our discussions. The problem that you raise cannot be solved by this Conference. We have no dearer wish than to see warfare brought to an end. There, we agree with you. However, you must refrain from making value judgments here. Please take these factors into account when making your speech.

Interpretation from Arabic: Mr. GHARIB – As I was saying, we accepted the unanimously adopted resolution, i.e. the resolution No. 598, adopted by the Security Council in 1987, and we subscribed to all its provisions.

Our Conference is urged to speak up in favour of an end to hostilities, to launch an appeal for the peaceful solution to conflicts and to encourage the adverse party to renounce the war and to agree to a just and durable peace.

For more than six months, the occupied Arab territories have been the scene of a massive popular uprising against the policy of the Zionist occupation authorities which is founded on expulsions, murders, the shedding of blood, the confiscation of land, the levying of taxes and the suppression of freedom. Women, children and old people, armed with a rare courage, are rising up against this racist policy in spite of unprecedented mass extermination and barbarous tortures. The Zionist occupation army is us-

ing destructive weapons of all kinds to crush the sons of Palestine and the citizens of the occupied Arab territories who have no other weapons than the faith in the justice of their cause.

The barbarity of the fascist crimes perpetrated daily bear witness to the fact that the Zionist occupation authorities have flouted all the rules, all the customs, all the charters and all the international resolutions and conventions. They are pursuing a policy which rejects humanity; they are defiling honour, cutting drinking water and building settlements on the corpses of their victims. The report submitted by the mission to the International Labour Office, in accordance with the two resolutions adopted by the International Labour Conferences in 1974 and 1980, reports on the findings of its inquiry and confirms that the policy of settlement and racial discrimination is continuing! This, as well as information received by the Committee on Freedom of Association, make it vital that the Zionist entity should be expelled from humanitarian organisations, especially the ILO, for having flagrantly violated humanitarian values and principles.

However, there is another racist regime, that of South Africa, which continues to apply its fascist, racist policy and, as in the case of the Tel Aviv regime, shocks all that is humanitarian in us.

I invite this august assembly to work towards the victory of peace and justice and to vote in favour of the Resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories.

In conclusion, I thank you for your attention, and may God be your guide on the road towards truth, justice and freedom.

Interpretation from Russian: Mr. CIGANIK (*Employers' delegate, Czechoslovakia*) – Mr. President, may I congratulate you on your election. I have no doubt that you will deal with this responsible task very successfully. I would like to express the conviction that your election heralds a speeding up of the process of democratisation in the ILO for fuller equality of rights of all members and also equitable representation of the socialist countries in all its organs and its three groups. I also wish every success to the Vice-President in the Conference.

I would also like to thank the Director-General for his report on human rights which stresses our joint responsibility for fulfilment of these rights in practice. The adoption of the Universal Declaration of Human Rights is a landmark in the progress of mankind. If we look back over the past 40 years of peaceful development, we see more and more that the implementation of human rights, particularly the economic and social rights which are within the terms of reference of the ILO, is a goal to be achieved step by step, the fulfilment of which requires constant effort.

For the practical implementation of the right to work and the attendant rights to freedom of association, the right to organise, non-discrimination at work, favourable and fair conditions of work and remuneration, social security and the rest, it is necessary to make available economic resources and to ensure their equitable distribution. The time since the adoption of the Declaration shows that some countries have been successful in developing their economy, although the 30 million-strong army of the

unemployed in the OECD countries bears witness to the existence of great social problems, which confront the developing countries in a yet more drastic form in their struggle for the most basic living conditions.

The development of the economy has recently been widely discussed in the socialist countries. In Czechoslovakia, too, in spite of the fact that considerable success has been achieved, it is still necessary to seek new avenues of approach. What we consider most essential is that our citizens should be guaranteed basic social conditions and self-fulfilment in their work in harmony with the interests of the individual and of society. At the present time, we are trying to carry out economic changes which will lead to substantive growth in the efficiency of our economy. We have come to the conclusion that, to achieve such improvement, it will not be enough in the future to develop the existing economic mechanisms. We believe that the road towards it lies through enterprise development and an increase in managerial responsibility within the enterprise; in other words, by developing the process of democratisation in industry and in society. These changes should speed up the modernisation of industrial structures, particularly the structures of the engineering and processing industries. In enterprise development we depend particularly on medium-sized enterprises, on account of their flexibility in carrying out innovations and modernisation projects and on the initiative of our technicians and workers with their traditional high level of skill.

As the representative of the Czechoslovak Chamber of Commerce and Industry, I know that we cannot, in the short term, achieve this substantial task of modernising the industrial structure of the economy by ourselves. For this reason, we shall continue to depend on the traditional co-operation of the socialist countries, particularly the Soviet Union, which has for so long supported our economic development. However, we would like to develop greater co-operation with all other countries, including such new forms of co-operation as industrial co-operation and the founding of joint enterprises. We understand that the road to greater efficiency goes through integration on the world market and the fulfilment of its high requirements. We believe that to achieve these aims, we shall meet with full understanding from our colleagues in the Employers' group and from the employers whom they represent.

The Czechoslovak employers understand that their aim in the new conditions is to ensure full and productive employment. For this reason, we shall take steps to expand capacity for retraining and improving qualifications and to guarantee social security for workers who have been released from their jobs, in order to avoid negative social consequences as a result of the proposed changes. We hope for the full co-operation of our trade unions, whose role in this field is considerably increasing. We understand that our task in this field will be more complicated, the more successful we are in our aspirations to reach higher levels of productivity.

We would also wish to ensure for our workers full enjoyment of the right, mentioned in the Director-General's Report, to fair remuneration, not only as guaranteed by the Minimum Wage Fixing Convention, 1970 (No. 131), but also a full guarantee of basic wages for each occupation and each level of qualifi-

cations. By comparison with current practice, however, there will be a considerable growth in the role of those workers who are directly dependent on the economic results achieved by individual enterprises. Here there is new scope for collective discussion and increasing responsibilities for employers, workers and their organisation.

We also are prepared not only to retain but to strengthen our workers' rights to fair and favourable working conditions. When introducing new technologies, we shall take care to comply with existing world standards and requirements in the field of occupational health and the working environment. We have shown our readiness in this respect by our recent ratification of the Occupational Health Services Convention, 1985 (No. 161).

The discussion at this Conference shows that among member countries, depending on national conditions, major efforts are developing to achieve human rights, particularly those rights covered by ILO Conventions. However, the economic conditions to achieve this are not always present, so part of our appeal to strengthen the solidarity of all member States is to help one another in overcoming economic difficulties.

On the other hand, we look with anxiety at some other places in the world where there are still political conditions which make it impossible for human rights to develop. I am thinking particularly of the situation in South Africa, the policy of apartheid and the illegal occupation of the Arab territories of Palestine, which has already gone on for 20 years, in which the living conditions of workers and their families are constantly deteriorating. We fully support the measures which the ILO is taking to improve the situation. We will work for the adoption of further effective measures in accordance with the proposals laid before this Conference for discussion.

Our Organisation, thanks to its tripartite representation and its universality, has great potential for the further development of co-operation. We attach great significance to the regional conferences and associated bodies where so many practical proposals have been expressed along these lines. I have in mind the Fourth Session of the European Regional Conference. I believe that the ILO, in its future programme, will provide sufficient scope for the development of peaceful co-operation among its Members, particularly those States which have different social systems.

Interpretation from Spanish: Mr. POZO LEDESMA (*representative of the International Association of Students in Economics and Management*) – First of all, I must express my thanks to the Director-General, Mr. Francis Blanchard, for having invited us to participate in this 75th Session of the International Labour Conference and congratulate him on his Report.

I also wish to congratulate you, Mr. President, on your unanimous election to the chair of this vitally important international conference.

The International Association of Students in Economics and Management (AIESEC) was established in 1948 and is an apolitical, independent, educational and scientific international organisation run entirely by students. Our Association is present in 564 universities in 67 countries of the five continents.

AIESEC is composed of students and recent graduates in the sciences related to economics and management, and our principle is non-discrimination for reason of race, colour, sex, ideology, religion and national or ethnic origin.

Our purpose is fully in line with the aims of the International Labour Office: to contribute to the development of our countries and their inhabitants while strongly committing ourselves to international co-operation and understanding.

We are concerned with the development of our societies and are therefore carrying out various educational programmes such as the International Exchange Programme, through which students and professionals from 564 universities in the world receive practical experience in firms, institutions and organisations with a view to increasing the exchange of new technologies and thus contributing to the better educational preparation of youth. We also participate in social projects and programmes through which we make a direct contribution to the development of our societies. For example, we have the Global Seminars Series, with the title of "Our common future: The challenge of co-operation".

The AIESEC is one of the bodies that are educating and developing international leaders committed to world peace. We invite the government, employer and worker sectors to establish links with us to exchange their ideas and experiences with us because we, as young people, need your constant advice and support since it is we who will be the future workers, employers and rulers.

Interpretation from German: The PRESIDENT – Before, I give the floor for a right to reply, I would like once again to recall the established practice.

The reply should relate solely to the point under discussion. It should be brief, last a maximum of three minutes, and give no reason for further comment. It should also be drafted in proper and courteous speech.

I now give the floor to Mr. Hosseini, Government adviser, Islamic Republic of Iran, to exercise his right of reply to specific passages in the speeches made by Mr. Al-Jassem, Employers' delegate, Kuwait, and Mr. Gharib, Workers' delegate, Iraq.

Interpretation from Arabic: Mr. HOSSEINI (Government adviser, Islamic Republic of Iran) – In the Name of God, the Merciful, the Compassionate!

(The speaker continues in English)

Actually, I did not wish to disturb the smooth running of this assembly but, unfortunately, the Kuwaiti and Iraqi representatives have introduced extraneous issues in order to divert the attention of this Assembly from important issues that the ILO is facing.

It is well-known to all the distinguished delegates, that the Iraqi regime has ignored the basic principles of the Charter of the United Nations and of international rules and regulations, and specifically article 2, paragraph 4, of the Charter of the United Nations, has engaged in a total war of aggression against my country...

Interpretation from German: The PRESIDENT – Mr. Hosseini, may I ask you to respect our rules of procedure and speak solely on those comments to which you wish to refer.

Mr. HOSSEINI – The regime which invaded my country on 22 September 1980 ignored all principles of international law and regulations, including the Charter of the United Nations. The repeated use of chemical weapons by that regime was a clear violation of all international law and regulations, especially the 1925 Geneva Protocol. The use of chemical weapons is unconditionally banned by the 1925 Geneva Protocol. That regime has used chemical weapons even against its own people. The same regime has again bombarded civilian areas, killing thousands of people, violating the 1949 Geneva Convention. And, now, the representative of this regime is asking for peace. If they were really interested in peace, why did they invade my country?

The Employers' delegate of Kuwait too was talking about peace. If Kuwait is interested in peace, why is it involved in the war? Why is it giving massive financial and whatever means it has at its disposal to that regime? Why did it invite one of the super-Power's armada to come into the Persian Gulf? This has created tension in the area. Now they are again talking about peace. It is ridiculous.

(The Conference adjourned at 6 p.m.)

CORRIGENDA

Provisional Record No. 9

The title of the table on page 9/41 should read: "List of Registered Delegates and Advisers".

The line in the table corresponding to Poland should read: 2 Government delegates, 6 Government advisers, 1 Employers' delegate, 1 Employers' adviser, 1 Workers' delegate, 4 Workers' advisers.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Twelfth sitting

Wednesday, 8 June 1988, 10 a.m.

Presidents: Mr. Beyreuther, Mr. Tsujino

FIFTH REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

Interpretation from German: The PRESIDENT – The first item on this morning's agenda is the fifth report of the Selection Committee. I call on Mr. Vargas Escobar, Government delegate, Nicaragua, Chairman of the Committee, to submit the report.

Interpretation from Spanish: Mr. VARGAS ESCOBAR (*Government delegate, Nicaragua; Chairman of the Selection Committee*) – I have the honour of submitting to the Conference the fifth report of the Selection Committee which appears in *Provisional Record* No. 5D. The report deals exclusively with changes in the membership of the Committees of the Conference. I accordingly recommend that the Conference adopt this report.

Interpretation from German: The PRESIDENT – The fifth report of the Selection Committee is now before the Conference. If there are no objections, I take it that the report is adopted.

(The report is adopted.)

FIRST REPORT OF THE FINANCE COMMITTEE OF GOVERNMENT REPRESENTATIVES: SUBMISSION AND ADOPTION

Interpretation from German: The PRESIDENT – The second point on our agenda this morning is the adoption of the first report of the Finance Committee of Government Representatives. I call on Mr. Dasnayake, Government delegate, Sri Lanka, Chairman and Reporter of the Committee, to submit the report.

Mr. DASNAYAKE (*Government delegate, Sri Lanka; Chairman and Reporter of the Finance Committee*) – Mr. President, this is the first opportunity I have had to speak at the plenary of this Conference, and I take the opportunity to offer to you, Mr. President, my warmest congratulations on your eminently deserved unanimous election as the President of this Conference.

I have the honour to submit to the Conference the first report of the Finance Committee of Government Representatives, which has been circulated in *Provisional Record* No. 8.

The report contains the record of the Committee's consideration of requests for permission to vote submitted by the Governments of Chad and Poland, in accordance with paragraph 4 of article 13 of the Constitution of the Organisation.

In the case of the Chad the Conference had in 1983 adopted an arrangement for the settlement of the accumulated arrears over a 20-year period. The Committee noted that, notwithstanding the persistence of severe financial and economic difficulties, Chad has honoured the terms of its arrangement for the years 1983-86 and had paid the amount of US\$18,762, due by 31 December 1987, on 18 January 1988.

In the case of Poland the Committee has recommended that the Conference accept an arrangement under which Poland has agreed to pay its contribution by 31 December 1987 and, further, that the arrears of contributions that had accumulated up to 31 December 1987 would be consolidated and made payable over a 20-year period, beginning in 1988.

In both cases the Committee unanimously recommends that the Conference grant permission to vote in conformity with paragraph 4 of article 13 of the Constitution in recognition of the difficult financial circumstances faced by these two member States in the recent past. The related resolutions, together with the resolution containing the proposed arrangement for the settlement of the arrears of Poland will be found at the end of the Committee's first report. The Committee also unanimously recommends that the assessment of the contribution of Poland to the 1988-89 Programme and Budget be fixed at 0.64 per cent. It gives me great pleasure to commend all four resolutions for adoption by the Conference. By doing so the Conference will enable our fellow Members to participate fully in all the work of the Organisation and of the present session of the Conference. Moreover, to the extent that the requirements of the arrangements for the settlements of the arrears are met in future years by both Members, the right to vote will in future be retained by them automatically under the Standing Orders of the Conference.

Interpretation from German: The PRESIDENT – The first report of the Finance Committee of Government Representatives is now before the Conference. If there are no objections, I take it that the report is adopted.

(The report is adopted.)

RECORD VOTE ON THE RESOLUTION CONCERNING THE GRANTING TO THE REPUBLIC OF CHAD OF PERMISSION TO VOTE UNDER PARAGRAPH 4 OF ARTICLE 13 OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION

Interpretation from German: The PRESIDENT – We shall now proceed to a record vote on the resolu-

tion concerning the granting to the Republic of Chad of permission to vote under paragraph 4 of article 13 of the Constitution of the ILO.

(A record vote is taken.)

(The detailed results of the vote will be found at the end of the record of this sitting.)

Interpretation from German: The PRESIDENT – The result of the vote is as follows: 384 votes in favour, none against, with 1 abstention. Since the quorum is 252 and since the required two-thirds majority has been obtained, the resolution is adopted.

(The resolution is adopted.)

ADOPTION OF THE RESOLUTION CONCERNING THE ARREARS OF CONTRIBUTIONS OF POLAND AND RECORD VOTE ON THE RESOLUTION CONCERNING THE GRANTING TO POLAND OF PERMISSION TO VOTE UNDER PARAGRAPH 4 OF ARTICLE 13 OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION

Interpretation from German: The PRESIDENT – We shall now proceed to the adoption of the resolution concerning the arrears of contributions of Poland and to a record vote on the resolution concerning the granting to Poland of permission to vote under paragraph 4 of article 13 of the ILO Constitution.

(A record vote is taken.)

(The detailed results of the vote will be found at the end of the record of this sitting.)

Interpretation from German: The PRESIDENT – The result of the vote is as follows: 325 votes in favour, none against, with 1 abstention. Since the quorum is 254 and since the required two-thirds majority has been obtained, the resolution is adopted.

If there are no objections, I take it that the resolution concerning the arrears of contributions of Poland is also adopted.

(The resolutions are adopted.)

ACCEPTANCE OF THE INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION, 1986

Interpretation from German: The PRESIDENT – I now have pleasure in informing the Conference that the Director-General of the International Labour Office has registered the acceptance by Angola of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986. This brings the total number of ratifications and acceptances of the Instrument to 39.

REPORTS OF THE GOVERNING BODY AND THE DIRECTOR-GENERAL DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – We shall now continue with our discussion of the

reports of the Governing Body and of Director-General.

(Mr. Tsujino takes the Chair.)

Interpretation from Arabic: Mr. EL-HAK (*Minister of Manpower and Training, Egypt*) – Mr. President, I have pleasure in congratulating you on your election as President of this session of the International Labour Conference. I am quite sure that with your able guidance, experience and wisdom you will ensure its success, to which we attach great importance for the protection of human rights and the guaranteed security and future of man.

I should also like to congratulate the Director-General on the achievements of the ILO during the past year in every field of its activities.

We have noted with great interest that half the technical co-operation budget has been allocated to Africa and the Least Developed Countries, which confirms the desire of the international community to achieve the objectives of social justice and co-operation for the well-being of peoples provided for in the Constitution of the ILO. In this context we should like to emphasise the importance of intensifying technical co-operation programmes for rural development in Africa and the need to pay special attention to programmes to extend craft industries and support for small and medium-sized enterprises, and to employing young people and women in the informal sector because it has the capacity to provide a large number of employment opportunities. We stress the need to have greater recourse to the services of national and regional experts and to link projects benefiting from technical assistance with regional development plans and programmes. We hope that the Organisation is going to speed up the implementation of labour information systems in order to facilitate the operation of data bases relating to employment, the labour market and social security, which will help us in the follow-up and evolution of the Organisation's projects.

We have noted that the technical co-operation resources allocated to the Arab region have been rather few in spite of the special circumstances which call for greater efforts and intensified programmes on the part of the ILO in the occupied Arab territories.

We have reviewed the Organisation's Medium-Term Plan for the first half of the 1990s, and greatly appreciate the priorities given to implementation of the United Nations Programme for Economic Recovery in Africa and the Lagos Plan of Action to meet the needs of the African continent in the fields of food security, agricultural development, the creation of employment and the elimination of racial discrimination. We agree with the principles established by the Director-General and which form the basis of this Plan. We emphasise the importance of promoting human rights and the guarantees they involve, and the development of human resources which in fact represent the greatest challenge the world has to face in order to ensure a better future.

The Director-General's Report on human rights is exhaustive, detailed and realistic in its analysis of the dimensions of this problem, and he rightly considers it to be a common responsibility. The Report concluded by saying that the activities of the ILO are of course aimed at fulfilling the principles set out in the Universal Declaration of Human Rights, but that 40

years after the proclamation of these rights the gap between reality and aspirations remains a very wide one. We cannot blame the peoples of the world, especially those in the developing countries, for the concerns and anxieties they display vis-à-vis this rather bitter reality. We cannot deny that far from being respected everywhere, the rights of man to freedom and dignity are being denied and violated. We might even say that the world today is in danger of losing sight of the common development objectives, although they are repeatedly proclaimed in international forums we have every right to ask ourselves if it is possible to guarantee man's civil and political rights without guaranteeing his economic and social rights. Civil and political rights issues are an exclusively national responsibility, but each country's efforts to achieve its economic and social development cannot be isolated from the development of world phenomena since the policies adopted by the great industrial powers have a considerable effect on the stability of the international economic order.

The continued imbalance in the international terms of trade to the advantage of the rich countries has led to a decrease in the investment rate in the developing countries and to the inability of their economies to create employment opportunities to meet their development needs. If we add to this the very heavy burden of accumulated foreign debt, amounting to 40 per cent of their GNP, we should be right to wonder whether these countries will be able to sustain their development rates and guarantee the right of their citizens to productive employment at a fair wage and with adequate social security benefits.

The High-Level Meeting on Employment and Structural Adjustment has shown that the industrial countries assume prime responsibility and that what is required is political will and renewed efforts to help the developing countries to set their economies right; if that is not done, international social and economic stability will be subject to violent tensions and the gap between the rich countries and the rest of the international community which is living in misery and suffering privations will become even wider. In such circumstances human rights, democracy and peace will be jeopardised.

It is the duty of all of us to work together in a sprint of solidarity and with a sense of common destiny, if we wish to guarantee human rights which the Director-General has rightly described as our common responsibility. This does not apply only to States; it applies also to the relations between this Organisation and the other international organisations, for there is a need to co-ordinate the efforts of all institutions to achieve a convergence in their policies and programmes in order that they can overcome the problems they have to face.

The High-Level Meeting on Employment and Structural Adjustment was a pioneering experience in this field, despite the fact that it did not achieve the desired objectives, namely the establishment of a political dialogue between the parties, because of the absence of the great industrial powers, and the low level of representation of the other industrial countries. However, the meeting is a milestone in the life of the ILO, for it represents a new form of co-operation for studying problems and proposing solutions – we hope that this will continue in the future.

The Director-General has referred in his Report to the question of migrant workers. In this context I

should like to recall what I called for in my statement to the International Labour Conference last year, that is that the International Labour Office should – and this is a necessity – strengthen its participation in the work of the working group set up by the United Nations General Assembly to prepare a convention on the rights of migrant workers and their families. I was pleased to see that the Governing Body, at its 239th Session last March, took a decision on the need to make the necessary arrangements to ensure effective participation in the work of this group so as to avoid any contradiction in the preparation of international labour standards concerning migrant workers and to ensure that the new convention is more progressive and relates more to reality than the existing convention.

My country is making great efforts to guarantee human rights as laid down in the conventions and other international instruments. We firmly believe that all men are equal in their rights and duties irrespective of their national origin, language or creed. This is why fundamental human rights and freedoms are not only guaranteed in Egypt by law, but also provided for in our Constitution, which stipulates that work is a right, a duty and an honour guaranteed by the State; it bans forced labour and requires that any service carried out in the public interest should be fairly remunerated. It also requires the State to guarantee social security benefits, health care and pension payments against invalidity, unemployment and old age.

The Constitution also provides for the need to reconcile a woman's duties in the family and her role in society, and makes her the equal of man in the political, economic, social and cultural spheres. The Constitution also provides for the right to set up democratic trade unions and federations responsible for defending the rights and freedoms of their members. Moreover, the Constitution grants free education to all citizens at every level including the university level. Labour laws and social security apply to all men and women equally without discrimination as regards wages or other conditions of work.

The principles of this Organisation reflects the will of peoples and the international community to establish freedom, well-being and social justice. Every year we come to this Conference to discuss the implementation of international labour standards and their violation in the case of individuals or groups. What can we say when a whole people, in South Africa and in Palestine, and in the other occupied territories are the victims of flagrant injustice?

The Director-General has confirmed in his Report the continued deterioration of the situation of Arab workers in the occupied Arab territories due to the Israeli policies and practices to deny them the possibility of benefiting from respect for human rights and for their legitimate national rights. What is of even more concern to us is to learn from the Report that the problems of employment in the occupied Arab territories always assume a political dimension, and that the root cause for this situation is the occupation itself; this imposes conditions which militate against any real progress in employment and any improvement in conditions of work and life.

We agree with the Director-General when he says that the present situation cannot go on indefinitely. We must therefore work unremittingly for a political solution. We support his appeal for effective efforts

to be made to develop the occupied Arab territories in view of the insufficiency of the resources allocated in aid and for all international organisations, including the ILO, to implement a development plan that would enable the populations of the region to preserve their identity and to take part in their own development process.

Egypt has clearly stated its policy concerning the Iran/Iraq war on many occasions and in a variety of forums. Egypt also emphasises that peace can never be established on the basis of violence, terrorism and repression of the Palestinian people. Peace must be founded on respect for all the international instruments on the need to put an end to the Israeli occupation and to enable the Palestinian people to exercise their right to self-determination and to enjoy all their freedoms. It is not enough for the super powers to play the role of firemen here and there. Good office missions for peace are not enough to end war either unless the whole of humanity works together to solve the problems of the liberation of peoples, of their national, cultural, and social liberation by supporting the peoples who are oppressed. The international community must realise that those who have nothing to lose will not take part in a peace process unless this opens the way to justice and self-determination.

Interpretation from Spanish: Mr. TONELLI (*Minister of Labour and Social Security, Argentina*) – May I first of all extend to the President the warmest congratulations on the part of my Government and my own part on his unanimous election to this high office. It constitutes a tribute paid to the noble and friendly country, the German Democratic Republic, which he so well represents.

I should also like to congratulate the Director-General of the ILO, Mr. Francis Blanchard, on the excellent quality of the Report that he has submitted to this 75th Session of the Conference. But, equally, the Government of Argentina unreservedly commends the choice of the subject of human rights as a basic focus for this international debate.

The Director-General has rightly said that this is an ideal common to "all peoples and all nations. The Universal Declaration of Human Rights recognised that the realisation of this objective depended on both national and international action. While expressing a universal morality of respect for human dignity, it also sought to safeguard the individual's physical and moral integrity through a series of legal standards".

My country still has fresh in its mind the memory of a difficult period in its history when human rights were trampled upon, is intimately aware in its national consciousness of the profound truth embodied in these concepts of the Director-General.

Today, in Argentina the national Constitution and the laws of the nation are fully applied. The judicial branch of the Government functions with absolute independence and there is no restriction whatsoever, despite the economic difficulties we are experiencing, on the freedom of association and collective bargaining, while the security and integrity, both physical and moral, of persons are safeguarded.

The Director-General said that it is in difficult times that we must give even greater attention to social justice. Argentina is passing through an acute economic and financial crisis resulting from the bur-

den of external debt that my Government inherited when it took office and aggravated by an unprecedented fall in international market prices for our export products. To complete the picture of our difficulties, we must add the protectionist barriers and new forms of dumping which deprive us artificially of enormous resources that could be used for the spiritual and material development of our society.

Therefore, in order to keep social justice in mind in spite of the difficult period through which Argentina is passing in the process of transition towards the full flowering of the democratic system, a number of legal instruments have been enacted in the intervening year since the last session of the Conference, which considerably facilitate the participation of the social partners as far as remuneration and the qualitative aspect of labour relations are concerned. These are, first of all, Act No. 23,544 by which the National Congress ratified the Collective Bargaining Convention, 1981 (No. 154), adopted by the ILO in 1981. The legislative ratification of this Convention introduces a novel element in the commitment undertaken by Argentina to extend the system of collective bargaining to the public administration. Under the Act, within a period of 365 days, the new legislation that will establish the modalities for applying collective bargaining to public employment must be enacted. Within this framework, the National Executive has reactivated the Joint Commission on Wage Policy and other Conditions of Employment for the Public Sector, which is composed of representatives of the State and of the most representative unions, with, among other tasks, the responsibility for drafting the legislation to which the Act refers. Secondly, there is Act No. 23,545 which re-establishes, with some modifications, Act No. 14,250 which had originally been adopted in 1953. This Act, which is the substantive law for regulating collective labour agreements, had been abrogated by the *de facto* Government. The third of the instruments to which I refer is Act No. 23,546 which regulates the procedure of collective bargaining, and in which it is emphasised, *inter alia*, that the initiative for holding a discussion of agreements must come from the partners – employers and workers – who must notify the Ministry of Labour and Social Security of their decision. The last two Acts were immediately supplemented by enabling regulations in the form of two decrees this year to allow a start to be made on the collective bargaining without delay, as did indeed occur.

After 12 years, the best method for regulating labour relations in pluralist societies was re-established whereby the social partners – workers and employers – negotiate and reach agreement freely, through their legitimate representatives.

In accordance with the new legislation, the social partners freely discuss and agree on many aspects of labour relations with a view to their improvement such as reclassification and re-evaluation of tasks and jobs; plans to improve production and productivity with sharing of the profits arising from the implementation of these plans; the creation of joint bodies to assume with the aid of the State, the responsibility for everything connected with the improvement of the health, safety and quality of life of workers; the elaboration of agreed systems to prevent, and settle conflicts so as to contribute voluntarily to the maintenance of social order and to avoid causing harm to third parties; vocational training on a permanent

basis for workers on the job and outside undertakings; utilisation of the contractual possibilities offered by undertakings and, of course, the wage system. Both parties will have equal powers of initiative in making use of this vast world of concrete possibilities that is opened up by the new legislation. The Ministry for which I am responsible will provide technical support at the request of the partners so that the negotiations will be successful. In this context, more than 150 negotiating committees representing approximately 3 million workers out of an active population of 7.5 million, have already been set up.

The 500 sectoral agreements that will be concluded in the course of this year can also be the basis on which to build the social compact advocated by so many representatives of national and international political thought. It is possible, therefore, that through collective bargaining we may find the Argentine method for giving effect of this social compact that is so greatly desired.

The Government of President Alfonsín, in putting into effect this labour system which he promised society, has chosen to look to the future with hope, trusting in the clearheadedness, imagination and sense of responsibility of workers and employers, who, through negotiation, which is always more fruitful than confrontation, will take the lead in democratising labour relations.

A set of machinery and systems for participation were set up within this framework of trade-union freedom. The Adjustable Minimum Basic Wage Council was re-established, representing the State, workers and employers, on a tripartite basis. On two occasions, the Council has already set the amount of this basic wage, which is paid to approximately 1.5 per cent of the workers. Starting in April 1988 the National Commission of Agricultural Labour started to meet. This Commission has recreated tripartite conditions for the discussion of general labour conditions and other questions specific to workers in the National Agrarian System. In this Commission some 600,000 workers are represented and they contribute to the creation of 14.6 per cent of the gross national product.

The fourth instrument which has been put into effect is Act No. 23,551 which does away with the repressive legal system imposed by the *de facto* Government, which weighed so heavily on trade union freedoms. With the consensus of the workers' organisations this Act established the whole system of trade union organisations that will provide a legal framework for the full and free development of all bodies representing the workers.

The subject of industrial safety and health in the construction industry, which is being examined at this session, is a very important source of concern to my Ministry. I am very happy to see that the pioneer work which has been carried out for some years, is today resulting in a true tripartite activity which is reflected in the constant holding of meetings, courses and seminars. One of our cardinal principles is that health is not for sale, but must be defended, and it is entirely foreign to our national policy to exchange health for money. My Ministry wishes to include the subject of working conditions in the joint discussions to which I have referred.

The Government of Argentina is determined to give rural workers the best possible conditions for

developing and expanding their social organisations, through collective agreements freely entered into. To allow all rural workers the possibility of creatively participating in a dialogue, my Ministry has decided to introduce the operation at national level of the National Commission of Agricultural Work to which I have already referred, which is a strictly tripartite body which meets the demands of the social partners. It will be responsible for setting wages and laying down conditions of work, safety and health, formulating plans for vocational training and protecting the individual and family life of agrarian workers.

The problem of employment is a very critical question in my country as in all countries. The Ministry is therefore, with the technical co-operation of ILO experts, to whom I should like to pay a public tribute of recognition and thanks, trying to follow a policy of promoting and creating jobs, particularly in small and even very small undertakings.

But I must stress the enormous efforts which we developing countries are having to make in order to give our workers a standard of living compatible with human dignity. The results will not be commensurate with the efforts that are made as long as the industrialised countries do not provide a political solution to the foreign debt which is now such a paralysing burden for us, and do not free international trade from the discriminations which deprive us of very important markets for the products that we make with such recognised efficiency.

President Alfonsín, with other great thinkers in Latin America, is struggling along this path and in New York has just made a concrete proposal as a solution to this issue which is so important to our political systems. We believe that it is not too much to ask for fairer treatment that will reconcile all interests.

Argentina is going through difficult times but our difficulties are not insurmountable. The organisations of workers and employers to whom democracy has returned their role of essential participation, criticise or support the Government depending on their own legitimate interests, and with points of view which may be different but are exercised in absolute freedom. What we are doing is nothing more or less than ensuring a better future for our country through the unfaltering determination to preserve and strengthen the democratic system in the full power of human rights so that Argentina in future may participate in the marvellous adventure of creating a future without injustice, without marginal levels of the population, without war.

Interpretation from Spanish: Mr. RODRIGUEZ CAMPOS (*Minister of Labour and Social Promotion, Peru*) – May my first words be to offer the greetings of the Government of Peru to the delegates attending this 75th Session of the International Labour Conference. I congratulate the President of the Conference on the fact that he has been chosen to steer our deliberations, which I hope and trust will be highly successful.

One great virtue of the Director-General's Report this year is that it revolves around the question of human rights. This is a matter of outstanding importance at a time when the world is faced with a grave economic and social crisis and with irrational violence designed to undermine the very foundations of our civilization and to unsettle democracy itself.

Since the last world war, we have been experiencing a kind of euphoria of hopes and ideals. It was believed that the forces that had been generated by the fighting had burned out and that from the murder of millions would emerge a society in which permanent peace would reign guaranteed by the United Nations; this would be governed by a moral code based on the Universal Declaration of Human Rights which extended the rights already obtained in the economic and social fields.

Optimism was the order of the day and the people of the world began to look forward to a permanent peace accompanied by economic and social welfare.

Forty years have elapsed and unquestionably we have been unable to construct a new economic international order obedient to the principles enshrined in the Universal Declaration of Human rights.

During this brief period, there have been some remarkable increases in production productivity, national income and employment; we can admire the scientific and technical progress in uncovering the secrets of the immensely big and the very small; we can also view with concern the affluence which squanders goods and services. There has been unquestionable progress in the levels of health, education, expectation of life, and so on; however, this progress has obviously not been general, on the contrary, there is a steadily widening gap between a handful of developed countries and the undeveloped three-quarters of mankind, where we can observe widespread poverty, ignorance, high infant mortality, malnutrition and unemployment.

Hopes of a permanent peace are fading and the very existence of mankind is threatened. Wars between nations are becoming more frequent and there is growing internal violence and terrorism inside countries themselves.

In short, we are increasingly incapable of guaranteeing freedom and welfare for all peoples despite our command of nature, despite the efforts made by governments and international organisations, despite the conferences held and the statements made about peace and development.

The world we live in is a world of paradox and contrasts. The burden of foreign debt and nuclear threat call for generous reflection and decisive action to bring about a new order. This is by no means an impossible attainment if we take advantage of the maturity of human thought we have achieved; if we make use of science and technology; if we overcome the obstacles of financial egoism, the unjust inequalities between nations and recourse to violence as a mean to achieve our ends.

Mankind, which is steadily growing and becoming more aware of its dignity, is demanding a new society based on values which are enshrined in the Universal Declaration of Human Rights.

It is for these reasons that although we understand and respect the division of functions among the international organisations of the United Nations family we can neither talk of work in isolation nor ensure its protection and development in a vacuum. At this difficult time we must admit that labour problems are inextricably linked to economic realities and to the world crisis in every sphere. We can do little to achieve full productive employment, which is freely chosen and duly rewarded, and to extend protection of labour or improve social security if there are still major stumbling blocks to economic and social devel-

opment in so many countries and if no solution is found for the grave problems affecting the world in general, especially the underdeveloped countries.

Many countries in the Third World, amongst them Peru, are still staggering under the burden of the repayments and interests on the foreign debt. This problem has still not been solved by the financial organisations. Economic co-operation is given in accordance with rigid rules which reduce inflation but increase the social sacrifices demanded of our peoples, who in any case are exceedingly poor. Underdevelopment is becoming a permanent state in most of the countries of the world where more than 2,500 million people enjoy incomes of less than 300 dollars a year.

The International Labour Organisation also derives its inspiration from the Universal Declaration of Human Rights and shoulders the heavy responsibility of intervening in the debate between the wealthy countries and the poor ones and establishing a new international economic order, despite the specific functions assigned to it. If it should fail to do so, the structure of labour standards patiently built up over the years will deteriorate and the standards themselves will not be applied.

This is not the time to adopt new Conventions but to reflect upon existing ones and their applicability. We need to make inquiries and exchange views on how to stop the undermining of the legal protection of labour and the appearance of certain atypical phenomena in the modern sector of the economy. We need to see how labour law can be extended beyond the traditional limits of employed labour to cover new forms of employment arising throughout the underdeveloped world.

We request a permanent exchange of views with the ILO so that we could make our new needs known and obtain the necessary co-operation. We call for increased co-operation between the regional organisations of the ILO and the ministries of labour so that we might receive their assistance, without discrimination, in priority areas for the governments.

I represent a country governed by a social and political movement which struggled for 60 years to be able to carry through a revolution in full freedom. We reached power, elected by an enormous majority of the Peruvian people, at a very difficult time when Peru was undergoing a stabilisation programme, based on the classical traditions of the International Monetary Fund, which reduced employment and workers' pay to an alarming degree. Nevertheless, this did not prevent the crisis from affecting productive activity, an expansion of the urban informal sector and an alarming extension of terrorism.

As I said last year in this assembly, in the face of this grave situation, the Government is applying an emergency economic programme: it is encouraging self-sustaining economic growth, drawing upon that part of industry lying idle, developing agriculture, making use of unemployed labour, expanding consumption, cutting inflation and decentralising growth. We are utilising economic resources derived from reductions in payments on external debt to no more than 10 per cent of export earnings.

It was thanks to this economic policy that the domestic product rose by 8 and 7 per cent these past two years and the level of remuneration did not fall; unemployment and underemployment were also con-

siderably reduced. In other words, Peru's growth has been greater than other Latin American countries.

After this stage, there was an inflationary surge due to structural reasons traditionally affecting our country. The Government therefore decided this year to apply a long-term policy to deal with these specific factors. This includes dealing with the explosive population growth, and directing industry towards the satisfaction of essential needs. We shall try to take advantage of our own resources, no longer depending on foreign investment. We shall give a boost to work in the countryside by granting interest-free credit in some cases. We shall decentralise the machinery of government by eliminating maladjustments which have resulted in the concentration of all activities in the capital. We are also promoting exports with higher added value and national resources and limiting imports to the basic needs of the population.

All these efforts of transformation and change are being carried out despite great difficulties due to the still insuperable problem of debt, the shortage of currency, the scourge of drug-trafficking and terrorism.

As regards labour and social matters, my Ministry has analysed in depth the problems which affect labour and we have devised the general lines of a social and labour policy to take shape in our annual plans and programmes.

The Government gives the social and labour policy priority within its general policy, implemented by a political party formed by an alliance between manual and non-manual workers. Since its foundation it has contributed to the development of labour legislation with several Bills which it has persuaded Parliament to adopt.

The Government has begun to put some order into our chaotic labour legislation. To this end, work is in progress on a general labour Bill which I shall shortly put before Parliament. We have ratified the Workers with Family Responsibilities Convention, 1981 (No. 156), the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), the Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152), and the Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106). The executive has submitted to Parliament a draft Bill on collective labour relations governing the right to collective bargaining and the right to strike for workers in the private sector.

As regards social security, we have enacted Act No. 24786, dated 30 December 1987, referring to the structure and functions of the Peruvian Social Security Institute.

We have also enacted regulations for the Labour Stability Act and a set of legal provisions designed to speed up labour procedures.

As regards labour relations, I am happy to report that there has been an appreciable drop in disagreements between capital and labour, from a total of about 17 million man hours lost in 1986 as a result of strikes to 9 million in 1987. It is significant, too, that we have reduced the average number of days lost on strikes from 7.5 per cent in 1986 to 5.6 per cent in 1987 and to 5 per cent to date this year.

As part of our wages policy, the Government has given special attention to the defence of the purchasing power of the workers in the public and private sectors to avoid their being affected by inflation. In

this context the Ministry of Labour and Social Promotion has to regulate workers' salaries in the private sector. Thus we are granting periodic wage increases to those workers whose wages are not regulated by collective bargaining, while in respect of those who depend on this system of readjustment we have devised machinery called "Additional wage increases" whereby apart from the initial increase given under the collective agreement, an additional increase is awarded after six months have elapsed. Similarly, my Government is constantly concerned to improve the wages of the unskilled who receive the minimum legal wage. Evidence of this concern is that in the two years and ten months that this Government has been in office the minimum wage has been increased by approximately 978 per cent.

The same policy has been followed with workers who by reason of age or infirmity have retired from work. We have taken a step of great social significance by introducing a mechanism laying down that there should be an increase in pensions, at the employer's expense, from 1 January 1988, depending on seniority and adjusted to the degree of skills acquired by the worker during his career.

In the field of employment, we have noted a significant drop in unemployment and underemployment, which had reached alarming proportions in July 1985. The policy of economic reactivation and emergency programmes has made possible a fall in unemployment from 10 per cent in July 1985 to 4.8 per cent in May 1988, while underemployment in the same period in metropolitan Lima, where 65 per cent of the active population is situated, has dropped from 42.5 per cent to roughly 34.9 per cent.

The Government is also extending occupational training to all economic activities, in both the formal and the urban informal sector. We are busy setting up a national system of occupational training to guide and co-ordinate the various institutions concerned. To this end, it is necessary that the ILO should avoid bringing in other institutions with aims inconsistent with labour orientations.

The Ministry of Labour and Social Promotion has by no means neglected other areas of the administration of labour such as occupational health and safety, social participation and development of preventive inspection. We have continued the process of decentralisation by creating other branch offices in various parts of the country and at present we are studying a new structure and new duties to improve the labour administration, particularly within the regions. These are now being organised under the Regionalisation Act currently in force.

The social and labour policy in force in Peru is applied in an atmosphere of full respect for the rights of workers, employers other sectors of the community. There is full respect for the Constitution and the law, including freedom of association, collective bargaining and the right to strike.

Four trade union federations represent the workers of my country in full democratic freedom and with guarantees for such freedoms. Trade union organisations have never been so numerous: 450 in the two-and-a-half years of this Government.

Under its national plan the Government, and, consequently, the Minister of Labour and Social Promotion is anxious to cope with the great problem of drug trafficking and terrorism. We are convinced that only with the unity of all Peruvians, will we be

able to cope with these evils and that only agreement on various points will lead to development. We are trying to bring about long-term agreements between the political, social, labour and productive forces of the country on a programme which will go beyond the electoral programme to achieve long-term ends, leading to the revolution with freedom. Only so will we feel that we are faithful to the principles enshrined in the Universal Declaration of Human Rights.

In this great campaign by our country to overcome underdevelopment and the grave problems of the

present slump, we shall need ever more help from the International Labour Organisation to ensure that international co-operation is an effective instrument.

All of us, nations and international organisations, must show by our deeds, not only through meetings and documents that we identify ourselves with the ideals and principles which inspired the Universal Declaration of Human Rights, the 40th anniversary of which we are celebrating this year.

(The Conference adjourned at 1.15 p.m.)

Record vote on the resolution concerning the granting to the Republic of Chad of permission to vote under paragraph 4 of article 13 of the Constitution of the International Labour Organisation

Pour/For/En pro 384

<i>Afghanistan/Afghanistan/ Afganistán:</i>	<i>Belgique/Belgium/Bélgica:</i>	<i>Chili/Chile/Chile:</i>	<i>Etats-Unis/United States/Estados Unidos:</i>
NAZAR, Mr. (G)	CALIFICE, M. (G)	ARTHUR ERRAZURIZ, Sr.	LAWSON, Mr. (G)
SHOOGUFAN, Mr. (G)	SOENEN, M. (G)	(G)	FREEMAN, Mr. (G)
LUTFI, Mr. (E)	ARETS, M. (E)	MONTT BALMACEDA, Sr.	SMITH Jr., Mr. (E)
		(E)	BAKER, Mr. (T/W)
	<i>Bénin/Benin/Benin:</i>	<i>Chine/China/China:</i>	<i>Ethiopie/Ethiopia/Etiopía:</i>
<i>Algérie/Algeria/Argelia:</i>	MENSAH, M. (G)	LI, Mr. (G)	GEBRE-MEDHIN, Mr. (G)
LAHIANI, M. (G)	ZANOUE, M. (G)	QIAN, Mr. (G)	WORKENEH, Mr. (E)
ASSALA, M. (G)		SHA, Mr. (E)	TAMERAT, Mr. (T/W)
LOUNIS KHODJA, M. (E)	<i>République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia:</i>	FANG, Mr. (T/W)	
BENLAKHDAR, M. (T/W)	FOMICH, Mr. (G)	<i>Chypre/Cyprus/Chipre:</i>	<i>Finlande/Finland/Finlandia:</i>
<i>Allemagne, République fédérale d'Allemagne, Federal Republic of Germany, República Federal de:</i>	PESHKOV, Mr. (G)	CALLIMACHOS, Mr. (G)	RIIKONEN, Mr. (G)
CLEVER, Mr. (G)	KOVALEVICH, Mr. (E)	PIERIDES, Mr. (E)	VEIJALAINEN, Mr. (G)
WEBER, Mr. (G)	BULGAK, Mr. (T/W)		MELIN, Mr. (E)
LINDNER, Mr. (E)		<i>Colombie/Colombia/Colombia:</i>	JAASKELAINEN, Mr. (T/W)
MUHR, Mr. (T/W)	<i>Birmanie/Burma/Birmania:</i>	RIOS MUÑOZ, Sr. (G)	<i>France/France/Francia:</i>
<i>Angola:</i>	THANG, U (G)	CHARRY SAMPER, Sr. (G)	CHOTARD, M. (G)
LUVUALU, M. (T/W)	TUN, U (G)		RAMOND, M. (G)
	WIN, U (E)	<i>Côte d'Ivoire:</i>	OECHSLIN, M. (E)
<i>Arabie saoudite/Saudi Arabia/Arabia Saudita:</i>	<i>Botswana:</i>	ESSIGAN, M. (G)	BRIESCH, M. (T/W)
AL-YAHYA, Mr. (G)	LEBANG, Mr. (G)	COULIBALY, D ^r (G)	
AL-KHALIDI, Mr. (G)	SALESHANDO, Mr. (T/W)	DIAKITE, M. (E)	<i>Gabon/Gabon/Gabón:</i>
DAHLAN, Mr. (E)		ADIKO NIAMKEY, M. (T/W)	NGOUBY-MBOUGA, M. (G)
SINAN, Mr. (T/W)	<i>Brésil/Brazil/Brasil:</i>	<i>Cuba:</i>	IBINGA-MOMBO, M. (G)
<i>Argentine/Argentina/Argentina:</i>	FERREIRA DO PRADO, M.	MARTINEZ BRITO, Sr. (G)	<i>Ghana:</i>
GALER, Sr. (G)	(T/W)	LECHUGA HEVIA, Sr. (G)	YAHAYA, Mr. (G)
TETTAMANTI, Sr. (G)	<i>Bulgarie/Bulgaria/Bulgaria:</i>	FRANCIS de los REYES, Sr.	QUARM, Mr. (G)
FAVELEVIC, Sr. (E)	HARALAMPIEV, M. (G)	(E)	BANNERMAN-MENSON, Mr.
UBALDINI, Sr. (T/W)	ANDREEV, M. (G)	ESCANDELL ROMERO, Sr.	(E)
	BOZHINOV, M. (E)	(T/W)	YANKEY, Mr. (T/W)
<i>Australie/Australia/Australia:</i>	ANDREEV, M. (T/W)	<i>Danemark/Denmark/ Dinamarca:</i>	<i>Grèce/Greece/Grecia:</i>
POULTER, Mr. (G)		ANDERSEN, Mr. (G)	KERKINOS, M. (G)
FOTHERINGHAM, Mr. (G)	<i>Burkina Faso:</i>	FRANDSEN, Mr. (G)	KOUKIADIS, M. (G)
NOAKES, Mr. (E)	DIALLO, M. (G)	JOHANSEN, Mrs. (E)	MITOS, M. (E)
MacBEAN, Mr. (T/W)	KAMBIRE, M. (G)	SVENNINGSSEN, Mr. (T/W)	RAFTOPOULOS, M. (T/W)
<i>Autriche/Austria/Austria:</i>	OUEDRAOGO, P. M. (E)	<i>Egypte/Egypt/Egipto:</i>	<i>Grenade/Grenada/Granada:</i>
MARTINEK, Mr. (G)	OUEDRAOGO, H. M. (T/W)	ELARABY, Mr. (G)	NOEL, Mr. (G)
MELAS, Mr. (G)	<i>Burundi:</i>	TAHER, Mr. (G)	NEWTON, Mr. (G)
ARBESSER-RASTBURG, Mr.	NAHIMANA, M. (G)	GAZARIN, Mr. (E)	SMITH, Mrs. (E)
(E)	MUYUMBU, M. (E)	ELAMAWY, Mr. (T/W)	DeBOURG, Mr. (T/W)
<i>Bahamas:</i>	KUBWIMANA, M. (T/W)	<i>El Salvador:</i>	<i>Guatemala:</i>
MAYCOCK, Mr. (G)	<i>Cameroun/Cameroon/Camerún:</i>	BERNAL LIZAMA, Sr. (G)	CASTAÑEDA de GOMEZ,
TURNQUEST, Mr. (G)	NGOUBEYOU, M. (G)	<i>Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos:</i>	Sra. (T/W)
BETHEL, Mrs. (E)	NYANGANG, M ^{lle} (G)	AL-MUHAIIRY, Mr. (G)	<i>Guinée-Bissau/Guinea- Bissau/Guinea-Bissau:</i>
BASTIAN, Mr. (T/W)	NGAHA, M. (E)	AL-AJALAH, Mr. (G)	MENDES CORREIA, M.
<i>Bahreïn/Bahrain/Bahrein:</i>	FOUDA SIMA, M. (T/W)	MATTAR, Mr. (E)	(T/W)
AL-MADANI, Mr. (G)	<i>Canada/Canada/Canadá:</i>	BILAL, Mr. (T/W)	<i>Haïti/Haiti/Haití:</i>
KAMAL, Mr. (G)	CARON, M ^{me} (G)	<i>Equateur/Ecuador/Ecuador:</i>	CHARLES, M. (G)
ZAIN AL-ABIDEEN, Mr. (E)	HAMMOND, Mr. (G)	BORJA ILLESCAS, Sr. (G)	GUERRIER, M. (G)
AL-SAMAK, Mr. (T/W)	DAWSON, Mr. (E)	PONCE ITURRIAGA, Sr.	
<i>Bangladesh:</i>	MERCIER, M. (T/W)	(T/W)	<i>Honduras:</i>
UR-RASHID, Mr. (G)	<i>République centrafricaine/Central African Republic/República Centroafricana:</i>	<i>Espagne/Spain/España:</i>	DISCUE RODRIGUEZ, Sr.
GAZI, Mr. (G)	AZIBOLO, M. (G)	ARTACHO CASTELLANO,	(G)
HASAN, Mr. (E)	MOUSSA LABE, M. (G)	Sr. (G)	<i>Hongrie/Hungary/Hungría:</i>
SARKAR, Mr. (T/W)	BLONDIAUX, M. (E)	CRESPO VALERA, Sr. (G)	MEISZTER, M. (G)
<i>Barbade/Barbados/Barbados:</i>	GUERET, M ^{me} (T/W)	FERRER DUFOLL, Sr. (E)	MARTON, M. (G)
WILLIAMS, Mr. (E)		GUTIERREZ VEGARA, Sr.	MARTOS, M. (E)
WALCOTT, Mr. (T/W)		(T/W)	TIMMER, M. (T/W)

Inde/India/India :

KAR, Mr. (G)
ROY, Mr. (G)
KHURANA, Mr. (E)
RAMAMURTHY, Mr. (T/W)

Indonésie/Indonesial/Indonesia :

DARWANTO, Mr. (G)
SIMANJUNTAK, Mr. (G)
BOEDJOSASTRO, Mr. (E)
PASARIBU, Mr. (T/W)

*Iran/République islamique
d'Iran/Islamic Republic
of Iran/República Islámica
del :*

NASSERI, Mr. (G)
TIZMAAGHZ, Mr. (G)
YAZDAN PANAH, Mr. (E)
SALIMIAN, Mr. (T/W)

Iraq :

GHALI, Mr. (G)
AL-ZAIDI, Mr. (G)
HUSSAIN, Mr. (E)
GHARIB, Mr. (T/W)

Irlande/Ireland/Irlanda :

LILLIS, Mr. (G)
McCAULEY, Mr. (E)

Israël/Israel/Israel :

DAVIDOVITZ, Mr. (G)
ELIAV, Mr. (G)
KARA, Mr. (T/W)

Italie/Italy/Italia :

CAVAGLIERI, M. (G)
ARISTODEMO, M. (G)
SASSO-MAZZUFFERI, M^{me}
(E)
VANNI, M. (T/W)

Jamaïque/Jamaica/Jamaica :

MARSH, Mr. (G)
NELSON, Mr. (T/W)

Japon/Japan/Japón :

HATANO, Mr. (G)
NAKAMURA, Mr. (G)
TSUJINO, Mr. (E)
TANAKA, Mr. (T/W)

Jordanie/Jordan/Jordania :

KHASAWNEH, Mr. (G)
AL-AKEL, Mr. (G)
HABAIBEH, Mr. (E)
KARDAN, Mr. (T/W)

Kenya :

BIRIR, Mr. (G)
NGARE, Mr. (G)
OWUOR, Mr. (E)
MUGALLA, Mr. (T/W)

Koweït/Kuwait/Kuwait :

AL-SABAH, Mr. (G)
AL-THAMER, Mr. (G)
AL-JASSEM, Mr. (E)
AL-HOJAILAN, Mr. (T/W)

Lesotho :

MOPHETHE, Mr. (G)
FANANA, Mr. (G)

Liban/Lebanon/Líbano :

KHOURY, M. (G)
HAMDAN, M. (G)
NASR, M. (E)
BECHARA, M. (T/W)

Libéria/Liberia/Liberia :

AYOMANOR, Mr. (G)
DOE, Mr. (G)
GRAY, Mr. (T/W)

Jamahiriya arabe

*libyenne/Libyan Arab
Jamahiriya/Jamahiriya Arabe
Libia :*

ALFAQI HASAN, Mr. (G)
OMAR, Mr. (G)
ELMUKHERBI, Mr. (E)
HOWAYDI, Mr. (T/W)

*Luxembourg/Luxembourg/
Luxemburgo :*

SCHINTGEN, M. (G)
JUNG, M. (E)
PIZZAFERRI, M. (T/W)

Madagascar :

RAZAFIMANDRANTO, M.
(G)
RAFENOMANANTSOA, M.
(G)

Malaisie/Malaysia/Malasia :

NIK MOHAMED AMIN, Mr.
(G)
ABDUL RAHMAN HARON,
Mr. (G)
RAGUNATHAN, Mr. (T/W)

Mali/Mali/Mali :

KOULIBALY, M. (G)
SIDIBE, M^{me} (G)
TOURE, M. (E)
TRAORE, M. (T/W)

Malte/Malta/Malta :

BORG CARDONA, Mr. (G)
CILIA, Mr. (G)
MALLIA MILANES, Mr. (E)
CALAMATTA, Mr. (T/W)

Maroc/Morocco/Marruecos :

BENHIMA, M. (G)
KHALES, M. (G)
BEN SEDDIK, M. (T/W)

Maurice/Mauritius/Mauricio :

BAPPOO, Mrs. (G)

*Mauritanie/Mauritania/
Mauritania :*

OULD AMAR CHEINE, M.
(G)
TRAORE, M. (G)
MOHAMED ALI OULD, M.
(E)

Mexique/Mexico/México :

TELLO, Sr. (G)
NOVELO von GLUMER, Sr.
(G)
ARROYO SAN MARTIN, Sr.
(E)

Mongolie/Mongolia/Mongolia :

DAGVADORJ, Mr. (G)
BALJINNYAM, Mrs. (G)
TSEMBEL, Mr. (E)
TSAGAAN, Mr. (T/W)

Mozambique :

JUSTINO, M. (G)
MABUMO, M. (T/W)

Namibie/Namibia/Namibia :

BARRERO-STAHN, Mr. (G)
TJIRIANGE, Mr. (E)

Nicaragua :

VARGAS ESCOBAR, Sr. (G)
MEZA SOZA, Sr. (G)
TORREZ GOMEZ, Sr. (T/W)

Niger/Niger/Niger :

YAHAYA, M. (G)
DJIKA, M. (G)
GEORGET, M. (E)
MAIYAKI, M. (T/W)

Nigéria/Nigeria/Nigeria :

OLUMIDE, Mr. (G)
WILLIAMS, Mr. (G)
UBEKU, Mr. (E)
SANYAOLU, Mr. (T/W)

Norvège/Norway/Noruega :

RUGE, Ms. (G)
HOFF, Mr. (E)
PEDERSEN, Ms. (T/W)

*Nouvelle-Zélande/New
Zealand/Nueva Zelandia :*

WILLIAMS, Mr. (G)
BUCHANAN, Mr. (G)
JESSUP, Mr. (E)
DOUGLAS, Mr. (T/W)

Ouganda/Uganda/Uganda :

OLWENY, Mr. (G)
KAAHWA, Mr. (G)
BINDEEBA, Mr. (T/W)

Pakistan/Pakistan/Pakistán :

AHMED, Mr. (T/W)

Panama/Panama/Panamá :

VILLARREAL, Sr. (G)
CALDERON, Sra. (G)
DURLING C., Sr. (E)
MENESES A., Sr. (T/W)

*Pays-Bas/Netherlands/Países
Bajos :*

ROOD, Mr. (G)
HAGEN, Mr. (G)
HORDIJK, Mr. (T/W)

Pérou/Peru/Perú :

CARRILLO VALDES, Sr. (G)
VOTO BERNALES, Sra. (G)
RIO MALAGA, Sr. (E)
PACHO QUISPE, Sr. (T/W)

Philippines/Philippines/Filipinas :

VILLARROEL, Mr. (G)
DE LA SERNA, Mr. (G)
PERIQUET, Mr. (E)
HERRERA, Mr. (T/W)

Portugal :

VIEIRA BRANCO, M. (G)
PINTO CARDOSO, M. (E)

Qatar :

AL-MAHMOOD, Mr. (G)

*République démocratique
allemande/German
Democratic
Republic/República
Democrática Alemana :*

NOACK, Mr. (G)
HERTEL, Mr. (G)
MARX, Mr. (E)
BOCHOW, Mr. (T/W)

*Royaume-Uni/United
Kingdom/Reino Unido :*

ROBINSON, Mr. (G)
ALEXANDER, Mr. (G)
MACKIE, Miss (E)
MORTON, Mr. (T/W)

Rwanda :

HABIYAMBERE, M. (G)
RUSHINGABIGWI, M. (G)

*Saint-Marin/San Marino/San
Marino :*

CECHETTI, M. (G)
MORRI, M. (E)
CHIARUZZI, M. (T/W)

*Sao Tomé-et-Principe/Sao Tome
and Principe/Santo Tomé y
Príncipe :*

ESPIRITO SANTO, M. (G)

Sénégal/Senegal/Senegal :

SENE, M. (G)
THIAM, M. (G)
SOW, M. (E)
DIOF, M. (T/W)

Singapour/Singapore/Singapur :

LAI, Mr. (G)

Somalie/Somalia/Somalia :

AHMED, Mr. (G)

Soudan/Sudan/Sudán :

EL HASSAN, Mr. (G)
MUSTAFA, Mr. (E)
GAMAA, Mr. (T/W)

Sri Lanka :

DASANAYAKE, Mr. (G)
WEERAKOON, Mr. (G)

Suède/Sweden/Suecia :

ETTARP, Mr. (G)
WIKLUND, Ms. (G)
VON HOLTEN, Mr. (E)
KARLSSON, Mr. (T/W)

Suisse/Switzerland/Suiza :

HUG, M. (G)
ELMIGER, M. (G)
DECOSTERD, M. (E)
DREIFUSS, M^{me} (T/W)

Suriname :

McLEOD, Mr. (G)
BYNOE, Mr. (E)
KROSS, Mr. (T/W)

*Swaziland/Swaziland/
Swazilandia :*

BEMBA, Mr. (G)
SHABANGU, Mr. (G)
SITHOLE, Mr. (T/W)

*République arabe
syrienne/Syrian Arab
Republic/República Árabe
Siria:*

GHALIL, M. (G)
AL-SABBAGH, M. (G)
KOUSA, M. (E)
ISSA, M. (T/W)

*Tanzanie, République-Unie
de/Tanzania, United Republic
of/Tanzanía, República Unida
de:*

MASHASI, Mr. (T/W)

*Tchécoslovaquie/Czechoslovakia/
Checoslovaquia:*

MOLKOVA, Mrs. (G)
VEJVODA, Mr. (G)
CIGANIK, Mr. (E)
KOZIK, Mr. (T/W)

Thaïlande/Thailand/Tailandia:

KALAYANAMIT, Mr. (G)
KEIWALINSRIT, Mr. (G)
NAKORNSRI, Mr. (E)
IEUMBUMROONG, Mr.
(T/W)

Togo:

YAGNINIM, M. (G)
BLEDJE, M. (G)
ASSIH, M. (E)
BARNABO, M. (T/W)

Tunisie/Tunisia/Túnez:

HAMZAOUI, M. (G)
MABROUK, M. (G)
BEL HADJ AMMAR, M. (E)
TLIBA, M. (T/W)

Turquie/Turkey/Turquía:

YAVUZALP, Mr. (G)
INAL, Mr. (G)
YILMAZ, Mr. (T/W)

*République socialiste soviétique
d'Ukraine/Ukrainian Soviet
Socialist Republic/República
Socialista Soviética de
Ucrania:*

LIPATOV, Mr. (G)
OZADOVSKI, Mr. (G)
CHILO, Mr. (E)
KOVALEVSKI, Mr. (T/W)

URSS/USSR/URSS:

KOSTINE, M. (G)
BORCHTCHEVSKY, M. (G)
GAIDAIENKO, M. (E)
YANAIEV, M. (T/W)

Uruguay:

LABAT, Sr. (G)
BARREMECHEA, Sr. (E)
PEREYRA, Sr. (T/W)

Venezuela:

ANTONI PAVAN, Sr. (G)
ROJAS, Sr. (G)
VILLALOBOS, Sr. (E)
DELPINO, Sr. (T/W)

Yémen/Yemen/Yemen:

JAGHMAN, Mr. (G)
OBAD, Mr. (G)
AL-AHLASI, Mr. (E)
AL-NA'AMI, Mr. (T/W)

*Yémen démocratique/Democratic
Yemen/Yemen Democrático:*

SAEED, Mr. (G)
HAZZA'A, Mr. (G)
BAMASMOOS, Mr. (E)
ABDULLAH, Mr. (T/W)

*Yugoslavie/Yugoslavia/
Yugoslavia:*

KOSIN, Mr. (G)
TOMASEVIC, Mr. (G)
JESIC, Mr. (E)
TODOROVIC, Mrs. (T/W)

Zaïre/Zaire/Zaire:

KUMBU-KI-LUTETE, M. (G)
LONGANGE, M. (G)
KOMBO, M. (T/W)

Zambie/Zambia/Zambia:

PHIRI, Mr. (G)
SIWALE, Mr. (G)
MAMBWE, Mr. (E)
CHILUBA, Mr. (T/W)

Zimbabwe:

NKOMO, Mr. (G)
MAWANDE, Mr. (G)

Contre/Against/En contra 0

Abstentions/Abstentions/Abstenciones 1

Honduras:

MARTINEZ, Sr. (E)

*Record vote on the resolution concerning the granting to Poland of permission to vote
under paragraph 4 of article 13 of the Constitution of the International Labour Organisation*

Pour/For/En pro 325

*Afghanistan/Afghanistan/
Afganistán:*

NAZAR, Mr. (G)
SHOOGUFAN, Mr. (G)
LUTFI, Mr. (E)

Algérie/Algeria/Argelia:

LAHIANI, M. (G)
ASSALA, M. (G)
LOUNIS KHODJA, M. (E)
BENLAKHDAR, M. (T/W)

*Allemagne, République fédérale
d'Germany, Federal Republic
of/Alemania, República
Federal de:*

CLEVER, Mr. (G)
WEBER, Mr. (G)
MUHR, Mr. (T/W)

Angola:

LUVUALU, M. (T/W)

*Arabie saoudite/Saudi
Arabia/Arabia Saudita:*

AL-YAHYA, Mr. (G)
AL-KHALIDI, Mr. (G)
SINAN, Mr. (T/W)

Argentine/Argentina/Argentina:

GALER, Sr. (G)
TETTAMANTI, Sr. (G)
FAVELEVIC, Sr. (E)
UBALDINI, Sr. (T/W)

Australie/Australia/Australia:

POULTER, Mr. (G)
FOTHERINGHAM, Mr. (G)
NOAKES, Mr. (E)
MacBEAN, Mr. (T/W)

Autriche/Austria/Austria:

MARTINEK, Mr. (G)
MELAS, Mr. (G)
ARBESSER-RASTBURG, Mr. (E)

Bahamas:

MAYCOCK, Mr. (G)
TURNQUEST, Mr. (G)
BETHEL, Mrs. (E)
BASTIAN, Mr. (T/W)

Bahreïn/Bahrain/Bahrain:

AL-MADANI, Mr. (G)
KAMAL, Mr. (G)
ZAIN AL-ABIDEEN, Mr. (E)
AL-SAMAK, Mr. (T/W)

Bangladesh:

UR-RASHID, Mr. (G)
GAZI, Mr. (G)
HASAN, Mr. (E)
SARKAR, Mr. (T/W)

Belgique/Belgium/Bélgica:

CALIFICE, M. (G)
SOENEN, M. (G)
ARETS, M. (E)

Bénin/Benin/Benin:

MENSAH, M. (G)
ZANOUE, M. (G)
ADETONAH, M. (T/W)

*République socialiste soviétique
de Biélorussie/Byelorussian
Soviet Socialist
Republic/República Socialista
Soviética de Bielorrusia:*

FOMICH, Mr. (G)
PESHKOV, Mr. (G)
KOVALEVICH, Mr. (E)
BULGAK, Mr. (T/W)

Birmanie/Burma/Birmania:

THANG, U (G)
TUN, U (G)
WIN, U (E)

Bolivie/Bolivia/Bolivia:

FRANCO GUACHALLA, Sr. (G)

Brésil/Brazil/Brasil:

ROSSI, M. (E)
FERREIRA DO PRADO, M. (T/W)

Bulgarie/Bulgaria/Bulgaria:

HARALAMPIEV, M. (G)
ANDREEV, M. (G)
BOZHINOV, M. (E)
ANDREEV, M. (T/W)

Burkina Faso:

DIALLO, M. (G)
OUEDRAOGO, P. M. (E)
OUEDRAOGO, H. M. (T/W)

Burundi:

NAHIMANA, M. (G)
MUYUMBU, M. (E)
KUBWIMANA, M. (T/W)

Cameroun/Cameroon/Camerún:

NGOUBEYOU, M. (G)
NYANGANG, M^{lle} (G)
NGAHA, M. (E)
FOUDA SIMA, M. (T/W)

Canada/Canada/Canadá:

CARON, M^{me} (G)
HAMMOND, Mr. (G)
MERCIER, M. (T/W)

*Cap-Vert/Cape Verde/Cabo
Verde:*

SOARES DE BRITO, M. (G)

Chili/Chile/Chile:

PEREZ NAVARRO, Sr. (T/W)

Chine/China/China:

LI, Mr. (G)
QIAN, Mr. (G)
SHA, Mr. (E)
FANG, Mr. (T/W)

Chypre/Cyprus/Chipre:

CALLIMACHOS, Mr. (G)
PIERIDES, Mr. (E)

Colombie/Colombia/Colombia:

RIOS MUÑOZ, Sr. (G)
CHARRY SAMPER, Sr. (G)

Côte d'Ivoire:

ESSIGAN, M. (G)
COULIBALY, D^r (G)
DIAKITE, M. (E)
ADIKO NIAMKEY, M. (T/W)

Cuba:

MARTINEZ BRITO, Sr. (G)
LECHUGA HEVIA, Sr. (G)
FRANCIS de los REYES, Sr. (E)
ESCANDELL ROMERO, Sr. (T/W)

*Danemark/Denmark/
Dinamarca:*

ANDERSEN, Mr. (G)
FRANDSEN, Mr. (G)
JOHANSEN, Mrs. (E)
SVENNINGSEN, Mr. (T/W)

Egypte/Egypt/Egipto:

ELARABY, Mr. (G)
TAHER, Mr. (G)
GAZARIN, Mr. (E)
ELAMAWY, Mr. (T/W)

*Emirats arabes unis/United Arab
Emirates/Emiratos Arabes
Unidos:*

AL-MUHAIRY, Mr. (G)
AL-AJALAH, Mr. (G)
BILAL, Mr. (T/W)

Equateur/Ecuador/Ecuador:

LEORO FRANCO, Sr. (G)
BORJA ILLESCAS, Sr. (G)
KRONFLE AKEL, Sr. (E)
PONCE ITURRIAGA, Sr. (T/W)

Espagne/Spain/España:

ARTACHO CASTELLANO, Sr. (G)
CRESPO VALERA, Sr. (G)
FERRER DUFOLL, Sr. (E)
GUTIERREZ VEGARA, Sr. (T/W)

Ethiopie/Ethiopia/Etiópia:

GEBRE-MEDHIN, Mr. (G)
WORKENEH, Mr. (E)

Finlande/Finland/Finlandia:

RIIKONEN, Mr. (G)
VEIJALAINEN, Mr. (G)
MELIN, Mr. (E)
JAASKELAINEN, Mr. (T/W)

France/France/Francia:

CHOTARD, M. (G)
RAMOND, M. (G)
OECHSLIN, M. (E)

Gabon/Gabon/Gabón:

NGOUBY-MBOUGA, M. (G)
IBINGA-MOMBO, M. (G)

Ghana:

YAHAYA, Mr. (G)
QUARM, Mr. (G)
BANNERMAN-MENSON, Mr. (E)

Grèce/Greece/Grecia:

KERKINOS, M. (G)
KOUKIADIS, M. (G)
MITSOS, M. (E)
RAFTOPOULOS, M. (T/W)

Grenade/Grenada/Granada:

NOEL, Mr. (G)
NEWTON, Mr. (G)
DeBOURG, Mr. (T/W)

Guatemala:

FRANCO MORAN, (G)
CASTAÑEDA de GOMEZ, Sra. (T/W)

*Guinée-Bissau/Guinea-
Bissau/Guinea-Bissau:*

MENDES CORREIA, M. (T/W)

Haïti/Haiti/Haití:

CHARLES, M. (G)
GUERRIER, M. (G)

Honduras:

DISCUA RODRIGUEZ, Sr. (G)

Hongrie/Hungary/Hungria:

MEISZTER, M. (G)
MARTON, M. (G)
MARTOS, M. (E)
TIMMER, M. (T/W)

Inde/India/India:

KAR, Mr. (G)
ROY, Mr. (G)
RAMAMURTHY, Mr. (T/W)

Indonésie/Indonesia/Indonesia:

DARWANTO, Mr. (G)
SIMANJUNTAK, Mr. (G)
BOEDJOSASTRO, Mr. (E)
PASARIBU, Mr. (T/W)

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

NASSERI, Mr. (G)
TIZMAAGHZ, Mr. (G)
YAZDAN PANAH, Mr. (E)
SALIMIAN, Mr. (T/W)

Iraq:

GHALI, Mr. (G)
AL-ZAIDI, Mr. (G)
HUSSAIN, Mr. (E)
GHARIB, Mr. (T/W)

<i>Irlande/Ireland/Irlanda :</i> LILLIS, Mr. (G) McCAULEY, Mr. (E)	<i>Malte/Malta/Malta :</i> BORG CARDONA, Mr. (G) CILIA, Mr. (G) MALLIA MILANES, Mr. (E) CALAMATTA, Mr. (T/W)	<i>Philippines/Philippines/Filipinas :</i> VILLARROEL, Mr. (G) DE LA SERNA, Mr. (G) PERIQUET, Mr. (E) HERRERA, Mr. (T/W)	<i>République arabe syrienne/Syrian Arab Republic/República Árabe Siria :</i> GHALIL, M. (G) AL-SABBAGH, M. (G) KOUSA, M. (E) ISSA, M. (T/W)
<i>Islande/Iceland/Islandia :</i> KRISTINSSON, Mr. (G) MAGNUSSON, Mr. (E)	<i>Maroc/Morocco/Marruecos :</i> BENHIMA, M. (G) KHALES, M. (G) BEN SEDDIK, M. (T/W)	<i>Portugal :</i> VIEIRA BRANCO, M. (G)	<i>Tchad/Chad/Chad :</i> HISSENE, M. (G) IDABAYE, M. (G) BARKA, M. (T/W)
<i>Israël/Israel/Israel :</i> ELIAV, Mr. (G)	<i>Mauritanie/Mauritania/ Mauritania :</i> OULD AMAR CHEINE, M. (G)	<i>Qatar :</i> AL-MAHMOOD, Mr. (G)	<i>Tchécoslovaquie/Czechoslovakia/ Checoslovaquia :</i> MOLKOVA, Mrs. (G) VEJVODA, Mr. (G) CIGANIK, Mr. (E) KOZIK, Mr. (T/W)
<i>Italie/Italy/Italia :</i> CAVAGLIERI, M. (G) ARISTODEMO, M. (G) SASSO-MAZZUFFERI, M ^{me} (E) VANNI, M. (T/W)	<i>Mexique/Mexico/México :</i> TELLO, Sr. (G) NOVELO von GLUMER, Sr. (G)	<i>République démocratique allemande/German Democratic Republic/República Democrática Alemana :</i> NOACK, Mr. (G) HERTEL, Mr. (G) MARX, Mr. (E) BOCHOW, Mr. (T/W)	<i>Thaïlande/Thailand/Tailandia :</i> KALAYANAMIT, Mr. (G) KEIWALINSRIT, Mr. (G) NAKORNRI, Mr. (E) IEUMBUMROONG, Mr. (T/W)
<i>Japon/Japan/Japón :</i> HATANO, Mr. (G) NAKAMURA, Mr. (G) TSUJINO, Mr. (E) TANAKA, Mr. (T/W)	<i>Mongolie/Mongolia/Mongolia :</i> DAGVADORJ, Mr. (G) BALJINNYAM, Mrs. (G) TSEMEL, Mr. (E) TSAGAAN, Mr. (T/W)	<i>Royaume-Uni/United Kingdom/Reino Unido :</i> ROBINSON, Mr. (G) MORTON, Mr. (T/W)	
<i>Jordanie/Jordan/Jordania :</i> KHASAWNEH, Mr. (G) AL-AKEL, Mr. (G) HABAIBEH, Mr. (E) KARDAN, Mr. (T/W)	<i>Namibie/Namibia/Namibia :</i> BARRERO-STAHLE, Mr. (G) TIIRIANGE, Mr. (E)	<i>Saint-Marin/San Marino/San Marino :</i> CECHETTI, M. (G)	<i>Togo :</i> YAGNINIM, M. (G) BLEDJE, M. (G) ASSIH, M. (E) BARNABO, M. (T/W)
<i>Kenya :</i> BIRIR, Mr. (G) MUGALLA, Mr. (T/W)	<i>Nicaragua :</i> VARGAS ESCOBAR, Sr. (G) MEZA SOZA, Sr. (G)	<i>Sao Tomé-et-Principe/Sao Tome and Principe/Santo Tomé y Príncipe :</i> ESPIRITO SANTO, M. (G)	<i>Tunisie/Tunisia/Túnez :</i> HAMZAOUY, M. (G) MABROUK, M. (G) BEL HADJ AMMAR, M. (E)
<i>Koweït/Kuwait/Kuwait :</i> AL-SABAH, Mr. (G) AL-THAMER, Mr. (G) AL-JASSEM, Mr. (E) AL-HOJAILAN, Mr. (T/W)	<i>Niger/Niger/Níger :</i> GEORGET, M. (E)	<i>Sénégal/Senegal/Senegal :</i> SENE, M. (G) THIAM, M. (G) SOW, M. (E) DIOP, M. (T/W)	<i>Turquie/Turkey/Turquía :</i> YAVUZALP, Mr. (G) INAL, Mr. (G) YILMAZ, Mr. (T/W)
<i>Lesotho :</i> MOPHETHE, Mr. (G) FANANA, Mr. (G)	<i>Norvège/Norway/Noruega :</i> RUGE, Ms. (G) BRUAAS, Mr. (G) HOFF, Mr. (E) PEDERSEN, Ms. (T/W)	<i>Singapour/Singapore/Singapur :</i> LAI, Mr. (G)	<i>République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania :</i> LIPATOV, Mr. (G) OZADOVSKI, Mr. (G) CHILO, Mr. (E) KOVALEVSKI, Mr. (T/W)
<i>Liban/Lebanon/Líbano :</i> KHOURY, M. (G) HAMDAN, M. (G) NASR, M. (E) BECHARA, M. (T/W)	<i>Nouvelle-Zélande/New Zealand/Nueva Zelandia :</i> WILLIAMS, Mr. (G) JESSUP, Mr. (E) DOUGLAS, Mr. (T/W)	<i>Somalie/Somalia/Somalia :</i> AHMED, Mr. (G)	
<i>Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Árabe Libia :</i> ALFAQI HASAN, Mr. (G) OMAR, Mr. (G) ELMUKHERBI, Mr. (E) HOWAYDI, Mr. (T/W)	<i>Ouganda/Uganda/Uganda :</i> OLWENY, Mr. (G)	<i>Soudan/Sudan/Sudán :</i> EL HASSAN, Mr. (G) GAMAA, Mr. (T/W)	<i>URSS/USSR/URSS :</i> KOSTINE, M. (G) BORCHTCHESKY, M. (G) GAIDAIENKO, M. (E) YANAIEV, M. (T/W)
<i>Luxembourg/Luxembourg/ Luxemburgo :</i> SCHINTGEN, M. (G) JUNG, M. (E) PIZZAFERRI, M. (T/W)	<i>Pakistan/Pakistan/Pakistán :</i> MIRZA, Mr. (G) AHMED, Mr. (T/W)	<i>Sri Lanka :</i> DASANAYAKE, Mr. (G) WEERAKOON, Mr. (G) SUNDERAM, Mr. (T/W)	<i>Uruguay :</i> LABAT, Sr. (G) LERENA, Sr. (G) PEREYRA, Sr. (T/W)
<i>Madagascar :</i> RAZAFIMANDRANTO, M. (G)	<i>Panama/Panama/Panamá :</i> VILLARREAL, Sr. (G) CALDERON, Sr. (G) MENESES A., Sr. (T/W)	<i>Suède/Sweden/Suecia :</i> ETTARP, Mr. (G) WIKLUND, Ms. (G) VON HOLTEN, Mr. (E) KARLSSON, Mr. (T/W)	<i>Venezuela :</i> ANTONI PAVAN, Sr. (G) ROJAS, Sr. (G) DELPINO, Sr. (T/W)
<i>Malaisie/Malaysia/Malasia :</i> NIK MOHAMED AMIN, Mr. (G) ABDUL RAHMAN HARON, Mr. (G) RAGUNATHAN, Mr. (T/W)	<i>Pays-Bas/Netherlands/Países Bajos :</i> ROOD, Mr. (G) HAGEN, Mr. (G) HORDIJK, Mr. (T/W)	<i>Suisse/Switzerland/Suiza :</i> HUG, M. (G) ELMIGER, M. (G) DREIFUSS, M ^{me} (T/W)	<i>Yémen/Yemen/Yemen :</i> JAGHMAN, Mr. (G) OBAD, Mr. (G) AL-AHLASI, Mr. (E) AL-NA'AMI, Mr. (T/W)
	<i>Pérou/Peru/Perú :</i> CARRILLO VALDES, Sr. (G) VOTO BERNALES, Sr. (G) RIO MALAGA, Sr. (E) PACHO QUISPE, Sr. (T/W)	<i>Suriname :</i> KROSS, Mr. (T/W)	

*Yémen démocratique/Democratic
Yemen/Yemen Democrático:*

SAEED, Mr. (G)
HAZZA'A, Mr. (G)
ABDULLAH, Mr. (T/W)

Zaire/Zaire/Zaire:

KUMBU-KI-LUTETE, M. (G)
LONGANGE, M. (G)
MAKENDA, M. (E)
KOMBO, M. (T/W)

Zambiel/Zambia/Zambia:

PHIRI, Mr. (G)
SIWALE, Mr. (G)
MAMBWE, Mr. (E)

*Yougoslaviel/Yugoslavia/
Yugoslavia:*

KOSIN, Mr. (G)
TOMASEVIC, Mr. (G)
JESIC, Mr. (E)
TODOROVIC, Mrs. (T/W)

Zimbabwe:

NKOMO, Mr. (G)
MAWANDE, Mr. (G)

Contre/Against/En contra 0

Abstentions/Abstentions/Abstenciones 1

Honduras:

MARTINEZ, Sr. (E)

Thirteenth sitting

Wednesday, 8 June 1988, 3.15 p.m.

Presidents: Mr. Beyreuther, Mr. Smith

COMMUNICATION BY THE PRESIDENT TO THE CONFERENCE

Interpretation from German: The PRESIDENT – Before I call on the first speaker on my list, please allow me to take the floor for a statement by the President.

Following the incidents at the end of both sittings on Monday, 6 June, when a right of reply was granted to certain delegates, in the course of which a number of points of order were made; following also the representation which has subsequently been made to the Chair by the Government delegate of Panama, after consultation with the other Officers of the Conference and the Legal Adviser, I wish to provide the following additional clarification on the manner in which a right of reply should be exercised and the limits which should be respected.

As I indicated in my opening statement, concerning the principles which the Officers of the Conference propose to apply in guiding the discussions, a reply should refer only to the point under discussion. In other words, it must be limited to answering the matters referred to in the contested statement and must not introduce other issues of a different or more general nature.

Needless to say, the right to reply should not contain any personal offensive or insulting remarks about any Head of State or Government. The same applies to the general discussion, as I said in my original statement of principle at the beginning of the general debate.

In view of the very limited time available to the Conference, no right of reply to a reply will be granted.

In future, I and my fellow Officers will stop a speaker exercising a right of reply who goes outside these limits, that is: if he exceeds the maximum of three minutes; if he raises new questions going beyond a brief and factual reply; and if the intervention takes the form of a contribution in its own right to the general debate. In this way, there will be no need for a delegate to make a point of order from the floor.

I would also wish to draw the attention of the delegates to the nature and limits of a point of order, which is in essence a request to the President to ensure the observance of the Standing Orders, in accordance with his responsibilities under article 13, paragraph 2. Thus, in support of a point of order, a delegate should always refer to the specific provision of the Standing Orders which, in his opinion, is not being respected.

If this is not done, the President may refuse to entertain the point of order as not being valid.

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – We now continue with the discussion of the reports of the Governing Body and of the Director-General.

Interpretation from Russian: Mr. NACHEV (*Minister of Economy and Planning, Bulgaria*) – Mr. President, allow me to congratulate you and your Vice-Presidents on the occasion of your election to your responsible posts at the 75th Session of the International Labour Conference. Allow me, also, to wish you full success in your leadership of the Conference, the agenda of which has included a number of most important matters linked to the main directions of the activities of the ILO, of particular interest for the member States of the Organisation in the social and economic fields.

The current 75th Session is taking place at a momentous and significant period in the development of the political dialogue, in the framework of which we see a change in the traditional approaches to the solution of the problems of our times, with States setting aside old stereotypes and laying foundations for new inter-state relations for the future. The Soviet Union, together with other socialist countries, has proposed implementing a wide range of measures to strengthen confidence in Europe and the world and also to achieve a real decrease in military confrontation, with a view to changing drastically the military and political situation in the continent and the entire character of relations between East and West.

In the Address to the NATO States and to all the participants of the Conference on Security and Co-operation in Europe there are a number of vitally important initiatives and proposals, the implementation of which would create an atmosphere of trust and co-operation between all countries, irrespective of their economic system or social structure. The basis of the proposals by the socialist countries lies in an awareness of the fact that the new situation in the world correspondingly dictates a new logic for political thought and a new content and form for the foreign policy activities of States. In today's world States live and operate in a single system of relations for them all. Their mutual activities, within the framework of this system do, inevitably, to a certain extent, lead to similar aims and problems, and more or less similar foreign policy interests which involves

their acting together in many cases, not only in matters of maintaining and providing peace and security, but also in the social and economic fields. Without such a community of interests, it would not be possible to implement the principles of peaceful coexistence, of international co-operation between States on a bilateral and multilateral basis. In this regard we are all encouraged and stimulated by the positive results of this approach to international affairs.

Against this political background, we see the emergence of favourable prerequisites in order to provide new dimensions to the development of co-operation between ILO member-countries. Simultaneously, there is an increase in the responsibility of countries for a full and timely utilisation of the new possibilities directed at the enhancement and extension of this co-operation, at implementation of the objectives of the ILO and the utilisation of its potential for improving the living conditions of workers.

There is an indissoluble link between the problems of disarmament and the maintenance of peace and the provision of the possibilities for achieving the socio-economic rights of workers. In this connection, we fully share the spirit and approach of resolution 1987/9 of the Commission on Human Rights and more specifically the provision to the effect that the ideal of a free human being enjoying civil freedoms and free from fear and poverty can be achieved solely if the conditions are created for each human being to utilise his or her civil and political rights on an equal basis with his other economic, social and cultural rights.

Considering the matter of human rights in a context of general responsibility, we should like to congratulate the Director-General for the review he has presented of the activities of ILO in this field. We share the opinion expressed in the Report to the effect that the present moment is an appropriate one for a discussion of this theme. This is all the more feasible in view of the seriousness of the economic and social situation in many countries of the world and the urgent need to adopt of decisions that could assist in overcoming the present uncertainty and tension, in eliminating injustice, creating a political and legal order which would be founded on a strict ethical basis and respect for man.

The People's Republic of Bulgaria is one of the first States to have ratified the International Covenant on Economic, Social and Cultural Rights in 1975. Our country is also one of those which have ratified the greatest number of Conventions on matters of labour and social security drawn up by the ILO. I should like to refer in this connection to the ILO Conventions on freedom of association (Nos. 11, 87 and 98), the Forced Labour Convention (No. 29), the Discrimination (Employment and Occupation) Convention (No. 111), and the Equal Remuneration Convention (No. 100). Accepting the corresponding international obligations, the Government of the People's Republic of Bulgaria is implementing all necessary measures for their strict observance. This is in accordance with the socio-economic policy being carried out in the country, the main aim of which is to secure the prosperity of man, the achievement of social justice and equality for all.

Social justice, which is one of the characteristic features of socialist society, finds its expression in the true sovereignty of the people and in the achievement of genuine economic, political and social equal-

ity and in the creation of conditions for the all-round development of the individual. It also finds its expression in the availability of broad social guarantees providing real opportunities for work, access to education, attainment of culture, health service, housing, care of the young and the aged and the protection of the mother and child.

The dynamic development of Bulgarian society is also to be seen in the effort to secure the ever-wider and more complete achievement of the economic, social and cultural rights on which labour relations are based. The adoption in 1986 of a new labour code is of great political, social and legal significance. It reflects the entire essence of our social system, its purposes and principles, the democratic forms of the direct management of labour relations, the rights and duties of all categories of workers. The code consistently develops the ideal of a casting vote which must be available to the collective and to each individual in managing labour and labour relations. Thus, a qualitatively new stage in the development of socialist democracy is consolidated in law, and the basic substance of it lies in the transfer from the predominantly consultative participation of workers in management to the right independently to take management decisions on production, social and personnel matters. its role in joint social development is to be seen not only in the fact that it determines the legal status of the labour collective and its members but it provides the workers and their representative organs with a number of rights in the sphere of the strictly production socio-political and socio-cultural activity. The legal labour standards in the Code strengthen the genuine freedom of labour and establish behavioural models which open up a wide possibility for the participation of workers in the various spheres of social life, in the creation and distribution of material and spiritual goods, assisting in the development of the socio-political and creative activity of workers and the satisfaction of their many-sided interests.

In considering Part II of the Report of the Director-General dealing with the overall activity of the ILO, the Bulgarian delegation would like to mention particularly the efforts of the Organisation in its most fundamental activities, namely the protection of workers from the negative consequences of scientific and technological progress, the implementation of new technology, massive unemployment and the restriction of labour possibilities. We are glad to say that all these fields of activity are reflected in a number of programmes in the new medium-term work plan for the years 1990-95. For our country the experience of the ILO is most important in the field of setting international labour standards, the training of personnel at all levels, the improvement of working conditions and the increase of employment.

We are convinced that the framework of the ILO, with its participation by countries with different social and economic systems, provides a forum for a useful exchange of views, opinions and practical experience on a wide range of matters within the terms of reference of the Organisation, covering new methods and forms of labour organisation: professional and vocational training, methods for increasing labour productivity and a more effective utilisation of human resources. We are also convinced that co-operation must be implemented on the basis of equality and a balance of interests, taking full account of the positive experience in solving socio-

economic problems that we have gained over the years of socialist organisation. In stressing the role and the possibilities of the ILO in this field, our country believes it is essential that the Organisation should enjoy the necessary conditions to prevent any power limiting or hindering the fullest development and utilisation of this experience to bring about co-operation on a multilateral basis. The successful session of the Fourth European Regional Conference last year and the positive results it achieved will not only assist in activating co-operation between the countries of this region, but shows the possibilities for the Organisation in cases where the participating countries are united on the objective factors and in their political will for achieving the constitutional aims of the ILO. This is where we see the main tasks of the Organisation under the new conditions, leading to the activation of political relations between countries. It is most important for the Organisation not to stand aside in such cases where dire violations of human rights take place. The ILO must increase its activities in struggling against racism and apartheid. More attention should also be paid to the problems linked to the clear violations of the rights of Arab workers in territories occupied by Israel.

The Bulgarian people are living through a revolutionary period of reforms. The latest Party Congress has established directives for a planned general enhancement of socialism on the basis of accelerating socio-economic development and the provision of a new qualitative situation for Bulgarian society. In order to achieve this aim the restructuring of all areas of the national economy is taking place and work is being undertaken on a broad front for the implementation of the decisions of the Congress. A particularly important role in the implementation of the course charted by the Party in accelerating socio-economic development was played by the July 1987 Plenum of the Central Committee of the Party, which adopted the concept of restructuring and a many-sided programme aimed at its implementation.

A central part in the restructuring of the economy is occupied by the primary productive entity, the workers' collective. Still more important, provision is to be made for considerable strengthening of economic management methods and for greater independence for economic units. We should also stress that the principal direction of the restructuring is the enhancement of the human factor in every aspect of life, on the basis of the principle of social justice.

The activation of the human factor presupposes the establishment of favourable conditions for labour, daily life and leisure. The everyday needs and concerns of the human being must always be put first.

The State and the Party have charted a course leading to the practical implementation of a strong social policy. We are convinced that this policy is a powerful tool for speeding up the development of our country, raising the labour and socio-political activities of the people, forming a new human being and affirming the socialist way of life. In pursuing this policy, striving to solve our socio-economic problems, we do not disparage what has been achieved by other countries; on the contrary, we strive to use all that is rational, useful and valuable in their experience, as well as all the possibilities of the international organisations, including the ILO, and to this end, inasmuch as human and social factors are the

foundation of all progress, we are prepared to work actively for the achievement of all the constitutional aims of the Organisation.

Mr. KALAYANAMIT (*Government delegate, Thailand*) – It is an honour and a privilege for me to lead the delegation of Thailand to this 75th Session of the International Labour Conference and to be able to address this august assembly comprising distinguished international personalities from the world of work.

The regularity of these International Labour Conferences since the founding of the ILO in 1919, the continuity of the forum they have provided for deliberations involving various aspects of the economic and social conditions of people at work and out of work, and the zeal and commitment displayed by the delegates in the course of their deliberations, manifest the hope and conviction of nation – more particularly those belonging to the Third World countries – on the ideals on which the International Labour Organisation is founded.

Before I proceed with my comments on the subject matters included in the Conference agenda, may I extend on behalf of my delegation, as well as my Government, our warm and sincere congratulations to Mr. Beyreuther on his unanimous election as President of this assembly. I also wish to extend our heartiest congratulations to the Vice-Presidents that with their wisdom and experience they will discharge the difficult task assigned to them with distinction and bring the deliberations of this Conference to a successful conclusion. I wish to assure the President that he and his colleagues have the full co-operation of my delegation and myself in their onerous task.

The Director-General and the International Labour Office have once again displayed their time-honoured efficiency, by providing us with a very stimulating report on human rights and a comprehensive report on the activities of the Office during 1987. My delegation is very impressed by the conceptual and analytical approach adopted in the reports and other documents which have been made available to us to facilitate our deliberations. It is also very encouraging to us to glean from the reports that, despite conditions of austerity emanating from budgetary uncertainty and constraints, the Office has been able to maintain the high quality of its programmes to which member States are accustomed. We wish to place on record our appreciation of the skill and proficiency with which the Director-General and his Office have been able to mobilise their constrained resources to provide us with the programmes to which they were committed earlier as well as new programmes which they felt justified. This is another indication of the ILO's consistent endeavour to enrich the quality of life of working people.

A few of the distinguished delegates at this assembly may be aware that Thailand was one of the founder members of the ILO. Together with other founder members, Thailand pledged its support to the concept of human rights which has been the underlying theme of all ILO activities. While certain concepts in the field of labour are universally recognised, such as certain concepts of freedom of association, the right to organise and bargain collectively, the prohibition of any form of forced or compulsory labour, a minimum age for employment of children and acceptable condition of work with respect to

minimum wages, hours of work and occupational safety and health, our belief in and our commitment to human rights in its wider concept, without any distinction, are enshrined in our Constitution. Any person, irrespective of his or her religion or religious beliefs, ethnic origins, sect, creed or sex is guaranteed civil and political rights under our Constitution. He or she is free to form or join an association, trade union or a political party and hold meetings, seminars and rallies without interference from the Government.

Labour unions exist in both the private and state enterprise sectors and many of them maintain unrestricted relations with recognised national and international trade union centres, labour bodies or trade secretariats. The right to strike is recognised and unrestricted in the private sector. Trade unions in the private sector have the right to bargain about working conditions and wages. In the state enterprise sector, however, collective bargaining is undertaken only in respect of working conditions.

Our Constitution generally affirms the citizens' right to free speech and a free press. Thai citizens enjoy substantial freedom of speech and are free to criticise the Government's policies. International publications circulate freely as does a wide range of political and social commentaries published by privately owned presses. All persons are equal before the law.

The right to education is met by the provision of compulsory primary education and there is complete freedom to continue one's education to higher levels, specialising in any area of the student's choice and in which he or she is capable of progressing.

Labour protection laws accord the protection of a minimum age for entry into employment and minimum standards of working conditions which the worker has the right to expect. In these standard-setting activities my Government works closely and in collaboration with both employers' and workers' organisations as well as other related social groups. The Constitution prohibits compulsory or forced labour except in exceptional cases arising from the need to avert or overcome calamity, armed conflict or war or where a state of emergency has been declared.

Creating employment opportunities, and making workplaces safe, so that workers in Thailand can exercise their right to work and to work in a workplace free of hazards to health and safety, are among the more important objectives engaging my Government today. Towards the attainment of these objectives the Sixth National Social and Economic Plan (1987-91) provides for the creation of 3.9 million jobs to offset the demands of the increasing labour force. To ensure that the workseeker is equipped with basic education and elementary skills, formal training institutions are being encouraged to relate their training programmes to changes in skill demands in the labour markets. For the small-scale sector, where the majority of the labour force is employed and will continue to be so, encouragement is being given to supplement on-the-job training with courses in basic industrial skills, especially those related to small-scale engineering. Emphasis is being given to small-scale industries in the provincial areas. These courses would be combined with other training programmes to upgrade industrial skills for workers intending to migrate abroad.

In this framework of creating employment opportunities and providing safe workplaces, the rural and the informal sectors, which comprise numerous small and medium-sized enterprises and where more than 60 per cent of Thailand's labour force is employed, have been identified for special development approaches. One hundred million US dollars per annum have been allocated under the Sixth Plan to the improvement of the socio-economic conditions of the rural people. The need for a more comprehensive social security scheme, including sickness benefit, has been felt, but because of many constraints we were unable to widen the scope of our present modest scheme which provides for workmen's compensation benefit. However, in response to this need and with the earlier constraints easing, my Government has drawn up draft legislation for a wider coverage, and this draft is now under study.

In its activities to make workplaces free from hazards, to improve the health and safety of those who work there and to remedy unsatisfactory working conditions, my Government is making significant progress. With the assistance of the ILO and the UNDP, the National Institute for the Improvement of Working Conditions and Environment (NICE) has been established and it constitutes an important division of the Department of Labour. Since its establishment in 1983, NICE has been actively involved in strengthening the existing institutional systems, procedures and technical capabilities within the Department of Labour, which has the primary responsibility for the protection of workers. Its efforts are demonstrated in the strengthening of our labour inspection system and administration, in the improvement of regulatory procedures, in an increase in promotional activities concerning safety and in the increase in provision of safety and health training and information services to employers, workers and to the community at large.

My Government's commitment in this area is also reflected in the Sixth Development Plan. Again, with the assistance of the UNDP Plan of the ILO through the PIACT, the activities of NICE, which now serves as a national centre, are being extended to growth centres in provincial areas. Three regional centres are being set up – in the eastern, western and northern regions of Thailand. Under a third project, also with the assistance of the ILO through PIACT, and the UNDP, a Major Accident Hazards Control System is being developed to control potential major hazards arising from the use of dangerous chemicals and to improve the working conditions of industrial workers exposed to such hazards. With assistance from the Canadian International Development Research Centre (IDRC) the Occupational Safety and Health Information Centre of NICE is being strengthened and upgraded to process and disseminate to users information relating to the whole gamut of occupational accident prevention, protection from occupational diseases and provision of improved working conditions. I am confident that we could expect to see in the foreseeable future a substantial number of workplaces in Thailand meeting the workers' right to work in safe, healthy and satisfactory conditions. My Government wishes to record its appreciation of the ILO's assistance it continues to receive towards improving the working conditions of workers and providing them with protection from occupational injuries and diseases.

I wish the Conference every success in its deliberations.

(Mr. Smith takes the Chair.)

Interpretation from Arabic: Mr. CHEIKHROU-HOU (Minister of Social Affairs, Tunisia) – I would like to begin by extending our warmest congratulations to Mr. Beyreuther on his election to the presidency of the 75th Session of the International Labour Conference. I am convinced that his vast experience will ensure the success of our work. We also hope that, under his enlightened guidance, we shall be able to adopt a body of resolutions and Recommendations that will be devoted to the objectives for which this Organisation was created and give tangible form to the aspirations of the international community for justice, peace and freedom in the world.

The judicious choice by the Director-General of the International Labour Office of *Human rights – A common responsibility* as the theme for his Report demonstrates, if further proof were required, the desire of the International Labour Organisation – this body which represents the social conscience of the international community – to respond to people's concerns and their hope of freedom, dignity and justice.

The analysis made by the Director-General covers every aspect of the subject, in particular the activities of the ILO in safeguarding human rights, more especially since the adoption of the Universal Declaration of Human Rights in 1948.

Tunisia, which since its early years of independence has ratified the international Conventions and Recommendations on human rights, has made great progress in this field by guaranteeing decent conditions of life for citizens and protecting their fundamental rights and freedoms.

The political reform which took place in Tunisia on 7 November 1987 embodies the aspirations of Tunisians for democracy, freedom and social justice. These aspirations were echoed in the profound faith felt by the author of this reform, President Zein-el-Abedine Ben Ali in the principles on which the rule of law and respect for human rights, be these civil, political, economic or social are founded.

The basic principles of this reform have been translated into a number of measures, the most important of which are as follows: the limitation of preventive detention, the abolition of the Court for State Security and the Office of the Attorney General of the Republic, the release of political prisoners and the annulment of judgements rendered in the case of certain Tunisian political personalities.

Moreover, the Constitutional Council was set up to control the constitutionality of the laws, and the Economic and Social Council was reorganised in order to open it to various intellectual and political currents of thought.

As regards the safeguarding of democratic values, a new law on parties has been passed, while press and the electoral Code and a law on associations are now being prepared.

With respect to freedom of association, to which attention has been devoted in the Director-General's Report, President Zein-el-Abedine Ben Ali has made it possible for the organisation of Tunisian workers, i.e. the General Confederation of Tunisian Workers, to emerge from the crisis in which it has

been caught up for several years. The trade union leader, Elhabib Ashour, was released immediately after the reform of 7 November and efforts were then made to promote cohesion among the unions, and trade unionists of various persuasions announced on 1 May this year that a national committee for trade union understanding was being set up to organise an extraordinary conference of the Confederation of Workers.

Thanks to this political initiative, the Confederation of Workers has been revived and now occupies its rightful place in our society and among the other organisations, because we believe in the value of dialogue among the different forces in our country.

When we examine the Report of the Director-General entitled *Human rights – A common responsibility* I have to admit that we still have a long way to go, and that the chronic problems of equality in social matters, and of equal opportunity in work, and economic rights such as the right to employment and to the satisfaction of our basic needs demands concerted efforts, both nationally and internationally, to achieve the requisite progress in this field.

The problem of the promotion of rural employment, to which our session devotes one of the items on its agenda, is closely related to our chances of success in eradicating poverty and establishing the minimum conditions necessary for human dignity.

Economic stagnation, which most of our countries have experienced in the last few years, has prevented us from finding adequate solutions to the problem of unemployment. This is becoming an increasingly heavy burden, chiefly because of the growing number of young people seeking employment and the drop in the rate of production in many countries. As a result we are witnessing a recrudescence of the rural exodus and the over-crowding of the towns which, in numerous countries, has led to a deterioration in the quality of life.

Our capacity to master these problems is conditional upon our capacity to devise a rural development policy which will boost production, absorb job-seekers, diversify rural employment alternatives and lead to the formulation of special rural development programmes.

Tunisia has given special priority to these problems; it began, 15 years ago, to implement rural development programmes to complement national programmes designed to promote agricultural development and increase food production. Agricultural production is now less vulnerable to adverse meteorological conditions, thanks to greater irrigation, but is still dependent upon the level of rainfall. Tunisia has acquired much experience in the mobilisation of unemployed workers in large-scale soil and water conservation projects and in the development of the rural infrastructure. These projects provide supplementary employment for workers affected by slack periods in agricultural production.

This policy has been strengthened during the past few years in order to alleviate the negative effects of the economic reforms on employment incomes. In this connection, the Tunisian Government adopted several measures to provide assistance to the poorest families.

In order to improve and strengthen these programmes, we have undertaken, with the ILO's assistance, methodical efforts to acquire a better understanding of poverty in order to devise projects to

raise the standard of living of the poor and to bring them more fully into economic life.

May I take this opportunity to express my deep gratitude to the Director-General for his support and for the technical assistance the ILO has provided to help us to implement this pilot project, and express the hope that this assistance will continue and extend to other projects for the benefit of the poor in our country.

The Universal Declaration of Human Rights continues to be violated by regimes founded on injustice, chief among them the racist regime of South Africa and the State of Israel.

The tragedies and injustice to which the Palestinian people in the occupied territories are exposed are a flagrant affront to the conscience of humanity and a violation of human rights.

From this august rostrum, I should like to pay tribute, on behalf of Tunisia, to all forms that the Palestinian struggle is taking to try to change this bitter situation and combat all the measures – which include torture, expulsions and liquidation – taken by the State of Israel to impose its will on these people, uphold their colonisation policy and deprive Palestinian citizens of their most fundamental rights of dignity and freedom. I should also like, on behalf of Tunisia, to pay tribute to the struggle of the children who are casting stones and rocks and who have created – and are still creating – the framework of a new situation in which their people's right to freedom will be guaranteed.

We believe that human rights are indivisible and the credibility of our speech on behalf of human rights is dependent upon the capability of the international society to do away with all forms of exploitation, racial discrimination and the deprivation of people's rights to self-determination, freedom and dignity.

Tunisia has always endeavoured to respect all its commitments towards the International Labour Organisation. Given the interest it attaches to the standards set down by this Organisation, the Government of my country is making all the necessary efforts to submit the Conventions and Recommendations to the competent authorities with a view to their ratification and implementation. In this context, I am pleased to inform the Conference that the ratification procedures concerning the Labour Administration Convention, 1978 (No. 150), have been completed and that steps to ratify the Human Resources Development Convention, 1975 (No. 142), are under way.

I would also like to mention the support the ILO has given to an initiative by Italy and Tunisia to set up a Tunisian enterprise and the support given by the centre to study migrant flows in the Mediterranean area.

As stated by my Italian colleague, Mr. Reno Formica, in his speech on 2 June, this initiative is the outcome of a meeting of Labour Ministers of the countries concerned which was held last year and the work of experts involved in this project.

Before concluding, I would like to express my great consideration for Mr. Francis Blanchard, Director-General of the International Labour Office, for the great competence he has shown in the fulfilment of his duties and for his important achievements which have helped to consolidate the influence of this Organisation so that it might remain a living

expression of universal consciousness and be an intellectual force with which to reckon.

Mr. NYAKATURA (*Deputy Minister of Labour, Uganda*) – I should like to join other distinguished delegates who have spoken before me in congratulating Mr. Bayreuther and the other Officers upon their election to guide the work of this Conference. I wish also to assure them of my delegation's support and co-operation throughout the deliberations.

The Director-General could not have chosen a better topic for discussion this year than the topic of *Human rights – A common responsibility*, at a time when, as Members of the ILO, we are marking the 40th anniversary of the adoption of one of the key human rights Conventions of our Organisation, the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); what is more, the United Nations Commission on Human Rights also held its 44th Session in this same hall in February-March this year. As you are aware, the Commission met to review the human rights situation throughout the world and I am glad to state that Uganda was fully represented by my colleague, the Minister of Justice and Attorney-General. In his address, he recounted the political turmoil of nearly 20 years which my country went through before the coming into power of the present Government two-and-a-half years ago.

Because of that terrible experience, the people of Uganda have become aware of the value of human rights and freedoms. We therefore know from practical experience what it means when one loses them. The trampling down of human rights in Uganda until two-and-a-half ago is still fresh in the minds of all peace-loving people; thus, while I shall briefly refer to that past human tragedy, I shall also endeavour to show the steps my Government has taken since coming into office to ensure that the re-established fundamental human rights and freedoms of the people of Uganda are never violated again.

The socio-economic and political problems of Uganda started in 1966 when the then Prime Minister Milton Obote, in order to avoid elections, abrogated the Constitution and replaced it with one which made him a self-imposed executive head of state. This he achieved through the use of the might of an inherited colonial army headed by his protégé, the infamous Colonel Idi Amin. From that time onwards and for nearly two decades, Uganda experienced the deliberate use of state power and state machinery by those in government authority to violate the fundamental human rights and freedoms of the people.

The eight years of Idi Amin's rule was not only a continuation of what Obote had initiated but it intensified the terror that had been started. Hundreds of thousands of Ugandans were brutally murdered, arbitrarily arrested and subjected to all forms of despicable torture, cruelty and inhuman and degrading treatment by government security forces and intelligence agencies. People throughout the country disappeared without trace on a massive scale. The infamous regime legitimised these disappearances by promulgating a Decree entitled "Estate of Missing Persons (Management) Decree 1973" which, ironically, was to alleviate some of the social problems caused by this phenomenon. The promulgation of the Decree was a clear testimony that the new phenomenon of "missing persons" had come to stay.

The era of the second Obote regime in the first half of this decade witnessed yet another epoch of brutalisation of the Ugandan people. This time, grasping his second chance of state power and determined more than ever before to entrench himself, Obote once again meted out terror on the people of Uganda. Hundreds of thousands of lives were lost through state-inspired mass murders and disappearances. Arbitrary arrests and detentions were the order of the day. New forms of torture of persons under detention, using molten liquids and other inhuman and degrading types of treatment, were evolved and intensified. Families and entire communities were uprooted from their homes and land on ethnic grounds on an account of real or imagined political affiliation. The destruction of houses of the alleged opponents and the looting of personal property became normal practice. Hundreds of thousands of innocent Ugandans, including professionals, were forced to flee their country and become destitute refugees in other countries. All these atrocities were being committed despite the fact that at national level, fundamental human rights and freedoms were entrenched and guaranteed under the Constitution.

It is against this background that Ugandans, under the leadership of Yoweri Museveni, launched a people's war against the fascist and repressive forces of our country; they were finally defeated on 26 January 1986.

When the National Resistance Movement took over the leadership of the country, it pledged as its primary objective the restoration, observance and protection of people's human rights and freedoms. In its Ten Point Programme setting out the guide-lines for the administration of the country, the National Resistance Movement recognises democracy, security and the rule of law as fundamental prerequisites for the enjoyment of human rights as well as for the economic, social and cultural advancement of any people. During the last two-and-a-half years my Government has been in office, considerable strides have been made in this regard.

Having realised that the country's past misfortunes were mainly caused by corrupt politicians who manipulated the armed forces to commit inhuman activities, we have developed a truly motivated, people's army out of a disciplined and politicised guerrilla force, that is fully committed to protecting people and their rights.

Last year, when the defeated armies of former regimes at the command of their discredited political cohorts sought to disrupt security in some parts of the north and east of the country, the National Resistance Army demonstrated not only that it was capable of defending the hard-earned peace and security, but that it could do so without compromising its commitment to the respect for human dignity and the protection of people's rights. In the process the so-called rebels came to realise how they had been misled and misused in the past by former politicians. Consequently, a large number of them have accepted the presidential amnesty and surrendered. In a spirit of reconciliation and accommodation, the Government has accepted, after a screening exercise, to integrate those who qualify into the new army and rehabilitate into useful citizens those it cannot integrate. With this achievement, peace and security have been re-established. It is now the determination not only of the Government, but also of the entire

Ugandan people, to guard it jealously and never again permit it to be whittled away. Every person is subject to the law; nobody is above the law.

Bearing witness to the seriousness the National Resistance Movement Government attaches to human rights, it appointed a Commission of Inquiry into the violation of human rights in 1986. The Commission is now engaged in collecting evidence regarding the manner in which and by whom human rights in Uganda were violated during past Governments. One of the duties of the Commission is to recommend possible ways of preventing the recurrence of such massive violation of human rights in the future.

Within the first year of its office in Government, the NRM Government became one of the first few OAU member State Governments to ratify the OAU Human Rights Charter.

It is on the basis of this positive development in my country that I am able to state with confidence that the rights of all the Ugandans in general and the workers' and employers' organisations in particular are for the first time guaranteed. As the Director-General has rightly stated in his Report, the absence of these civil liberties removed all meaning from the concept of trade union rights. This was quite true in the case of my country because, whereas fundamental human rights and freedoms are guaranteed under the national Constitution, the trampling of these same liberties by state agents made a mockery of these very guarantees. Under the circumstances, the employers' and workers' organisations in order to save their skins preferred to keep a low profile without exercising their rights. This was the case despite the fact that Uganda has for a long time been a signatory to a number of key ILO Conventions relating to the protection of human rights, namely, the Right to Organise and Collective Bargaining Convention 1949 (No. 98), the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957, (No. 105) and the Employment Policy Convention, 1964 (No. 122). However, since the coming to power of the present Government which, as already explained, has ushered in an era of peace and security without interference or intimidation, the employers' and workers' organisations have gained self-confidence. As a result, both organisations have been able to conduct elections for their leaders at every level without undue interference from Government. Various trade unions are also freely conducting collective bargaining for better terms and conditions of employment and carrying out their educational programmes without hindrance.

The Government further recognises the principle of tripartism. It is currently carrying out consultations with the social partners so as to reconstitute a nationally representative tripartite labour policy advisory organ.

As already stated, the majority of ILO Conventions related to the protection of human rights are covered under our Constitution, so that in practice their aims and aspirations are fully recognised and appreciated by the Government. In this respect, special reference is made to the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Equal Remuneration Convention, 1951 (No. 100) and the Employment Policy Convention, 1964 (No. 122), and the principle of the right to full, productive and freely chosen employment. The

Constitution makes it absolutely clear that there shall be no form of discrimination in employment based on sex, creed or ethnic origin. There is open competition for jobs and appointment, based on merit.

To actualise the aspirations of the Constitution and these ILO Conventions, the National Resistance Movement Government has appointed five women as Ministers, one of whom is responsible for women's affairs.

The Government further recognises the right of the workers to just and favourable conditions of work and the right to social security. In line with this, it has ratified the Labour Inspection Convention, 1947 (No. 81), and has enacted the relevant legislation, namely the Employment Decree, which ensures just and favourable conditions of work; the Factories Act which protects workers against hazards arising from machinery, equipment, etc., and the Social Security Act which has transformed the Social Security Department of the Ministry into a corporation to provide for better services and benefits for the workers.

As one of the measures to improve the employment situation in the country, the Government has embarked on a vigorous policy of rehabilitating the infrastructure, including construction and repairs of both major and feeder roads, factories, the hotel industry, etc. And since Uganda is primarily an agricultural country, the Government is convinced that the provision of road communications to open up rural areas, complemented by the provision of soft-term agricultural loans in the form of rural farmers' credit schemes will improve the level of employment and the general standard of living.

At this juncture, on behalf of my delegation, the Government and entire people of Uganda, let me take this opportunity to thank all friendly countries, international donor agencies and organisations who are rendering assistance in various fields in the rehabilitation of our country.

Before leaving the topic of human rights I wish to register my Government's condemnation of the evil policy of apartheid by the regime of South Africa, with its violation of fundamental rights and freedoms of the Black people of Azania and Namibia. We are not against the White people in South Africa; we are vehemently opposed to the institutionalised system of apartheid.

In the same vein, my Government condemns the repressive measures meted out by Israel to the Palestinian people in their own occupied land. We urge the international community to intensify their efforts to ensure that the oppressed people of South Africa and the Palestinians regain their human rights and their homelands.

Before I conclude my remarks I wish to take this opportunity to thank the ILO for its programme of assistance in Africa in general and Uganda in particular. My Government particularly appreciates the concern the ILO shows for the development of Africa considering that more than half of the regular budget is devoted to technical assistance to African States. In this connection, I wish to thank the ILO for the successful Special Public Works Programme in my country. It is the earnest wish of my Government that the programme should be extended to other areas in the country. I should also like to thank the ILO for the ongoing manpower survey which we are confident, when completed, will give us very

useful data for our planning purposes to rehabilitate our economy, for the workers' educational programmes and for the recently launched "Improve your business" programme.

Finally, on behalf of my delegation and indeed of my country, let me conclude by commending the ILO for its efforts in promoting the observance of human rights, freedoms and social justice of the individual. In this endeavour my country will always remain an ally of the ILO.

Mr. TYTLER (*Minister of State for Labour, India*) – I extend to Mr. Beyreuther, on behalf of my country, my delegation and my own behalf, our heartiest congratulations on his election as President of the 75th Session of the International Labour Conference. We also extend our felicitations to the Vice-Presidents who will be assisting him in the conduct of this Conference. I am sure that he and his colleagues will guide this Conference through fruitful discussions to conclusions on the important items of the agenda.

Human rights have to be the basis for the evolution of an equitable, just and humane world social order. Peace and stability are based on deep respect for human rights. This is irrespective of political beliefs, because human rights are above all political systems and governments. India welcomes the discussion of the ILO's role for the realisation of human rights, not only in the past but even in the future. To this extent, we welcome the Director-General's report on human rights, which has been placed before this Conference. At the outset, my delegation would like to place on record its view that human rights cannot be confined within, or related solely or even principally, to the activities and set standards of the ILO. This would confine the evolution of the social, economic and international order for the attainment of human rights within perhaps too narrow a compass, as compared with the Universal Declaration of Human Rights.

The world has changed beyond recognition in the past 40 years. Nations once economically powerful are today displaced from their positions. Vast technological changes have come about, affecting every aspect of society. These include the general ethical notions contained in the Universal Declaration. Factors like: declining growth rates, the restrictive trade policies of some developed economies, the negative transfer of resources to the poorer nations from the industrially advanced countries and the profound changes in the organisation of work arising from the technological revolution have led to the emergence of grave unemployment, halting economic growth, a crushing burden of debt and diminished prospects for the future. Any standards, if they are divorced from a careful analysis of their affects on human rights, will pose the following dilemma.

Large segments of the working populations in developing countries are in the unorganised sector. Since the standards are mainly designed for organised workers, they may mean the denial of human rights for the unorganised, given the constraints to growth, and also the low availability of resources. In my country this dilemma is evident in the fact that over 90 per cent of the labour force is in the unorganised sector, and that mostly in agriculture. The share of agriculture in our net domestic product has come down in the past 40 years from around 60 per cent to

a little over 30 per cent. The proportion of the population in agriculture has come down only marginally, from around 70 per cent to 66.5 per cent. Consequently, per capita NDP in the organised sector is nearly six times that of agriculture, while the unorganised non-agricultural sector has an NDP which is 2.5 times that of agriculture. Per capita incomes would also reflect these disparities. Set standards of human rights will not have much relevance to those who face such disparities and whose lives are subjected to the deprivation of the very basics of human dignity.

We do not minimise the importance of standard-setting or maintenance of standards. The point is that too narrow a focus on achievement of standards carries the risk of leaving behind those vast numbers who for various reasons have fallen outside the scope of different standard-setting exercises. The redressal of this dilemma has led us to re-examine our entire approach. The basic anchor-stones of our policy remain the same as set out by our first Prime Minister, Jawaharlal Nehru – socialism, equity and justice. Within the framework of these we look for alternatives. In this, the greatest importance is attached to creating productive employment, based on labour-intensive technologies wherever possible. This would assure a living income to the entire working population. All else follows from a perception of this dilemma.

My plea to this Conference and to the International Labour Organisation is that the basic issues of growth, adjustment and employment must be pursued. They must find an adequate place in the ILO's plans, whether in terms of objectives, or means of action, or plans and programmes for the future. May I recall, that my Prime Minister, Rajiv Gandhi, in his address to this Conference in 1985 said that the ILO should give the highest priority to the problems faced by unorganised workers. They lack work, adequate social protection, they lack economic security and organisation for protecting their interests. The thrust of ILO activities in the years to come must take into account the basic facts of the world economic scene, and especially that obtaining in the developing countries.

From these perceptions, my delegation would urge that the Governing Body of the ILO when framing its Medium-Term Plan for the period 1990 to 1995 must reassess its priorities and concerns. It should make an effort to move away from concentrating too much on previously established patterns of thought or activity. It is indeed comfortable to continue as before, with marginal changes in means of action, objectives, priorities and programmes. But the marginalised among the world's workers expect that their concerns should take first place, as they must, in planning for the ILO's future activities. We note that the Director-General has stated, in his document on human rights, that "counsels of despair have no place in the ILO". While supporting this statement, we look forward to the evolution of practical plans and programmes which address the issues which I have set out.

India fully endorses the ILO's efforts to promote fair labour standards. We are of the view that standards should not be set so low as to be meaningless or so high as to be largely unattainable except in the very long run. India has been second to none in its desire to achieve minimum labour standards and in

fact to go well beyond them. However, we are also of the view that no linkage exists between the observance of fair labour standards and international trade relations. The Director-General too seems to have reached the same conclusion as it can be seen from his report on human rights that "the mere existence of divergence even from basic labour standards may not in itself justify a modification in trade relations".

May I now say a few words about the items on the agenda of this Conference. In view of the importance of the safety and health of construction workers, the proposed Convention, supplemented by a Recommendation, is welcome. Another item concerns employment promotion and social security. The Conference Committee will, I hope, take into account the availability of resources obtaining in most developing countries, before deciding upon a Convention. The item on promotion of rural employment is welcome, inasmuch as it is of great relevance to countries like India. The most crucial item on the agenda, from our point of view, is the proposed partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107).

In the course of its long history, India has been a melting-pot of diverse religious and ethnic groups. While historians and academicians are free to study the different cultural, ethnic and linguistic groups in the chronological sequence of their appearance in the subcontinent, the fundamental position is that there is no difference in independent India between those who may be the original inhabitants of India and those who came later. The term "indigenous population" is perhaps relevant to those countries whose colonial past was a period in which foreign settlers and colonisers pushed the original inhabitants to the margins of civilisation.

My country has no objection to the revision of this Convention in so far as the revision is directed towards removal of those terms and phrases which carry connotations of cultural inferiority. We do have certain specific suggestions on the more fundamental aspects of the proposed revision.

First of all, in relation to this Convention, my Government suggests that it is the Conference itself that must decide whether or not a change in orientation is necessary. The approach of bringing the tribal and local populations into the mainstream of national life holds different meanings in different countries and political systems. It is necessary for this Conference to define the concepts before rushing to any conclusion that Convention No. 107 requires amendment because of its approach towards integration. We all may recall that long and complex discussion in the group of experts that met in September 1986 to define an alternate concept.

I would also like to introduce a word of caution relating to the concept of "self-determination". In the United Nations parlance, self-determination is normally used to indicate the self-determination of people under colonial rule or in non-self-governing territories. To introduce this concept for a group of people who constitute an integral part of independent countries would be tantamount to introducing a political concept into the work of the ILO.

In India the population of scheduled tribes has special provisions in the Constitution. These provide protective measures and safeguards for tribal populations. It was recognised that the disabilities and poverty from which they suffered at the onset of inde-

pendence in 1947 were institutional, since the tribal populations were not only poor, but also suffering from social and economic handicaps. It was recognised by the framers of our Constitution that the benefits of economic development would not reach the tribal populations unless these institutional barriers and handicaps were removed. It is, accordingly, provided in our Constitution that the tribal populations have reserved seats in both the National Parliament, as well as in the State Parliaments. They also have reservations of posts in services.

There are also tribal sub-plans in the economic plans of the States, funds which cannot be diverted for other purposes once they have been provided for at the national level. Special constitutional provisions exist for the administration of tribal areas in the shape of autonomous districts and autonomous regions. These have district councils and regional councils as a feature, with wide powers being delegated to them. In the States where tribal populations are in a majority, it is they who form the governments under free and fair elections. As a result, in these States, located principally in north-eastern India, truly representative governments which reflect the tribal and other populations in the areas are in charge of their political, economic and social life. Recognising that the resources of such north-eastern tribal States may not be adequate to sustain their development plans, funding of their plans is done almost entirely by the central government.

India, therefore, provides constitutional, legislative, economic and social protection to its tribal populations. We deem it necessary that the complexities which exist and vary from country to country be taken into account before embarking upon changing the basic orientation or the other articles of Convention No. 107.

We note with approval that UNESCO has stated that "some indigenous peoples prefer one approach and some the other ...", and further that "what is needed is a number of possible models, all of which involve principles of equality and of participation in decisions affecting their community". We fully support this approach since, as I have already stated, the Indian Constitution does indeed structure its approach to all these exceedingly sensitive and complicated issues on the principles of equality and participation.

(Mr. Beyreuther takes the Chair.)

Interpretation from French: Mr. ROUTOUANG YOMA GOLOM (*Minister of Labour and Employment, Chad*) – Before presenting the modest contribution of the Chadian delegation to the work of the Conference, I should like to present our sincere congratulations to Mr. Beyreuther on his election to the presidency of this session of the International Labour Conference. This sign of confidence constitutes to our mind a guarantee for the excellent conduct of work of the Conference.

I should also like to underline the satisfaction that we have felt in reading the Report of the Director-General of the ILO. We should like to congratulate him not only for the clarity and the precision of the document but also, and particularly, for the wise selection of the subject submitted to our discussion.

This very full report attempts to highlight the fundamental rights which, in the framework of the Inter-

national Labour Organisation, have found their expression in the numerous international labour standards and other texts adopted by the official organs of the ILO. These refer to trade union freedom, to the struggle against forced labour, to discrimination in all its forms, to equality of opportunity and treatment, as well as to a considerable range of more specific rights in the social field.

Turning now to the subject of our debate, I should like to say that my delegation has drawn useful information in reading the report, as no one can ignore the importance attached to human rights by a peace-liberty- and justice-loving country like Chad.

The end of the twentieth century has been marked by regional and subregional conflicts in which barbarous and terrorist acts are commonplace; in which the most inhuman practices are carried out against innocent populations in violation of elementary rules of legality and morality. This deplorable situation is an affront to the Universal Declaration of Human Rights, which enshrines the concepts of human dignity, of tolerance and solidarity.

For this reason the Government of the Third Republic under the leadership of President Al-Hadj Hissein Habre, which came to power on 7 June 1982, enshrined in the Fundamental Act of the Republic a sacrosanct principle of rights which all Chadians would enjoy, through the introduction of a democratic system which would guarantee the fundamental freedoms and rights of the individual, of associations and collectivities and the effective participation of all social classes in the management of public affairs. We believe that freedom of expression and association must lead to the reinforcement of the dignity of all Chadians for the progress and the economic and social development of our country.

In the Report of the Director-General of the ILO, the questions that refer to human rights are of capital importance in view of their implications for the economic, social, cultural and political levels.

The Director-General of the ILO quite rightly stressed, in 1968, during a discussion about human rights, that any debate on such matters should be placed within the context of the harsh realities of everyday life, which for many people are the realities of underdevelopment and of under-nourishment. Far from carrying out any economic analysis, we also believe that any human effort must be linked to economic and social development and this should be done in the spirit of solidarity, in order to ensure social justice and humane working conditions.

Trade union freedom, equality of opportunity and treatment, the right to full, productive and freely selected employment, the right to just and favourable remuneration, the right to social security and minimum labour standards (to mention just these) constitute for us a list of themes which deserve particular attention from all member States which seek equality, liberty and social justice, the indispensable preconditions for the development of the individual.

As regards trade union freedoms there are two trade union centres, the CST and the UNATRAT, which are operating to the satisfaction of our workers. But, as was stressed in the 49th Session of the International Labour Conference, the Government of my country is committed to their unification in order that they may become an efficient instrument in the interest of our courageous and progressive workers. As you will be able to tell, this unity will be

the achievement of the wishes of the leaders of these two trade union centres. There is no question of any pressure on the part of the Chadian Government to lead them and to transform them into tool of its policy. The support which they have given to the Government in efforts towards peace, reconciliation and the re-establishment of national unity were greatly appreciated.

Equality of opportunity and treatment, the right to just and favourable remuneration, the right to full, productive and freely chosen employment are inter-dependant factors and have a common denominator in dignity, in the feeling of being oneself, and of one's usefulness in society. The Philadelphia Declaration stated that equality of opportunity and of treatment and non-discrimination in employment are a right for all human beings – irrespective of their race, religious beliefs or sex – in order that they may pursue their material progress and spiritual development. What could be abnormal in a situation in which women and men accomplish the same task and carry out the same productive and freely chosen employment, and thus participate in economic and social life of a country?

Nevertheless, I am very happy to see that in Africa today, women who are until recently been carrying out traditional tasks are now taking on an ever-growing number of responsibilities in work which involves the same risks and with the same problems as jobs carried out by colleagues of the opposite sex. It is deplorable that this is not so in South Africa, where millions of Black workers are subject to discrimination in the field of employment and of treatment – based not only upon sex but also upon colour.

At the national level, the Government of Chad intends to eliminate discrimination in all its forms because it is a divisive factor, in order to move towards equality of opportunity and treatment in employment. Our legislation, our legal texts, our institutions have made this the leitmotiv; non-discrimination based upon sex, race, beliefs, political opinions – because we believe that equality is a fundamental precondition for human dignity and for social justice. Thus women actively participate in the management of public affairs at all levels of national life – one finds more and more women responsible for more and more services on the same level as men. This is all the more important because they have contributed, and are contributing, to the economic and social progress of our country, which has suffered for so many years of war. The Chadian Government intends to extend its action in this field by encouraging women to even higher achievements.

To be able to give dignity back to the individual is also to give individuals full employment, productive and freely chosen, and therefore to provide the human being with the right to a just and favourable remuneration that would allow the worker and the worker's family to lead a decent existence.

In spite of the disastrous economic and social situation in Chad, which is linked to the international economic situation and to the permanent war imposed on it by a brother neighbouring country which has violated the United Nations Charter and menaces the human rights of all Chadians, Chad has spared no effort to ensure each Chadian's full development. As regards the right to just and favourable conditions and minimum standards of work, it should be stressed forcefully that it is reasonable to limit the

hours of work to guarantee workers' health and safety. This should be the constant preoccupation of all governments, employers and workers, in view of the risks related to hazardous machinery and to the use by the introduction of certain toxic substances. Governments, employers and workers must pool their efforts in order to improve the quality of working conditions and of health and safety at work. In the medical and health field, no one should forget that health is a precious, irreplaceable, unchangeable element, which can neither be bought nor sold. In improving their working conditions and their workplace, worker will contribute quantitatively and qualitatively to the economic and social development of our country.

The respect for hours of work, the provision of weekly rest, of paid annual leave, protection maternity and child protection are indispensable factors for the protection of workers facing an environment which is more and more dangerous for them.

As far as working hours are concerned, we believe that in respecting them we would gain not only from the point of view of health but also from the point of view of productivity. We also know that the reduction of the working hours poses a serious problem and is a subject of heated debate. We nevertheless believe that it is a factor in the creation of employment and thus allows a long-term possibility for the elimination of unemployment to the benefit of workers and enterprises. We should therefore call for the strict observance of working hours. Chad, like many other countries, has ratified a number of Conventions pertaining to the protection of workers and wishes to adhere carefully to them and to improve them. Among these Conventions, we should refer to those related to night work of women and children, the minimum age for work, working hours, weekly rest and paid leave.

As for the right to social security, it is a universal principle and an indispensable protection of the worker. Nevertheless, we deplore the fact that this social security is not extended to all categories of workers, among whom we would mention peasants, workers in the informal sector and the self-employed.

We remain convinced that the fulfilment of the right to social security can only be reached by the gradual, progressive development of protection depending upon the resources available. But there are many countries like Chad that have a fragile or moribund economy. However, as the ILO wishes they should try to cover four of the nine possibilities. Thus Chad, despite the difficulties related to the situation describe above has been able to cover certain benefits such as compensation in cases of accidents at work, industrial diseases, family allowances, old-age pensions, and invalidity and survivors' pensions. The coverage is incomplete, but the Chadian Government wishes to extend all the facilities progressively to cover other categories of workers as the country's economic development permits.

I do not wish to abuse your precious time, but I would like to stress that the Report of the Director-General is an inexhaustible source of information about human rights, through the various aspects covered in it. The Report would be incomplete if it was not accompanied by a balance sheet of the activities of the ILO in 1987 in Africa in general and in my country in particular.

No one should forget the difficulties faced by our continent and the challenge facing our working world.

The Chadian Government has greeted with satisfaction the many activities carried out by the ILO throughout Africa, including the technical co-operation provided by the International Labour Office in many fields, and also its programme against apartheid. For example, in 1987, an expert mission advised the Chadian Government on labour legislation, on labour administration and on professional training, as a part of the CHD/ILO project. The Regional African Administration Centre for Labour (CRA-DAT) with the financial and material assistance of the ILO, has organised the training of middle management in the field of labour administration in October 1987.

Thus it can be seen that the International Labour Organisation (through the International Labour Office) is carrying out important measures to help my country. I would therefore like to express, on behalf of the Chad Government, our gratitude to the ILO for its sustained assistance to our country as we undertake the complete reconstruction of our economy, which has been destroyed by so many years of war.

The Government of Chad wishes, through me, to thank most sincerely all the delegations at the ILO for the massive vote they gave us, so permitting us to participate fully in the Conference.

Interpretation from Turkish: Mr. YILMAZ (Workers' delegate, Turkey) – Mr. President, I should like first of all to extend to you, on behalf of the Confederation of Turkish Trade Unions and on my own behalf, our heartiest congratulations on your election to the presidency of the 75th Session of the International Labour Conference.

I should also like to take this opportunity to congratulate Mr. Francis Blanchard, the Director-General of the ILO, for his excellent Report submitted to the Conference for general discussion.

This year, the Director-General's Report deals with a subject of fundamental importance for everyone.

As we all know, 1988 marks the 40th anniversary of the proclamation of the Universal Declaration of Human Rights and the adoption of one of the key instruments of the ILO, the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

The Turkish Workers' delegation considers the choice of this year's theme of the Conference, *Human rights - A common responsibility*, as most appropriate for the year 1988. Almost the entire range of ILO activities have a bearing on the realisation of human rights set out in the Universal Declaration. I do believe that this session of the Conference will provide an opportunity for the member States of the ILO to examine the most urgent human rights issues and problems that may be affecting workers everywhere.

I should, at the outset, point out that the situation in many countries as regards respect for human rights in general, remains far from satisfactory; freedom of association in many instances is restricted. As has been stated on numerous occasions, in many countries freedom of association and the right to engage in voluntary collective bargaining are severely curtailed

for reasons of economic difficulties, or in the name of pressing development needs. In others, civil liberties and trade union rights are restricted and freedom of association seriously curtailed, usually on economic grounds or in the name of the need to take measures to combat political instability, social unrest and violence.

Turkey, unfortunately since 1980, is among such countries where curtailment, based on similar reasons, has taken place.

This is to be regretted, since freedom of association is not only an essential prerequisite for progress towards social justice, it is also essential for the proper functioning of the ILO, based on tripartism and rational dialogue.

The principle of freedom of association is one of the fundamental objectives embodied in the ILO Constitution. It should accordingly be observed by the member States by reason of their membership in the Organisation. I believe that the ILO has to strengthen its action for freedom of association and trade union rights. The success of any Organisation lies in the accomplishment of the very objectives outlined in the Constitution. And I believe that the future of the ILO is closely linked with the degree of success which may be achieved in this field.

Last year, in my intervention as regards the trade union situation in Turkey, I pointed out that Acts Nos. 2821 and 2822 on trade unions and collective bargaining and strikes, respectively, continue to constitute a legal strait-jacket in which trade unions find themselves. They are faced with interference in, or control of, practically every activity which unions should normally be able to carry out, free from any state interference. This year, I regret to say that nothing has changed, despite some amendments recently enacted.

Turkey is a member State, which has not ratified Convention No. 87. But, as I have already indicated, although Turkey has not ratified the Convention, it is unquestionably bound under the ILO Constitution to respect the principle of freedom of association. Acts Nos. 2821 and 2822 and several provisions of the national Constitution of 1982, which severely restrict basic trade union rights, apparently prevent Turkey from fulfilling its international obligations.

The 1982 Constitution and the provisions of Acts Nos. 2821 and 2822 are in violation of the very principles which the ILO stands for, notably: the right of workers, without distinction whatsoever, to establish organisations; the right of organisations to draw up their constitutions and rule and elect their representatives in full freedom; the right of organisations to organise their administration and activities and to formulate their programmes; and the right of organisations to affiliate with international organisations.

Several provisions of the above-mentioned Acts and of the 1982 Constitution are also in violation of Conventions Nos. 98 and 111 which Turkey has ratified.

There are several restrictions to the right to strike. These include the prohibition of the right to strike in several sectors which cannot be considered as essential services; the authority granted to the Government to postpone a strike leading to compulsory arbitration (as is the case in sectors where strikes are prohibited) through a board controlled by the Government; the requirement to implement a strike decision within a defined period; and the very strange

condition that the right to strike shall not be exercised contrary to the rules of good faith or in such a manner as to damage society or destroy national wealth, etc.

These restrictions have been questioned by the supervisory bodies of the ILO since 1982. It is most regrettable that the Turkish Government persistently disregards the observations of the Committee of Experts and the recommendations made by the Committee on Freedom of Association in connection with its international obligations.

As I already indicated last year, the Turkish Government has, on several occasions, especially in 1986 and 1987, pledged to take whatever steps or measures might be required to ensure full conformity with the obligations assumed by Turkey upon ratification of Conventions Nos. 98 and 111 and with the principles of freedom of association enshrined in the ILO's Constitution and the ILO standards relating to this question.

I sincerely hope that on this occasion of the 40th anniversary of the proclamation of the Universal Declaration of Human Rights and of the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Turkish Government shall honour its pledges and thereby make a positive contribution to the working of the ILO system.

I do hope that I can report progress in this field next year.

Interpretation from French: Mr. SEHOULIA (Minister for the Civil Service, Labour, Social Security and Vocational Training, Central African Republic) – On behalf of the delegation of the Central African Republic and on my own behalf, I wish to be associated with previous speakers in congratulating Mr. Beyreuther on the occasion of his outstanding election as President of the 75th Session of the International Labour Conference.

This unanimous election, without doubt, is a recognition of his personal qualities. It is also owing to his great experience in the social field and I am convinced that the mission entrusted to him as President of the Conference will be entirely successful. My congratulations are also addressed to the Vice-Presidents whose assistance is very valuable to him in his duties.

Finally, I should like to extend my compliments to the Director-General, Mr. Francis Blanchard, and through him to all the officials of the International Labour Office for their constantly sustained efforts in the cause of international co-operation and the implementation of the programmes of activity of our Organisation.

Allow me once again to affirm the confidence and hope that my country places in the International Labour Organisation and its total support for the goals pursued by the Organisation.

My country, although among the least-advanced countries of the world and landlocked, has always made efforts to participate in the various activities of our Organisation and to meet its obligations. My country will continue as in the past to do everything within its power to meet its obligations in respect of our Organisation.

The Report of the Director-General of the International Labour Office is devoted to the question of human rights. I welcome this initiative which allows

me to provide some accurate information on the evolution of this issue in my country and to respond to the groundless and threatening accusations which have been levelled at the Government of the Central African Republic by certain countries and international trade union organisations.

My country has been the target of accusation in connection with the alleged violation of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

These accusations are based on erroneous information coming from certain parties who, allegedly hoisting the standard of the trade union movement in the Central African Republic, are attempting to show to international opinion that arbitrariness and terror are now being imposed in the Central African Republic.

All this is wrong and has no basis whatsoever.

A brief reminder of certain historic events in the Central African Republic appears necessary in order to throw light on the various features of this question.

In 1981 we experienced certain serious political disturbances which sorely tested national unity and social cohesion.

These disturbances were initiated and maintained by political parties without a programme defending special interests under the banner of tribalism, and unfortunately they were supported by certain trade unions. This was far removed from the legitimate aspirations of workers in the Central African Republic.

In view of this situation General André Kolingba decided on 1 September 1981 to put an end to this state of laissez-faire and anarchy. This decision made it possible to restore and consolidate peace, national unity and stability, thereby creating the conditions necessary for a return to the state of law.

The process of democratisation was started up and thus the people of the Central African Republic gained a Constitution and elected the President of the Republic by universal suffrage in 1986.

As I mentioned last year at this same rostrum, open legislative elections were indeed organised and the parliament was established.

At the end of last month municipal elections took place throughout the territory of the Central African Republic. This enabled us to put democratically elected councillors at the head of all communes.

I am pleased to be able to inform you that the suspension of trade union activities has ceased since the National Assembly in my country last month adopted a law on trade union freedom and protection of the right to organise. This text is in all respects in conformity with international Conventions ratified and with the real situation in the Central African Republic.

You can thus see that the bases of democracy in my country have been established.

However, if you will allow me, I should like to come back to what I could refer to as disinformation in an attempt to deceive you.

Certain disgruntled people, imitating groups of the past, are trying to cast aspersions on democracy in the Central African Republic.

It is sad to note that just a few individuals benefiting from the fact that they are relatively well-known, are in fact waging a personal combat in line with their own egoistic ambitions. They only represent them-

selves and in no way do they represent workers in the Central African Republic.

The international trade union organisations were thus deceived by persons who for a long time have been indulging in misrepresentation. The information that you have been receiving which rightly caused concern are without basis.

More serious still, a great country recently based itself on this erroneous information in order to threaten to suspend aid to my country because of violation of workers' rights.

I note, however, with sadness the guilty silence observed by this great country during the dark period which my country experienced, which was characterised, in particular, by failure to respect the human personality, the stifling of trade union organisations, and the suppression of training for inspectors of labour and social legislation.

The Central African Republic is progressively adopting measures in line with its own national situation, drawing lessons from our own history.

In the preamble of its Constitution the Central African Republic affirms its will to ensure the dignity of each individual.

This principle we refer to in our national language as "Zo Kwé Zo So Zo La". This means that any individual irrespective of his origin must fully enjoy the rights which are recognised and protected by law.

The Central African Republic did not await orders from any other country in order to accede to a number of international instruments in the field of human rights. In particular, I refer to the International Covenant on Economic, Cultural and Social Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the African Charter on Human and People's Rights; the Protocol relating to the Status of Refugees, the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery.

The Central African Republic has always made efforts to apply the provisions of the Conventions to which it has acceded.

A demonstration of this is that on 3 April 1987 the commemorative medal of the International Year for Peace was awarded by the United Nations to a very few countries including the Central African Republic, for their activities and efforts in favour of peace in the course of the International Year for Peace.

My country deems unacceptable the pressures and threats against it by those who unjustly condemn it and ignore the real situation in the Central African Republic.

I am convinced that they themselves will rectify their position after the explanations I have just made.

The Central African Republic has always expressed the wish to receive advice and aid in order to review and revise its texts and national practices so that they should be in harmony with the international standards which it has freely ratified.

With regard to these international standards the Central African Republic gave long explanations in writing to the Committee on the Application of Standards of the International Labour Office and threw light on the actual situation prevailing in the Central African Republic.

I accepted the sending of a direct contacts mission but I postponed the date because of the implementation of the programme to establish institutions pro-

vided for under the Constitution of 1986 and because of certain national imperatives.

I can assure you that a warm welcome will be extended to the direct contacts mission at the appropriate time.

Before concluding my statement I should like to congratulate and thank Mr. Francis Blanchard, Director-General of the International Labour Office for all the aid which he provides to my country, particularly in the area of training of personnel in the labour and social security spheres and for the increased material assistance.

This assistance has helped us to improve and strengthen the effectiveness of the Ministry of the Civil Service, Labour, Social Security and Vocational Training.

I thank you once again for having afforded me the opportunity to allow the voice of my country to be heard. I express the hope that the work of the Conference will be successful.

Interpretation from Russian: Mr. GAIDAIENKO (Employers' delegate, USSR) – As I am taking the floor for the first time at this session of the Conference I would like to start by congratulating Mr. Beyreuther on his election to this exalted and responsible post. I am sure that his vast experience will enable our Conference to achieve substantial results commensurate with the high principles aspired to by the International Labour Organisation.

We note with interest that the Report of the Director-General calls on us to discuss the key issue of social progress, the problem of human rights. This issue touches the very root of people's lives regardless of social and economic systems and it is no accident that it became a topic of discussion at the recently held summit meeting in Moscow. The problem of human rights in our nuclear age stems from the right of humanity as a whole to survival. The discussion of this subject at a session of the International Labour Conference is particularly significant by virtue of the tripartite principle, which differentiates the activity of the ILO from that of other international organisations, both within the United Nations framework and outside it. As I see it, this will promote a more profound and interesting discussion, pinpointing and comparing different points of view, which in turn will give the International Labour Organisation a wealth of food for thought and for the elaboration of new programmes of activity.

The problem of human rights is all the more relevant today as the situation in world labour is giving rise to serious concern. The worsening conditions of employment, working conditions, the comparatively high levels of unemployment still existing in many countries, even in developed ones, all testify to the fact that their governments, fearful of renewed inflation, have drastically reduced measures to maintain adequate employment levels. This process in its turn gives rise to increasing difficulties in achieving workers' social and economic and civil rights in the framework of the political systems in these countries.

At the same time we see marked signs of improvement in the international climate as a whole. We can see a gradual move away from stereotyped confrontation and a turn towards mutually beneficial international co-operation. A new growth of fresh political thought is fighting its way through the jungle of

misunderstanding and prejudice, and this process seems to be slow but sure.

In this context, we support the approach of the Director-General to the problem of human rights, when respect for these rights is looked at in conjunction with peace and stability, as stated in his Report.

With this as a background, the discordance between general political and social conditions cannot fail to be of concern to us. We realise that the key problems of employment vary depending on regional characteristics and differences in the social and economic systems of ILO member countries, and correspondingly the problems themselves are more or less acute. In market economy countries the more substantial problems arise from adaptation to structural differences and the rationalisation of production brought about by strong competition and the free play of market forces, whereas developing countries come up against a whole range of difficulties which add up to what is known as the "development crisis". External debt plays an important role in this, as well as the trade imbalance and their demographic situation. Most of the socialist countries, where, thanks to the system of centralised planning, there is no employment problem as such, are trying at present to solve the problem of retraining the labour force in connection with the restructuring of investment policies and the improvement of the management system.

I am deliberately stressing the employment problem, as our philosophy is based on the principle of the unity of the socio-economic, political and civil rights of mankind. We fully agree with the statement in the Report of the Director-General that "the availability of gainful employment is a vital link to the enjoyment of other human rights" (English text, p. 38). The Report quite rightly points out that, while a substantial part of the labour force on our planet is deprived of the possibility of earning its living in a satisfactory, productive and remunerative manner, this mass of people will be deprived of the material basis for the enjoyment of freedom, dignity, economic security and equal opportunities.

Of course the Director-General is right when he reminds us that the expression "human rights" does not figure in the Constitution of the ILO. However, as I see it, we can make only one logical deduction from this fact, namely that we should compensate for the absence of any reference to human rights in the Constitution of the ILO by elaborating the Organisation's own viewpoint on this very important matter. In noting the importance of this fortieth anniversary of the Universal Declaration of Human Rights and of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), we have every reason to expect that the role of the ILO in this sphere will not be limited to simply noting the problems that occur, but will define effective ways and means of solving such problems.

In the Report of the Director-General, the problem of employment within the restructuring process of the socialist economies is set out seriously and correctly as a question of reconciling the displacement of the labour force with the guaranteed right to work (English text, p. 38). At every level, socialist economies are trying to find an answer to the problem of how, through improved structural and investment activity, to ensure that there is an active influx of labour resources into the new priority spheres of

employment, at the same time making up for the outflow of the labour force from less economically viable sectors. This task is set out at a macro-economic level.

At the micro-economic level too, the economic reforms being carried out in the Soviet Union are also now creating a fundamentally new situation. Moving away from a strictly administrative system of managing the economy, developing trade and monetary relations and decentralising external economic relations substantially expand the rights of directors of socialist enterprises and their independence in solving the majority of problems. Article 8 of the law on state enterprises (associations) requires a director to possess above all attributes such as socialist enterprise, a high degree of professionalism, and a grasp of basic management skills and the principles of economics.

Article 8 of the law forbids ministries to interfere in the operational and economic activity of an enterprise. The same article stipulates that if a higher economic body infringes the rights of an enterprise, as a result of which the enterprise incurs losses, those losses will be reimbursed to the enterprise by this body through state arbitration.

The law also stipulates that an enterprise draws up and approves its own five-year plan independently (article 10) and that is the basis of the entire system of planning and operation of each enterprise.

In conditions of economic accounting (*khozraschet*) and self-financing, an enterprise enters into new and purely economic relation with the State. Their basis is a state order and long-term economic standards and limits. According to the 1987 law, the director of an enterprise is given freedom of action in relation to that part of the production output which does not fall within the state order section but is achieved through direct agreements with consumers.

The enterprise independently carries out technical reconstruction and the technological renewal of production. It makes use of bank credits and carries out its own social policy in accordance with existing legislation. It is given extensive rights in carrying out export-import transactions, industrial co-operation and the setting up of joint ventures.

To sum up, I should like to say that as a result of the reforms a Soviet enterprise director has the right of economic choice which places him in qualitatively new circumstances.

It is essential to add to this that the law on co-operation in the USSR recently adopted by the USSR Supreme Soviet – the law on co-operation in the USSR creates state enterprises – especially in branches such as light industry, the food industry and the service industries – and the possibility of competition from the co-operative sector. Such a situation is already taking concrete form, for instance in the services sphere in the Soviet Baltic republics, and the Soviet press has reported it.

The stated processes contain a significant element of novelty and are extremely complex in their nature, and that is why they do not always run smoothly and painlessly. The main source of difficulties has already been revealed – the divergence between intra-branch expenditure and the prices structure. At the initial stage situations of conflict cannot be ruled out – both between the ministry and the enterprise and within the enterprise between the administration and the labour collective. Such situations have occurred not

infrequently this year following the entry into force of the law on state enterprises. However, we are not disposed to dramatise them, rather to regard them as a consequence of the process of more clearly delineating the rights and responsibilities of all interested parties in the conditions of the new economic mechanism. In the final analyses, it is a historical landmark, living testimony of the democratisation of the social, economic and political life of Soviet society.

In conclusion, I should like to remind you of the theme of the Director-General's Report: *Human rights – A common responsibility*. We really do bear common responsibility for human rights in their totality. However, common responsibility entails common efforts to achieve the goals that have been set. I should like to express the hope that the International Labour Organisation will be able to pool its common resources in the interests of securing equal rights, freedom and human dignity.

Interpretation from French: Mr. NADARUZANIYE (Minister of Labour and Vocational Training, Burundi) – On behalf of the delegation of the Republic of Burundi and on my own behalf, it is my great honour to address the 75th Session of the International Labour Conference, the work of which has been taking place for the past week under the wise and perceptive guidance of Mr. Beyreuther, Secretary of State for Labour and Wages and member of the Government of the German Democratic Republic. May I associate myself with the speakers who have preceded me on this rostrum and greet all the delegates to this Conference, and present my sincere congratulations to you, Mr. President, on your election and that of the Officers who assist you.

You will, I am sure, carry out the noble mission with which have been entrusted with great wisdom, dignity and success; you have already shown evidence of this during the past week. Your long experience in international forums augurs well for this 75th Session of the International Labour Conference, for which we all express all our hopes of success, so that there might be harmonious development in all continents.

May I take this opportunity to pay tribute to Mr. Francis Blanchard, the Director-General of the ILO, for having dealt so objectively and with such perspicacity with the subjects in the Report he has submitted to this assembly. These subjects are proof once again how the International Labour Organisation is concerned with key problems affecting the well-being of human beings and the development of their potential. The member States should do the same and make every effort to find appropriate solutions to these problems which threaten the peace of the world.

Indeed, several subjects remind each member State, as well as the employers and workers, how important it is to combine our efforts when faced with the scourges that are threatening the world, and undermining national and international economies:

The urgency of strengthening sustained international co-operation, in which all countries participate, whether they are rich or less rich, should be seen by each one as a duty and an obligation upon which their survival depends. Indeed, the scourges of the present international economic crisis – which we cannot manage, but which we must combat – manifest themselves in various forms and no country can

escape them. One could cite the population explosion, the weight of indebtedness affecting the developing countries, unemployment, ignorance and poverty and the wasting of resources on arms, which are a source of political instability and regional conflicts.

All these problems prevent the full development of man and risk jeopardising once and for all the peace and development of the whole world, if countries do not overcome their subjective views to combine their efforts in a common struggle so as to safeguard this just and noble cause which puts man in the forefront of any action.

In Burundi, the Government of the Third Republic under His Excellency Major Pierre Buyoya, the President of the Military Committee for National Salvation and President of the Republic, has given pride place to the respect of human personality by introducing freedom of expression and institutionalising dialogue and consultation at all levels; indeed he has made it the cornerstone of the development and co-operation activities in our country. Priority has been given to introducing social justice so as to attain the harmonious development of all levels of the population.

Many actions have put this political determination into effect. These include the release of political prisoners illegally detained by the former power in the amnesty granted to common law criminals; the reinstatement of workers and officials wrongly dismissed; the increase in the minimum guaranteed wage; the removal of taxes on foodstuffs; the doing away with obligatory saving so as to reduce the burden of household expenses of all citizens, especially those in the country.

On the subject of social justice, clear recommendations are being drawn up, together with the social partners, to liberalise employment. These are geared to making the vocational guidance system more flexible and to setting up job-creation projects in rural areas.

The Government of the Third Republic is quite convinced that it is through work – one of the fundamental rights of man which it is indispensable to protect – that one can consolidate social justice. The implementation of social and economic development programmes should go hand in hand with a policy to protect our labouring masses.

But unfortunately, the economic crisis affecting the world has hardly spared Burundi and the structural adjustment policies called for by the IMF the World Bank are not being applied without difficulty. Efforts have however been made to try to maintain a growth rate likely to improve the living conditions of the people. The dialogue between the workers, employers and government has thus been stepped up so that there might be an adequate adaptation to structural adjustment policies, in full respect of tripartism in all the bodies concerned.

In the enterprises, the system whereby workers are involved in the management and running of the enterprise has been introduced once again. Workers are represented in all the planning and decision-making bodies and they play a consultative role. The trade union workers' representatives are covered by legal provisions. Works councils and health and safety committees work with the participation of the workers – to their great satisfaction.

At the national level, whilst always respecting tripartism, the Union of Burundi Workers and the

Association of Burundi Employers participate in all the decisions involving social policy on employment and work and co-operate very closely on standard-setting activities through the national labour council, which constitutes an appropriate framework for dialogue with government officials in charge of the social and labour sector. As regards vocational guidance, the Association of Employers and Workers participate in the tripartite National Employment Commission. I should also point out that workers and employers are represented in the bodies responsible for organising the training and further training of workers.

Having outlined the present situation in Burundi, may I comment on some aspects of the social and economic deterioration of our modern society.

Given the difficulties besetting mankind, the time has come for greater international co-operation and solidarity, as the Director-General has stressed. Greater assistance to the poor countries deserves all the attention of this Conference at a time of profound historical changes which can for the most part be traced to the world economic crisis.

The Third World countries, and the African countries in particular, have reason to be concerned over the sharp cut in development assistance, especially because the poor countries are making serious efforts to emerge from their underdevelopment.

The International Labour Organisation has the duty to provide its firmest support to the African countries in their drive towards industrialisation and social and economic development – the basis for social justice. We appeal to the international community, and to the International Labour Organisation, in particular, its current difficulties notwithstanding, to help us in our efforts to ward off the scourges which may well enslave the developing countries in poverty and dash their hopes for a brighter future.

We realise that the world economic situation and the depreciation of the United States dollar have affected the finances of our Organisation. However, we note with satisfaction from the financial report of the Director-General that the developing countries, and the African countries in particular, have been given preferential treatment as regards current development programmes. The statement made by the Director-General at the working meeting of the African group on 31 May last concerning the budget for Africa, was proof of the firm determination of the leaders of our Organisation to work for the development of the poorer countries.

The Government of Burundi has excellent relations with the ILO. The projects in which the ILO is involved in our country are progressing well. Consultation missions have always been very effective. We repeat our wish to see this co-operation strengthened to help us in our efforts to develop.

It is obvious that the ILO's programme of activities should be supported by the Members' respect for their obligations, including the payment of their contributions. This is why we appeal to each member State to help to cover the financial deficit of the Organisation, so that it will not be forced to reduce its programmes, especially those which are aimed at the developing countries.

The international economic and trading system will not offer the poor countries a reassuring future as long as hundreds of millions of people in poor countries throughout the world are unemployed, un-

deremployed or engaged in crafts which condemn them to poverty.

To get out of the present impasse in international co-operation, we must resolve the dilemma which is recognised around the world.

The rich countries, the creditors of the poor countries, must make more flexible the conditions for the repayment of debt and provide more government assistance or opportunities for poor countries to export.

Rich countries should do away with protectionism and support regional economic co-operation activities.

African countries realise that they must take the first step in creating a more humane world in which solidarity can flourish. The support of the industrialised countries in building this world is essential and requires a great deal of money and technical assistance.

Africa's most urgent need is for help in gradually easing and liquidating the burden of debt. This form of assistance has the advantage of making additional resources available for the purchase of imports, which the creditor countries would welcome.

I am sure that the International Labour Office will do everything it can to channel the assistance from member States of the Organisation to development efforts carried out by our Governments and populations.

I should like to come back to technical co-operation, in which our interest is obvious. The financial efforts made by those who provide the money should first of all benefit those for whom the projects are intended.

We note, however, that much of the help given is used to remunerate international and bilateral experts, rather than to benefit those for whom the projects were designed. This complex problem deserves particular attention from the International Labour Office. A solution might consist of using national skills to a greater extent, with international experts used only when absolutely necessary for the success of the project. This solution would make it possible to increase allocations for scientific and technical research or training, which is the most effective form of assistance that the rich countries can give to the poor. The thorny problem of technical assistance affecting most of our countries could be finally solved to the mutual interest of the partners.

I finally come to the burning problem of the conditions of life and work in southern Africa. We shall never tire of denouncing the crimes perpetrated by the leaders of South Africa in the flagrant violation of basic human rights of people in general, and of Black people in particular. The silence of the member States of our Organisation would betray the ideals which we claim to support. The Director-General's Report on human rights is explicit on this point.

I am making a pressing appeal to all member States of our Organisation to work for the elimination of apartheid and racism in southern Africa. The survival of peace in Africa and throughout the world depends on it. We have a heavy responsibility towards history and to all those who live the horrors of racism and apartheid. Much more radical measures should be taken against the last outposts of racism and colonialism in South Africa, Namibia and Pales-

tine by giving massive support to all freedom fighters.

In this year, the 40th anniversary of the Universal Declaration of Human Rights, the international community should redouble its efforts to combat racism and apartheid in all its forms.

The Universal Declaration of Human Rights has during these 40 years awakened hopes which no one has the right to betray. Our Conference should help to make these hopes a reality. This is the earnest wish of all peace-loving and freedom-loving people.

I am sure that this is the spirit that inspires all of us, and I express my greatest desire to see the whole of mankind enjoy fully their basic human rights.

Interpretation from Arabic: Mr. JALLOUD (*representative of the International Confederation of Arab Trade Unions*) – In the name of God, the Merciful, the Compassionate! I wish to be associated with those who have preceded me in congratulating the President and his Vice-Presidents on their election to their high offices. I hope that, under their guidance and thanks to their remarkable abilities, the present important session of the International Labour Conference would be steered towards the objectives it had before it.

I would also like to express my appreciation to the Director-General and his colleagues, as well as to the Committee of Experts and to thank them, on behalf of the International Confederation of Arab Trade Unions, for the work they have done in preparing the reports submitted to the Conference.

The Report on the ILO's activities gives a detailed account of the activities of the Organisation during the past year in the different social fields. However, we have noted, once again, that the Arab region and Arab workers are still far from being allocated the share of these activities that they deserve in view of their situation and their needs. Nevertheless, we recognise that the co-operation between the ILO and our Confederation has improved considerably in the past few years.

The Report on human rights is in a sense an alarm bell, and shows how necessary it is to continue to devote attention to human rights and their protection as well as to trade union rights and freedoms, especially on the present 40th anniversary of the Universal Declaration of Human Rights which coincides with the 40th anniversary of the Freedom of Association and Protection of the Right to Organise Convention 1948, (No. 87), as well as the 40th anniversary of the most blatant violation of human rights and peoples, namely, the violation of the rights of the Palestinian people on its own land and in its life.

We share the Director-General's hopes and concerns with regard to the status of human rights in many countries, to which he implicitly alludes in his Report, and especially the situation in South Africa, Palestine and other parts of the world, as well as to the conditions of migrant workers and problems of freedom in numerous developing countries.

I would like to dwell in particular on the Report of the Director-General in so far as it relates to the Arab workers in Palestine and other occupied Arab territories.

The Director-General, who has personally visited Palestine, has described the gravity of the situation and his concern at seeing it reflected in the level of employment and the conditions of life and work. The

report of the ILO special mission acknowledges the deterioration in the economic, social and working conditions of Palestinian citizens and shows that the occupying authorities have installed a military regime in the occupied Arab territories with all that that means in terms of repercussions on civil liberties, and, in particular, on trade union rights and activities.

The events that have been taking place in Palestine and the occupied territories for more than six months testify to the way the occupation authorities ride roughshod over rights and freedoms, human life and international values, doing so in a far more flagrant manner than has been indicated in the Director-General's Report or the report of the ILO mission.

Press reports and official and unofficial testimony of eyewitnesses establish that the Zionist occupation authorities have engaged, and continue to engage, in the vilest forms of repression against children, adolescents and women whose only weapons are stones, words, determination, and faith in their rights. These authorities have not hesitated to use poison gas, bullets and clubs to disperse demonstrators. They have imposed a food blockade and thrown a cordon sanitaire around population centres, cut water pipes, terrorised the people, broken the limbs of young demonstrators, killed and thrown some of them from helicopters, forced others to climb high tension pylons where many of them were electrocuted, and buried others alive.

The international lawyers' mission affirmed that the occupation authorities were, in no case, able to give any proof that the shots fired against Palestinian citizens had been in self-defence. Testimony by UNRWA, corroborated by a Tel Aviv newspaper, states that the gas used leaves strange symptoms and causes respiratory problems, sometimes ending in death by asphyxiation.

A Tel Aviv magazine has described the orders given by the Minister of Defence as barbaric and with no historic parallel.

The Norwegian Ambassador in Tel Aviv, angered by the events he had witnessed on 23 March 1988, said that in all the records of the Second World War he had never heard of Nazi soldiers torturing children as the Israel soldiers were torturing young Palestinians.

The Zionist policy adopted in Palestine and other occupied Arab territories is to systematically destroy the Palestinian economy. The policy of establishing Zionist settlements and of stealing water has adversely affected agriculture, which is the backbone of the Palestinian economy. Zionist industry, subsidised by foreign capital, has outmatched Palestinian industry, forcing Palestinian Arab workers to emigrate without any hope of returning, or to work in Zionist enterprises. There are now more than 150,000 of them, including a large number of children pushed into the black market by the social and economic conditions resulting from the occupation, where they work in atrocious conditions of discrimination. The facts indicate that Palestinian workers are paid 30 per cent of the wages of Israeli workers – if an Israeli worker can be found to do the exhausting and degrading work the Arabs have to do. Moreover, Arab workers do not benefit from the social security funds although mandatory deductions are automatically made from their wages for those funds and in the interests of the

Histadrut, but these workers do not enjoy any trade union or legal protection. Moreover, the occupation authorities try to prevent them from becoming aware of their rights by confiscating the publications which could inform them of their rights, and arresting those who distribute such publications. The occupation authorities have gone so far as to arrest ten trade union members on the West Bank and prevented six others from going to Jordan to attend an educational seminar arranged by the ILO in March 1988.

The municipality of Acre dismissed Palestinian workers who had taken part in a demonstration of support for the uprising of their people, and a factory near Beit-Shams dismissed 400 Arab workers as punishment for having taken part in a strike. Workers' and trade unionists' missions from various countries and trade union organisations, including the World Federation of Trade Unions, the Confédération Générale du Travail, Confédération Française Démocratique du Travail, and others, confirmed the difficult conditions in which the workers in the occupied territories were living and the terrorism to which the trade union movement in these territories is subjected. More than 50 per cent of the members of the General Council of the Federation of Workers in the West Bank are in prison, and the headquarters of the trade union movement have been besieged and searched in many towns, and dozens of trade unionists have been arrested and interrogated. The ILO and its Director-General have intervened on a number of occasions with the occupation authorities, but without any result.

Lebanon and its workers are still experiencing an acute economic crisis as a result of the occupation of most of south Lebanon by the Israeli forces and as a result of aggression and repeated land, sea and air raids on Lebanese economic establishments, the farms and villages. These attacks, which have led to great losses of life and property, have also aggravated the problems of that country, which has been living under disastrous civil war for many years, a war begun and maintained by the American Zionist imperialist policy in the area. This policy has often been condemned by international public opinion, and its practices have been reportedly denounced in the resolutions of the United Nations.

An entity that behaves like this, that takes no account of international resolutions, the United Nations Charter or the Convention of the ILO, that violates human rights in the way that we see every day, must not remain a Member of this Organisation because to be a Member means that it is committed to the ILO's rules, and if it does not do so it should be expelled.

The report on South Africa confirms our great concern: This racist regime continues its practices and many States and official and non-official establishments continue to bypass the boycott decisions and to co-operate with this hateful regime which is practising the policy of apartheid, or murder, violation of human rights and freedoms, uprooting and annihilating the Black population and continue aggression against neighbouring States. We strongly condemn this regime and those who co-operate with it, and we assure our brothers in Namibia and South Africa of our solidarity with their struggle until they gain their legitimate rights.

Our world is witnessing serious attempts to eliminate the dangers of nuclear war and to consolidate

international detente. We pray God that peace, cooperation and understanding will reign and that the countries concerned will be able to reach an agreement which will remove the spectre of nuclear war from mankind and allow these countries to use the enormous sums spent on the arms race for development and the consolidation of social peace and economic growth in a system based on justice and respect for human rights.

We affirm that peace cannot reign unless it covers the whole world. For many years the Arabian Gulf area has been the scene of a destructive war. Many foreign fleets are parading in the area, using the pretext of this continued war. This war is a source of great concern to the peoples of the region because of the deterioration of the economic and social situation of the two warring countries, grave losses on both sides and the threat to international peace and security. We ask both countries to cease the war immediately, to implement Security Council Resolution No. 598 and to be good neighbours in the future.

We also affirm that peace in the Middle East can only be attained by recognising the legitimate rights of the Palestinian people: their right to return, their right to self-determination, their right to set up a State on their national soil, Palestine, under the leadership of their sole legitimate representative, the PLO.

Peace be with you!

Interpretation from Spanish: Mr. MURILLO DE LA ROCHA (Employers' delegate, Bolivia) – On behalf of the Bolivian employers, we have great pleasure in congratulating the President on his well-deserved election to chair the 75th International Labour Conference. We are quite sure that he will carry out his work with impartiality and facilitate the interchange of ideas and dialogue on the matters of undoubted importance on our agenda.

The attention of this assembly is focused on essential points which are part of the standing terms of reference of the ILO. The promotion of employment generally and now with special emphasis on rural areas, human rights and many other basic subjects connected with constructive labour relations are without doubt vital in guaranteeing our societies full development in harmonious and fair coexistence.

We have read with very great interest the Report of the Director-General of the ILO. The accurate comments and the serious analysis contained in this document paint a worrying picture of the area of employment and foreshadow a future which could be even more dramatic. The judgements and data contained in this Report are really worrying. It is depressing to read that in the so-called Third World countries there are more than 70 million unemployed and almost 500 million underemployed, while another 900 million people live in extreme poverty.

After almost 70 years of untiring labour in the ILO and 40 years after the Universal Declaration of Human Rights, it is discouraging to note that we have not been able to keep up with the expectations generated in so many international forums. And this discouragement is even more intense when we see no short-term solutions and observe that industrialised nations are apparently not making their policies more flexible so as to reverse this adverse situation.

I should like to stress the foregoing, because without denying the legitimacy of the rights of each State

to adopt those measures that it considers best meet its interests, it is appropriate to recognise that powerful countries have greater possibilities of contributing to the solution of labour problems and to those arising from the unequal terms of international economic relations.

However, in saying that, we do not want to ignore the fact that the great social objectives are the responsibility of the whole of the international community in different ways but in solidarity. We only want to point out that nations with a high level of development, thanks to their greater potential and economic capacity, have effective and even decisive instruments to help reduce or at least not to increase social tensions. The Director-General's Report says very specific things on this subject, and he stresses that in the underdeveloped countries the situation is even more complex because they have been forced to take drastic measures to stabilise their economies due to external factors.

Last year I told this assembly about how Bolivia was facing up to this severe crisis affecting us. To give you an idea of its dimensions, I may tell you that the crisis led to a mega-inflation that by mid-1985 was 23,000 per cent a year, which required severe measures to be adopted in August that year. This was the seventh highest rate of inflation in the world and the most serious in Latin America.

It is always relevant to stress certain concepts and give more information on experiences like the one we have just mentioned because they are valuable food for thought and make it possible to make a better and more objective evaluation of the role of each member State and of each sector making up tripartism.

Faced with the enormous crisis of the Bolivian economy, it is easy to imagine the magnitude of the efforts that have had to be made to avoid irreversible collapse; an effort that has required sacrifices from all citizens without exception and which has been carried out in the midst of adverse international circumstances.

Almost at the same time as the stabilisation measures, there was a sharp fall in the prices of the raw materials exported by Bolivia and the need to pay off the interest from a high foreign debt could no longer be put off, while there was greater protectionism by the industrialised countries.

Bolivian exports in the period 1980-87 fell by 50 per cent which obviously led to a severe contraction of the economy, with inevitable repercussions on society and on production. In spite of this complex picture, we managed to achieve a rate of inflation for 1987 of only 10.7 per cent, thanks to strict fiscal measures and restrictions on internal credit.

In these unfavourable circumstances, Bolivian employers are making extraordinary efforts to raise the productive capacity of industry and thus alleviate to some extent the impact of recession on employment. In addition, private Bolivian enterprises have to face high financial costs, the narrowness of the internal market and some shortcomings in implementing the programme to reactive national production.

The Bolivian employers are making every possible effort in this exceptionally difficult time to overcome the crisis. There are some encouraging signs, although for these to be consolidated, there has to be a new attitude by the international financial community which would require measures to alleviate the

burden of foreign debt the service of which is very high as a proportion of exports.

It is not enough just to have good intentions. Sometimes these intentions meet with barriers that cannot be overcome just by good will.

The specialised studies of the ILO refer to such situations in many texts. There is no other way out for some serious dilemmas. Anti-inflationary measures seriously affect employment and sometimes employment measures can increase inflation. The question is, therefore, how far, in view of the unfavourable circumstances confronting some States, is it right and proper to attempt solutions at the risk of undermining the wage-earning purchasing power?

It is useful in our view to stress these points, and this is the right place to do it. The ILO has to maintain close contacts with the realities of its member States and tripartite components. In this way it will ensure that its resolutions and Recommendations receive full support and that they are not just abstract messages. This will also make it possible to strengthen the action that has to be taken to achieve common ideals.

It is also necessary that unions should always choose to take independent action rather than action based on political or ideological stances, for their principal mission, which should prevail over any other considerations, should be the clear defence of the interests entrusted to them, but as part of a community that seeks conciliation and dialogue.

It is absolutely necessary to adopt and apply flexible financial and trade policies facing up the challenges of the future. The world economic recession, the means of production introduced by technology which tend to eliminate the need for manpower, will have to be changed.

We have to reach the third millennium with a mentality of change. Otherwise, there will be an accentuation of present contradictions. It is neither just nor logical that on the threshold of the 21st century, when technology has discovered limitless horizons for the development of mankind, huge parts of society should continue to have unacceptable low standards of living.

We are sure that our discussions will be enriched by all the experiences of member States, and we reaffirm our support for the principles of the ILO in the hope that we shall make progress with a renewed impulse in the search for great social objectives.

(Mr. Adiko takes the Chair.)

Interpretation from French: Mr. KISOLOKELE (State Commissioner for Labour and Social Welfare, Zaire) – First of all, I should like to carry out the very pleasant duty of conveying to this august assembly the warmest greetings from the first president of the People's Revolutionary Movement, the President of the Republic, Marshall Mobutu Sésé Séko and from all the Zairian people who have assured us of their confidence in taking part in this present meeting.

On behalf of my delegation and on my own behalf, I should like to join with previous speakers in congratulating most warmly the President, as well as the Vice-Presidents, of the Conference, on their election to these high offices of the 75th Session of the International Labour Conference. I am convinced that their experience and eminent personal qualities will

enable them to conduct our discussions so that we achieve fruitful results.

I should also like to take this opportunity of expressing my gratitude to Mr. Francis Blanchard, Director-General of the International Labour Organisation, and his colleagues, for the serious work he has undertaken and the quality of the documents that have been submitted to us.

The Report of the Director-General gives us a clear overview and a penetrating analysis of those matters which should receive priority attention from the Conference. Part I of his Report, *Human rights – A common responsibility* deals with a subject which deserves a great deal of thought, given its present relevance and importance.

This world is undergoing a continuing crisis, which is characterised by a turbulent monetary system, demographic expansion, the growing indebtedness of developing countries, unemployment, famine, the ever-increasing gap between the rich and the poor – both as regards individuals and at the national level – and the renewal of regional conflicts: and in this world, fundamental human rights, liberty the dignity of man, far from being recognised, are often flouted in dramatic conditions.

This is why the delegation of Zaire feels that on this occasion of the 40th anniversary of the proclamation of the Universal Declaration of Human Rights, it is necessary to evaluate and take stock of the main problems which the Organisation and its mandates are confronting in order to ensure that the fundamental rights of man are fulfilled.

Zaire remains convinced of the importance of the Universal Declaration of Human Rights. Proclaimed quite rightly as an ideal to be achieved by all people and all nations, the Universal Declaration seeks to safeguard the physical and moral integrity of the individual through a set of legal standards. It covers, without making any distinction, economic rights, social and cultural rights, as well as civil and political rights.

The mandate conferred upon our Organisation as regards the protection and promotion of fundamental rights has been laid down in the Declaration of Philadelphia which proclaims that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity".

We therefore feel that there is every reason to affirm that the standard-setting and practical activities of our Organisation contribute towards attaining rights and freedoms for the greatest number of people.

However, in order to preserve its momentum and credibility, the standard-setting bodies of the International Labour Organisation should have a supervisory system which can be adapted, when and where required, to changes.

In Zaire, the People's Revolutionary Movement, our Party State, has committed itself to freeing Zairian men and women from all their bonds and to helping them attain a truly democratic and social republic.

The Manifesto of N'Sele, our fundamental charter, proclaims that human freedom is the main priority of the People's Revolutionary Movement and that Zairian men and women must be delivered not only

from material constraints but also from political and spiritual constraints, whether they be traditional or more recent ones.

The Constitution of Zaire guarantees the basic rights of man. Indeed, Article 12 of the Constitution establishes the principle of non-discrimination before the law. It states that all Zairians are equal before the law and have the right to equal protection through these laws. No Zairian can be discriminated against in education, in access to public functions or in any other way, whether it results from a law, from an Executive Act, on the grounds of his religion, racial or ethnic origin, sex, place of birth or residence.

Moreover, in order to defend the rights and freedoms of the citizens and to contribute towards social peace by means of the law, the first president of the People's Revolutionary Movement, President of the Republic, citizen Mobutu Sésé Séko, set up the Department of the Rights and Freedoms of the Citizen within the Executive Council on 31 October 1986. This mechanism to promote human rights is the only one of its kind on our continent.

Far from replacing the Legal Council, which is a party body responsible for laying down the law, the Department of the Rights and Freedoms of the Citizen comes to the aid of citizens who have been unjustly deprived of their rights or freedoms when all the ways and means of legal recourse have been exhausted.

We can affirm categorically that in light of the number of cases the Department has taken on it has fulfilled the aspirations of the people.

Externally, the Department of the Rights and Freedoms of the Citizen continues to confirm its credibility. It has just signed a protocol of collaboration for the protection and promotion of human rights with the Association of African Jurists.

Concerning Part II of the Report of the Director-General, the delegation of my country is very glad to see the positive results that have been registered in many technical fields, in particular in the field of standard-setting activities, technical co-operation and the dissemination of information through publications. All this demonstrates the dynamism and efficiency of our Organisation in accomplishing its tasks.

We are very happy to note that in spite of the severe problems facing us nowadays, the International Labour Organisation has attempted not only to maintain but even to reinforce most of its activities, especially those concerning the promotion of standards, the respect of human rights, the World Employment Programme for training and industrial relations.

Our Organisation's main objectives are, of course, to defend human rights, to overcome unemployment and poverty and to set up favourable conditions for a world economy which is dynamic, prosperous and just.

Nevertheless, we feel that it is necessary, on the one hand, to re-evaluate technical co-operation to ensure that it corresponds to the needs, possibilities and capacity of the International Labour Organisation and, on the other hand, to study and improve the interaction between international standards and technical co-operation to guarantee correct application of these standards.

In the Republic of Zaire, as a result of the crisis which has hit the labour world, the Executive Council is seeking ways and means to promote full, productive employment and fight against poverty and unemployment.

Thus, within a framework of development strategies in its third seven-year term, which is devoted to solving social problems, the President of the Republic has proclaimed 1987 a year for the mobilisation of internal income and domestic production.

This year, the watchword is productive labour for the improvement of the living conditions of the people of Zaire. In order to put this watchword into practice, the Executive Council has made it its mission to unite employers and workers in a common effort of action to increase their productivity and hence their income.

However, in order to find some answers to the problems of unemployment, the Executive Council had first of all to obtain accurate information on the employment market. To this end, it conscientiously carried out a census of the unemployed, starting off in January 1986 in Kinshasa where an experimental pilot job centre was established.

This operation has just been extended to Lubumbashi in the Shaba region, the second economic centre of the country, where another job centre has been opened.

Although the results are, as yet, modest, the census of the unemployed will enable us to set up a data bank with a view to a rational utilisation of our national manpower.

Moreover, as I said last year at this rostrum, given the virtual saturation of the modern industrial sector, the Executive Council continues its activity to promote the informal or non-structured sector, which at present offers the best prospects for the creation of new employment.

We should also note that, within the framework of technical co-operation between the ILO and my country, the Executive Council is financing, jointly with the UNDP and the ILO, an important project relating to the implementation of a reform of the social security system. Zaire hopes to benefit in the near future from technical assistance from the ILO, in order to carry out this project successfully.

Before concluding, I would like to stress that the Republic of Zaire actively condemns the intransigence of the racist and regressive regime of South Africa. It demands the immediate independence of Namibia and an end to aggression against the countries bordering Namibia by South Africa.

We feel that the ILO should continue its efforts to mobilise its members in order to promote the abolition of the apartheid regime, and intensify the technical co-operation it provides to the national liberation movements and the independent trade unions of South Africa, Namibia and the front-line States. The intensification of economic sanctions and the prohibition of travel and trade relations between member States of our Organisation and South Africa should be encouraged.

We hope that the work of the 75th Session of the International Labour Conference will further the cause of the International Labour Organisation, and contribute to its objectives of social justice, social progress and freedom.

Interpretation from Portuguese: Mr. CORREIA GANANCIO (*Workers' delegate, Mozambique*) – On behalf of the Mozambique Workers' Organisation, I would first of all like to present our congratulations to Mr. Beyreuther on his election to the presidency of this 75th Session of the International Labour Conference, and also hail the Reports of the Governing Body and of the Director-General.

We still live today in an atmosphere marked by a strained political and dramatic economic situation. The most significant expressions of this are as follows: regional military conflicts with international consequences; the constant increase of external debt that can only be described as a calamity; unemployment in developed countries which has reached astronomic proportions and characterised now by permanent unemployment; ever-growing poverty in underdeveloping countries that victimises millions of human beings and, above all, children.

All this constitutes a waste of material and human capacities that cannot be justified. Taking into account the high level of consciousness and intelligence, and the available means and progress already achieved in our time, in view of all this the situation which we are experiencing today can only be qualified as a crime against humanity. There is an urgent need to put an end to this situation. Fortunately, some positive signs are starting to appear in this connection. If the contrary were true, we might lose hope and lose our faith in man.

Therefore, we warmly hail the agreement signed between the United States and the Soviet Union for the elimination of short- and intermediate-range nuclear missiles. We also wish to hail the recent developments regarding consultations for a peaceful solution of the regional conflicts.

In this context, experience shows that this objective can be achieved through vigorous and concerted action by all nations, all men of good will and all sincere people, particularly those involved in the world of labour, and the workers, ranging from the simple peasant to the worker and up to the scientist.

Therefore, we are convinced that the ILO, as an international body which represents the world of labour, should continue as in the past its efforts to promote the well-being of all mankind.

We wish to show confidence that this session will take decisions regarding important concrete actions that will constitute valid and adequate contributions to dealing with complex, dramatic and extremely dangerous situations that we are today experiencing.

The situation in southern Africa, where my country is situated, continues to be explosive. The apartheid regime unceasingly perpetrates acts of state terrorism and these are accentuated by direct attacks against neighbouring independent States, promoting acts of destabilisation as well as assassinations of Black and White South Africans in exile through its gangs of professional murderers. And apartheid can be said to be non-racial in terms of practising such assassinations.

The eradication of this heinous, anachronistic and unacceptable system in our contemporary civilisation continues to represent a fulcrum for the solution of all the problems experienced in the region.

We note with great satisfaction that there is a recognition of the need to eliminate apartheid, not only to condemn it but to work for its removal by applying concrete measures. Therefore the strength

of apartheid depends on its economic and military power, supported by external forces. The survival of the apartheid regime, as well as its condescending behaviour, depends on external support – as is often said, “it is well backed”.

The following statistics demonstrate how the apartheid regime has jeopardised the economy of my country through destabilisation.

Income from exports was reduced from US\$280 in 1981 to US\$80 million in 1986.

Moreover, for the same year, income from exports only covered 14 per cent of imports.

In 1986, foreign currency income through international ports and railways covered or accounted for only 17 per cent of the 1981 level.

Therefore, all those who support the apartheid regime are responsible for the crimes committed by it.

In this context, it is, as far as we are concerned, a matter of principle to demonstrate militant solidarity with the South African people, led by the ANC, in their struggle against apartheid. We support the struggle of the people of Namibia, led by SWAPO, for their independence by applying Resolution 435 of the United Nations Security Council. We also support the struggle of all people struggling for their freedom and social justice.

However, in spite of the situation created by apartheid, the people of the region are continuing their struggle and are fully aware that their destiny ultimately depends on themselves.

The Southern African Development Co-ordinating Conference Member States (SADCC) is continuing to move forward, not only in the process of liberating people from economic dependence in relation to South Africa, but also jointly and individually supporting economic development.

The workers in the region are conscious of and taking into account the importance of this struggle.

The economic rehabilitation programme that we started in our country in 1987 is now producing positive results.

The cessation of economic slump and the recovery of economic growth in 1986 gave rise in 1987 to a global overall growth of GNP by 4 per cent. Productivity has greatly increased. Food prices doubled and consumer goods have trebled in price three times, which in fact corresponds to an increase of 100 per cent in salaries and the equivalent of 250 per cent in minimum salaries.

It is true that our workers experience great sacrifices imposed by the apartheid regime but they are accepting these sacrifices because it is necessary to fight for a hard-won independence and maintain it, but also to assure the future that we wish to build.

On the other hand, the new policy on prices and wages has an important impact on economic recovery in the production sectors, and there is now a better balance of income and expenditure.

The decisions and positions adopted by the ILO are of great importance to the labour world and may also influence decisions taken in other bodies with responsibilities in various complex areas of competence.

For that reason, our decisions and positions in relation to the problems affecting us must not be removed from our own specific role, since we represent the world of labour, that is, a fundamental and active force in society.

In conclusions, we would like to affirm, as we did in our last statement at the 74th Session of the International Labour Conference, that we are convinced that this 75th Session will fulfil with dignity its role. The world of labour must carry on its mission in contributing to the well-being of mankind as a whole.

Interpretation from Spanish: Mr. MENESES ALVELO (*Workers' delegate, Panama*) – It is a great pleasure for me to address this august assembly and express, on behalf of the Panamanian workers and the National Council of Organised Workers, the CONATO, our warmest greetings to the delegates meeting in this important international forum to discuss and examine the problems facing our countries.

May I congratulate the President on his election. We are sure that under his wise leadership our meeting will achieve fruitful results.

We are pleased that the Director-General's Report has dealt with human rights on the occasion of the 40th anniversary of the adoption of the Universal Declaration of Human Rights.

It is of great importance that this report also deals with freedom of association and the right to organise vital principles, yet so often violated by governments and employers. It should enable the 75th Session of the Conference to evaluate the measures adopted by the ILO to promote and defend the respect of human rights.

The task of defending human rights is not an easy one if we bear in mind the scorn for human life shown by transnational enterprises and governments, and their willingness to sacrifice the lives of workers for a profit.

For the trade union movement, human rights means more than respect for freedom of association, even though we acknowledge its importance. Without the right to work, the right to organise is secondary.

The human rights which we are defending every-day in our countries and enterprises are closely linked to the fight for peace. Everyone who struggles for peace is struggling for human rights: 2 million dollars are invested in weapons each minute, while in the Third World countries 120,000 children die of hunger or owing to the lack of medicines every three days.

The rights of workers and of peoples are increasingly threatened by misery, disease, hunger and unemployment owing to the failures of government, the yoke of an unpayable foreign debt, and constraints imposed by financial organisations such as the World Bank and the International Monetary Fund, as a consequence of the unequal terms of trade between small and large capitalist nations.

We have often said that the problems affecting our countries will not be resolved until we espouse a new international economic order. At the present, studies by specialists and scientists show that for Latin America the problem of foreign debt is a hemorrhaging wound. According to the Permanent Secretary of the Latin American Economic System, in spite of the massive transfer of almost 150 billion dollars from 1982 to 1987, basically in payment of interests, the debt of the region increased from 330 to 410 billion dollars.

This means that the efforts of the Latin American countries to restructure their economies and service their debt have been virtually in vain; the region

cannot hope to have the problem solved by the generosity of the creditor banks or the good will of creditor countries. The time has come for Latin American countries to get together and devise real solutions.

Those of us who come from Panama, where imperialism, in the interest of its strategic objectives, has since June 1987 planned, financed and carried out criminal actions in the country through the so-called "National Civic Crusade", with the objectives of implanting a compliant government which would submit to the orders of the White House, imposing a revision of the Torrijos-Carter Treaties and negotiating a new military agreement to keep their troops on our soil past the year 2000 and guarantee that the canal once it is turned over to Panama will not be state-owned but controlled by the multinationals.

Eleven months have passed since the start of harassment by the United States Government; it has brought our small country to the most serious economic crisis in its history. They froze our funds in United States banks. They appropriated the income generated by the Canal, leaving the country without cash. They provoked the close-down of the Panamanian banking system, creating a financial panic. They created all types of street disorders, spurred by the actions of the Ambassador Arthur Davis, his daughter and many officials from the United States Embassy, and launched a propaganda campaign of the most despicable kind ever seen so openly in any country. They brought in troops and threatened to invade us. We condemn this aggression.

We have experienced serious difficulties, with a foreign power trampling on the most elementary human rights. In this political crisis the Del Valle Government fell; there is now another President; the internal military coup failed; the crusade has become fragmented; the Church's mediation has failed; the employers' closing of businesses...

Interpretation from French: The PRESIDENT (Mr. ADIKO) – Would you be kind enough to keep to the main points of the Report of the Director-General. We are here to work for peace, not to foster animosities. Please go on.

Translation from Spanish: Mr. MENESES ALVELO – Mr. President, the Standing Orders of the Conference recognise freedom of speech, provided one does not offend or denigrate anyone. I have done neither. I was referring to the human rights mentioned in the Director-General's Report; there would be no point in coming here from Panama and repeating what the Director-General has already said, without describing what is going on in my country as concerns human rights.

The crisis is receding; our enemies have realised that there is nothing to be gained from it, and that the people and the present commander of the armed forces, Manuel Antonio Noriega, he whom imperialism and the oligarchy blame for the crisis that they themselves provoked, have resolved to stand firm.

The internal problems of Panama, including the problem of our armed forces, will be resolved by the Panamanians without the interference of foreign powers or the presence of imperialists.

The consequences of the crisis have been serious. In 1987, 6,846 workers were dismissed, and in 1988 there have been 5,823, according to official data.

According to reliable sources, 35,000 workers were dismissed, bringing the total number of unemployed workers to almost 200,000 a large number in a small country like Panama.

It is fashionable today for enterprises to send workers to holiday homes, on leave, but without pay. Collective agreements are no longer negotiated owing to economic problems; we have to take over enterprises to guarantee workers' benefits.

The workers' movement is fighting and maintaining its readiness to confront this new attack. My trade union, together with the Federation of Public Employees, the Confederation of Trade Unions of State Enterprises and the National Confederation of Rural Workers, has formed the United People's Front with branches in the provinces, and we have organised a national dialogue among 23 political organisations from different sectors; we hope that the results of this dialogue will be put into practice for the benefit of our people.

This is another historic battle. We give public thanks for the international support received from the international trade union movement, and particularly from the WFTU, and we thank from this rostrum the governments here who, in spite of pressure, stood up for the cause of Panama. We thank the world of trade union movement for participating in a trade union meeting of solidarity with Panama.

We regret that some in the world trade union movement, under pressure, abandoned us in the heat of the battle, but we continue the fight and we shall continue needing the support and solidarity of the international community.

This crisis has revealed the courage of the men, women and young people who today form the battalions of dignity for the defence of our country against aggression. This is a triumph over our enemies, who are only capable of paying mercenaries to invade other countries.

Once again the fundamental objectives of the ILO, as defined in the Constitution and the Declaration of Philadelphia, which cover the broad spectrum of social justice, a requirement for lasting peace, and the rights of all human beings without distinction of race, creed or sex to material well-being and spiritual development in conditions of freedom and dignity, economic security and equality of opportunities, have been violated.

Allow me to paraphrase the words of Omar Torrijos Herrera before the United Nations Security Council in March 1973. The awakening of Latin America should not be hindered, but supported in order to ensure peace. A new awareness is blossoming in Latin Americans and there can be peace only if this awareness is allowed to follow its own course. Anyone opposing this process will create hostility and encourage tumult. Those who would prevent us from undertaking peaceful change are pushing our peoples to seek violent change.

Interpretation from French: Mr. ONDONDA (*Workers' delegate, Congo*) – I should like first of all to express my great pleasure at having an opportunity to address this august assembly, the 75th Session of the International Labour Conference. It is thus, with genuine pleasure too, that I address my sincere congratulations to the President on his election.

This session of the Conference represents a very opportune moment for reflection on the serious so-

wards a broader process of disarmament, not only in respect of nuclear weapons but also in the field of conventional armaments, has been welcomed throughout the world by all those who hold peace, justice and freedom dear.

In conclusion, I wish to reaffirm my wish that the work of the 75th Session will provide results that will be a source of great satisfaction to working people of all nations.

Interpretation from French: Mr. JUREK (*representative of the Trade Unions International of Workers in Energy*) – On behalf of the Trade Unions International of Workers in Energy, I should like most cordially to greet all the tripartite delegations, the representatives of the Governing Body, the Director-General and his assistants, and all those who participate in various ways in the work of the present session.

I should also like to associate myself most warmly with the congratulations that were addressed to the President upon his election and I should like to wish him and the other officers every success in carrying their tasks.

It is the second time since the birth in 1986 of the union that I represent that we have been invited to take part in the work of the International Labour Conference. Our 7 million members throughout the world are justly proud that we are taking part in this august international tripartite assembly in order to exchange opinions and experience as well as to take decisions in the field of labour and its socio-economic components.

The importance of the present session lies in particular in the fact that it is striving to summarise, in the context of the ILO's activity, one of the fundamental problems of man's life today – that of human rights, a problem that has been brilliantly expounded in the Report of the Director-General of the ILO, entitled *Human rights – A common responsibility*. This problem is also a focus of concern and of interest in the Trade Unions International of Workers in Energy. This is why we should like to join with you in the celebration of those documents that have been indelibly penned on the pages of the contemporary social history of mankind, namely the Universal Declaration of Human Rights and Convention No. 87 of 1987 which 40 years ago were given to the peoples and workers of the whole world by the United Nations and by the ILO respectively. Today, we look back at these two great documents, together with the Universal Declaration of Trade Union Rights adopted ten years ago by the Ninth World Trade Union Congress, and sum up the scope of their practical application and of their effective observance over the years since their adoption, and draw conclusions for the future.

The main conclusion that emerges is that these documents have lost none of their relevance today, because before our eyes an immense human drama is unfolding, characterised by poverty, hunger, unemployment, underemployment, malnutrition, housing shortages, the repression of trade unions and anti-union legislation, the enormous indebtedness of many countries, the plundering of developing countries, regional conflicts and warfare, shameful apartheid, racism, discrimination, and many other negative social and economic factors and destructive scourges which undermine the rights and the dignity

of man. This drama involves in various degrees and in various aspects many hundreds of millions of human beings in most of the countries of this world.

Moreover, even nature is ringing alarm bells which can be heard throughout our planet as a result of the disgusting pollution which severely affects all our flora and fauna. To think that all this is happening at a time when technical, technological and scientific progress has reached a level capable of ensuring that the whole of humanity has a decent life. Unfortunately this is not the case and it will not be the case just as long as we still have an arms race in the world and until it is replaced by mutual understanding, international co-operation and dialogue between all the States of the world, and above all, between the two worlds, the socialist and the capitalist worlds, on the basis of peaceful coexistence and on the basis of a new international economic order. This is objective reality.

This picture of the world should be an appeal to the ILO at a time when it is making choices, to act even more dynamically and find new ways and means of working that are better geared to the realities of this world. The Report of the Director-General underlines the fact that the ILO should not avoid its obligation to adapt to a changing world. While I am fully endorse this idea, I nevertheless think that the activities of the ILO should promote changes in the world along the lines of a well-balanced development of the world economy, continual pursuit of social progress and more respect for human rights so as to put an end to the evil which is affecting all mankind while making sure that this change does not end in a nuclear, chemical or bacteriological disaster.

The world of labour in the energy industries, by its very nature, is a world of peace, of progress and of science. It makes its beneficial contribution to the promotion of the material and spiritual development of humanity. The Trade Unions International of Workers in Energy makes its contribution to this through its organisational and educational activities. It is therefore deeply interested in setting up a permanent committee on energy within the ILO and we have already taken the first steps by asking the competent bodies of the ILO to take this very important matter into consideration. I should like to take advantage of this opportunity to beg for your support as well for this just cause, which will help to strengthen and expand ILO activities in the field of labour on which the promotion of development depends.

The Trade Unions International of Workers in Energy is deeply attached to the fundamental principles set out in the Constitution of the ILO and will continue to work for them and for the effective implementation of the ILO programmes for the present and for the years 1990-95.

Moreover, we feel that the tendency to limit the activities of the ILO can only harm the well-founded interests of workers, of their trade unions and all the countries, both Members of the ILO and non-members. This tendency holds back ILO's activity in promoting international and multilateral co-operation. The ILO must not weaken in its activities just when the recent agreement and the Soviet and American dialogue at the summit meeting, the importance of which we fully recognise, has given the world a spark of hope for peace in the future.

In this conviction, and in the light of what I have said, I hope that you will accept the best wishes of

cio-economic and political problems that are shaking the contemporary world in general and the world of labour in particular.

Exactly one year, to the day since our last meeting, we note with a heavy heart that the economic and social position of the world has not significantly changed. The world is still facing the same challenges: the poverty of millions of workers, the struggle against the ferocious exploitation of multinational corporations, the struggle of peoples against underdevelopment, the struggle for democracy, the struggle for social well-being and the political development of peoples. This is where we venture to think that this Conference will provide us with an opportunity to assess in an exhaustive manner the activities carried out by the different parties involved in the area of labour, even though we are aware of the differences that exist among them. The Report of the Director-General provides us with a relevant and penetrating analysis of these major challenges. It assesses critically the changes that have occurred in the political, economic, social and vocational fields at the international level and then proceeds to consider a series of activities which the workers must undertake.

We welcome the convergence of views, ideas and opinions which characterises the Workers' group within the International Labour Organisation which can enable us to make consistent defence of the gains achieved by workers throughout the world. Indeed it is to the honour and merit of the International Labour Organisation that it constitutes an instrument for international solidarity and economic interdependence working for the harmonious development of all states for the establishment of a new international economic order. Indeed, the International Labour Organisation is one of the few organisations of the United Nations system which brings together three diametrically opposed entities by the nature of their interests, but which are always called upon to seek consensus in order to save the international community from economic and social disaster. It is extremely regrettable to note that despite the unstinting efforts extended by workers and peoples for a better world and a more just society, nevertheless, mankind is far from having overcome definitively the chronic ills which impede its development. The crisis which is shaking the economies of countries throughout the world, including the countries of the Third World which feel its effects particularly harshly, makes it more necessary than ever to call for increased commitment from the parties represented here.

Neo-colonial exploitation, with its main agents being the multinational corporations and the voracious international financial institutions, has thus exacerbated the already-precarious situation of the young independent States of our continent, Africa. Thus, lacking resources for internal accumulation which would allow the self-financing of their economies, African countries are compelled to have recourse to credits and external loans. As is well known, this approach has considerably changed the structure of African debt, which is becoming a terrible burden for the economies of the developing countries.

This financial handicap is serving to increase the rate of unemployment every day. Endemic underemployment, the low level of productivity, insufficient income levels and, on top of that, accelerated popu-

lation growth, are all crucial problems that Africa must resolve in line with its own development needs.

The protection of employment is a common responsibility to the extent that robotisation and excessive mechanisation, the fruits of modern technology, the failure of many enterprises, stoppages and lower production – all this is throwing thousands of workers on to the streets and is condemning entire peoples to live at poverty levels. It is therefore more than urgent to guarantee the right to work, training, health and social security – rights without which workers and their families are mere instruments at the mercy of monopolies and cyclic economic crises. Indeed, one of the solutions adopted by African Governments to stem the debt crisis has been the adoption of austerity budgets, and this has led to a significant reduction in public expenditure devoted to social services, including health and education. The lack of subsidies has profoundly affected the realm of education where there is a continuous lowering of the level of education provided and the quality of training.

Since the last Conference, no positive change has occurred in the political situation prevailing in southern Africa. The challenge represented by South Africa to the international community is a permanent one. The Pretoria regime, is continuing deceitfully and with impunity, the massacre of members of the Black population and is intensifying its acts of terrorism, perpetrated directly or indirectly through the financing of mercenaries, in the front-line States and in other countries. It is in this context that we should view the diabolical assassination that occurred on 28 March 1988 of the representative of the ANC in Paris, Mrs. Dulcie September, and the recent attack in Mozambique against an official of the ANC and the refusal to implement resolution 435/78 of the Security Council of the United Nations concerning Namibia.

Repeated aggression against Angola and Mozambique is a striking demonstration of the arrogance of the Pretoria regime, more than ever determined to destabilise southern Africa.

Since the last Conference, the Congolese Trade Union Confederation has been associated with all the events organised, nationally and at the level of the African continent, against apartheid. It therefore contributed to the collection of funds launched by the Organisation of African Trade Union Unity for the benefit of workers in South Africa and Namibia and has also contributed significantly to the Africa Fund.

We are living through a complex and contradictory period, one that could even be qualified as critical. The huge stockpiles of weapons are continuing to grow.

The developing countries themselves are also being brought into the inhuman arms race. Conflicts and violent confrontations that are generally exacerbating the international situation are continuing and they affect the Third World above all. The threat of a nuclear war, which would mean the end of civilisation, weighs upon all of us. Never has mankind been so near to self-destruction.

From the above, it is quite clear that the struggle for peace and disarmament is the main task of our age. For this reason, the agreement reached in Washington on the elimination of short- and intermediate-range missiles, which should open the way to

the Trade Unions International of Workers in Energy for the work of the 75th Session of the Conference.

Mr. MATHEW (*representative of the Trade Unions International of Transport Workers*) – Let me at the outset congratulate the Director-General on the deep and thought-provoking Report that he has presented to this session. He has rightly pointed out that civil and political rights can be ensured only through economic development. He has also stated that in large parts of the world the pursuit of self-interest is considered the motor of progress. "Increasing tendencies have manifested themselves in various parts of the world to let social policies be dictated largely by market forces". He has hit the nail correctly on the head by saying that progress towards realisation of human rights can be attained only by changes in social relationships resulting from political debate and struggle. We have no hesitation in accepting the Report as a good basis for discussion.

What are the changes immediately needed in social relationships?

We are living in an age of domination of the world economic scene by huge transnational corporations which are increasingly finding it possible to decide matters according to their wishes. Gone are the old days of free enterprise, free competition and the free market. On the other hand, we have deliberate manipulation of the markets including the money markets by using the enormous power of the big corporations and banks and these operations are carried on internationally. The results have been growing indebtedness of the Third World countries, the widening gap between them and the developed countries and the extreme poverty of about a billion people around the world. In the developed market economy countries the results are growing unemployment and the fragmentation of the labour force.

Therefore, policies of introducing structural changes to augment the domination of the monopolies should be discarded by the market economy countries. Deregulation and privatisation should be stopped. The transnational corporations should be curbed. The economies should be reorganised on the basis of social justice. Thus alone can full employment and equitable international economic relations be attained. Only in such an economic climate will human rights become realisable in the market economy countries.

It is noteworthy that structural changes are afoot in some of the socialist countries also and these are based upon the need to further modernise their economies. It is also seen that the mechanisms of the market, such as profitability of enterprises, incentives for work and competitiveness, are being utilised for the restructuring. As the Director-General has rightly pointed out in his Report, these reforms will require new policies regarding the placing of labour, retraining and remuneration. The added productivity resulting from the reform could lead to more benefits for everyone and may eventually include reduced hours of work as well. The level of realisation of human rights could improve further.

Although the Director-General's Report has refrained from mentioning the deep differences in value-judgements and historical backgrounds regarding human rights, it is worthwhile discussing these

questions with a view to securing human rights for all people.

In the market economy countries movements for civil and political rights arose as espoused by people who were able to appreciate these rights and utilise them to further their economic, social and cultural situation. But the large majority were not in a position to do this. When the workers were able to organise strong trade unions and to better their lot they became capable of struggling for civil and political rights as also of enjoying these rights to some extent. Thus in these countries civil and political rights came to acquire a pre-eminent position, even relegating economic, social and cultural rights to the background. The governments of these countries did not assume any responsibility to provide the people with material well-being in the past. They were not considered human rights at all. That situation has changed in varying degrees in different countries as a result of long and arduous struggle and these rights are accepted as a programme to be implemented over a period of time subject to availability of resources. Early realisation of human rights as a whole, especially the realisation of the right to work is what is needed.

In the socialist countries the emphasis has been to ensure economic, social and cultural rights, especially the right to work which creates favourable conditions for the realisation of all the other rights including civil and political rights.

The Director-General has raised the question whether it would not be appropriate to guarantee the right to work to be embodied in an international Convention of the ILO. After making a summary review of the situation, he has answered that full, productive and freely chosen employment must remain a vital goal of national policy for all States. He has not failed to state that there is need for a greater sense of urgency, for greater political will and for new efforts of thought and imagination. He has also stated: "Failing the requisite action, we must expect the world's economic and social stability to come under increasing strain, as the gap continues to widen between the wealthy few and the masses living in deprivation and despair. In such a setting human rights, democracy and peace itself would be at risk".

It is felt that the adoption of a convention embodying the right to work would help in imparting the sense of urgency about which the Director-General has so earnestly made his remarks.

However, it has to be stated that the adoption of the Convention should be considered only as an important step leading to further activities of the ILO for ensuring full employment. Such further activities of the ILO in our opinion should concern the following areas: international monetary and trade practices which are creating massive unemployment and poverty in the developing countries. In this issue the ILO could intervene with the other specialised agencies concerned in the United Nations Systems; creation of rural employment. First steps could be taken based on the conclusions arising from the discussions on this problem in the session; ensuring full co-operation of workers and their trade unions in the formulation and implementation of employment programmes of the various governments. The Director-General has rightly stressed this point.

We appreciate that the ILO Medium-Term Plan 1990-95 concentrates on the priority issues of human

rights, employment, working conditions and social security. These being vital problems for all the workers of the world, we are of the opinion that the Plan itself should be placed before the session for examination and approval.

It is seen that some countries, such as Chile, Colombia, El Salvador, Guatemala, South Africa, the occupied Arab territories, Iran, etc., are frequently being discussed in the Committee on Freedom of Association. Apparently these countries are carrying on violation of trade union rights as a matter of policy. Therefore the present procedure of dealing with individual complaints of violation seems to have become infructuous and insufficient. We therefore consider that it is time to think about more expedient and effective measures under the Constitution. We appeal that the Governing Body may consider what further steps are to be adopted.

Finally, I welcome the exchange of documents ratifying the Intermediate-Range Nuclear Forces Treaty between Gorbachev and Reagan, thereby eliminating an entire class of nuclear weapons. It is a truly historic achievement towards total disarmament. It is also hoped that further progress will be made in the effort for reduction of strategic nuclear weapons. Peace is vital for the world in as much as the resources saved by disarmament could be utilised for solving the serious problems facing mankind including the problems of full employment and human rights.

On behalf of the Trade Unions International of Transport Workers I wish the Conference every success.

Mrs. DOURTCHEVA (*representative of the Women's International Democratic Federation*) – Allow me first of all to express my gratitude for the opportunity given to the Women's International Democratic Federation to address this high forum on behalf of women of its 138 national affiliated organisations in 124 countries and to convey their concerns and their aspirations as workers and citizens.

The WIDF highly appreciates the increased attention the ILO has given in recent years to the problems of women workers in implementation of the 1985 Conference resolution on equal opportunities and equal treatment for men and women in employment and of the Forward-Looking Strategies for the Advancement of Women till the year 2000, adopted by the World Conference for Women in Nairobi in July 1985.

We fully share the evaluation in the Director-General's Report that the elaboration and adoption in 1987 of the Plan of Action on Equality of Opportunity and Treatment of Men and Women in Employment "provides a framework for ILO efforts in the future to improve the situation of women workers and translate into practice the principles embodied in relevant decisions and international labour standards".

The full scope of implementation of this Plan, however, continues to be dependent not only on its proper coverage in the Programme and Budget 1988-89 and the Medium-Term Plan 1990-95, but to an even greater extent on the political will and practical action of ILO Members. We fully appreciate the support given from this rostrum to the importance of international instruments as a vehicle for interna-

tional co-operation and a common measurement scale on performance. However, the millions of women workers in question live and work under the specific conditions of their country of origin or domicile and even the most perfect international instrument cannot suffice if action is blocked at national level. Valid proof in this respect has been handed over to delegates with the basic set of documents, namely Report III, (Part 4B), *Equality in employment and occupation*.

The WIDF would like to avail itself of this opportunity to congratulate the Governing Body on selecting the Discrimination (Employment and Occupation) Convention, 1958, (No. 111), and Recommendation (No. 111), 1958, for discussion under item III of the agenda at this busy Session of the International Labour Conference, having as a main topic *Human rights – A common responsibility*.

Even more so, because in spite of the efforts and some achievements in the 30 years since the adoption of Convention No. 111 and in spite of the number of new legislative Acts in other spheres of social life adopted at national level during the United Nations Decade for Women (1975-85), the discrimination to which women in many countries are still subject in the field of employment and occupation is seconded by continuing discrimination in the field of remuneration, lack of sufficient maternity protection, if any, etc., problems also covered by ample ILO standards. The *ILO Year Book of Labour Statistics* is the best evidence of the still traditionally biased structure of the female labour force, of a wage differential of up to 60 per cent in the extreme cases for work of equal value in a number of countries, not to mention that most of the women are still clustered in the low-paid, low-prestige jobs where this unit measure does not apply.

Special assistance is needed for women workers subject to overt discrimination under apartheid and in the occupied Arab territories and everywhere where racism and racial discrimination make them victims of double and sometimes of triple discrimination.

Against the background of the existing information the WIDF would like to launch one again the call for further urgent practical action for strict implementation of the ILO standard-setting instruments related to the situation of women workers, with the immediate target of abolishing existing discrimination and ensuring for women the place of equal partners in the field of work.

Affirmative action is also needed to cut the roots of the perpetration of discrimination in new forms. Women's education and training for employment in the era of fast advances in scientific and technological progress should be geared to make women compatible in the labour market, properly equipped to face the challenge of new technologies.

While this is valid for the female labour force as a whole, specific attention is needed in the case of young women, who as a group combine into one the severe problems of two large vulnerable groups – youth and women. As an outcome of an international semina, sponsored jointly by nine international NGOs on the theme "Young Women's Equal Opportunities for Education, Employment and Training for Employment" (Barcelona 4-7 May 1987), we would suggest a more detailed study on this subject by the Youth Division and the Office on Women

Workers' Questions jointly. Immediate action in this field is an important investment in the structure and qualifications of the female labour force of tomorrow. There is already a rich stock of positive experience in this respect accumulated by now in the countries with centrally planned economies, which in addition to all educational and training aspects have even gone so far as to provide maternity benefits usually allocated to working women to female university students with children as a form of preinvestment of the female labour force.

The WIDF appreciates highly the second discussion on employment policy and the eventual adoption of a Convention and Recommendation on employment promotion. However, a document aimed at promoting employment and laying down some basis for cutting down unemployment, by which women *en masse* are worst hit, both as individuals and as members of the family of an unemployed person, will be incomplete without the specific commitment of the ILO to the guarantee of the right to work. Even more so in the year when humanity is celebrating the 40th anniversary of the Universal Declaration of Human Rights, which solemnly proclaimed the right to work as an inalienable right of all human beings. This right has already been vested in a number of other international instruments adopted by the United Nations, among them the International Covenant on Economic, Social and Cultural Rights.

In the world of today how can one ensure the full enjoyment of all other human rights without a guarantee of the right to work, how can millions break through the vicious circle creating the class of "newly poor", as if the poor were not enough? In our opinion it is the unique expertise, accumulated in this Organisation, which if coupled with its pledge to the right to work as a fundamental human right could provide the legal basis for consistent national and international action to combat unemployment and help create conditions conducive to full employment.

The WIDF is fully aware that changes cannot take place overnight, that the situation of women workers is closely dependent on the social, economic and political circumstances of the individual societies in which they live. The implementation of their human rights as workers, especially in the developing countries, is dependent on the availability of resources, both human and financial. Effective introduction of the New International Economic Order and solving of the foreign-debt problem will place women of the developing countries among the most conscious beneficiaries and agents of the development process as it means bread, and often water, housing, education for them and their children.

The inter-relationship between respect for human rights and the maintenance of peace and stability, mentioned in the Director-General's Report and em-

phasised by a number of speakers before me, is another key factor, offering a solution to the problems of workers, including women. The positive developments in the international climate, the first steps taken in the direction of effective disarmament with the signing and ratification of the INF Treaty and the ongoing other negotiations raise the hope that the huge human and material resources, wasted for decades on the arms race, will finally be re-directed in favour of development. The United Nations Conference on Disarmament and Development established a sound framework in which we hope more practical thought can be given by the ILO to how part of the resources released through disarmament can be used to promote the social and economic conditions of women workers.

In conclusion, allow me to join the Director-General in his high appreciation of the activities of the Office of Women Workers' Questions, whose unbiased, profound studies and publications have proved to be of tremendous value to us as a source of information and a stimulus for action.

Interpretation from French: The PRESIDENT (Mr. ADIKO) – I call on Mr. Becker, Government adviser, United States, to exercise his right of reply.

Mr. BECKER (*Government adviser, United States*) – Just yesterday Mr. Peterson of the United States delegation found it necessary to call a point of order and request the right of reply in the face of polemical, non-germane and irrelevant remarks by another Panamanian delegate. At that time the United States delegate explained the background and causes of the United States economic sanctions towards Panama, a subject raised at the time by the Panamanian speaker. Again we find ourselves back to non-germane and irrelevant subject material raised by the distinguished Workers' delegate from the Republic of Panama, Mr. Meneses. We must respond a further time. Among other statements, Mr. Meneses has drawn the United States, the White House and "aggressive" United States troops into his remarks. I note that United States forces are in Panama under the Treaties of 1977. The United States has never faltered and remains fully committed to honouring all of its commitments under the Panama Canal treaties of 1977.

In conclusion, I would quote one phrase from the English language translation of a letter that I found on my desk from the Consejo Nacional de la Empresa Privada to the International Organisation of Employers, and the one phrase that I would quote is: "The fundamental issue in Panama is not foreign intervention but the countywide armed occupation of our own armed forces."

(The Conference adjourned at 7.45 p.m.)

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Thursday, 9 June 1988, 10.15 a.m.

Presidents: Mr. Beyreuther, Mr. Adiko

SIXTH REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

Interpretation from German: The PRESIDENT – The first item on our agenda is the sixth report of the Selection Committee. I call on Mr. Vargas Escobar, Government delegate, Nicaragua, Chairman of the Selection Committee, to submit the report.

Interpretation from Spanish: Mr. VARGAS ESCOBAR (*Government delegate, Nicaragua; Chairman of the Selection Committee*) – It is my honour to submit to the Conference the sixth report of the Selection Committee, which is to be found in *Provisional Record* No. 5E.

The Selection Committee first proposes that some non-governmental international organisations be invited to have themselves represented at the Conference and in one of its committees.

Furthermore, it recommends that the Conference approve certain changes in the composition of certain Conference committees.

In addition, the Selection Committee, at the request of its Workers' Vice-Chairman, supported by the Employers' Vice-Chairman, urges the governments that have been requested by the Committee on the Application of Standards to provide it with information to do so as soon as possible in order to facilitate the organisation of the work of the Committee.

I recommend that the Conference adopt this report.

Interpretation from German: The PRESIDENT – The sixth report of the Selection Committee is now before the Conference. If there are no objections, I take it that the report is adopted?

(The report is adopted.)

RATIFICATION OF THE INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION, 1986

Interpretation from German: The PRESIDENT – I have pleasure to inform you that the Director-General of the International Labour Office has registered the ratification by Togo of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986.

This brings the total number of ratifications and acceptances of the Instrument to 40

COMMUNICATION BY THE PRESIDENT TO THE CONFERENCE

Interpretation from German: The PRESIDENT – I would like to make the following announcement. The President of the African National Congress (ANC), Mr. Oliver Tambo, has sent me a telex in my capacity as President of the 75th Session of the International Labour Conference. In the telex Mr. Tambo informs me that on 6 June a three-day peaceful protest began by the whole trade union movement and the workers under the leadership of the Congress of South African Trade Unions (COSATU). This protest was directed against the most recent amendments to the law in South Africa and the violation of the basic rights of the workers.

The National Executive Committee of the ANC decided on this basis to appeal to the International Labour Conference to discuss this issue, which is vital for the South African workers, and to give every possible support to the South African workers.

After a discussion with the Officers, it is our view that we should act in accordance with this justified request and we therefore propose that the telex be transmitted to Committee on Apartheid of the Conference because that Committee is considering the questions to which the telex refers. We are certain that the Committee on Apartheid will propose the necessary steps and will take up the telex in its report to the Conference.

Furthermore, I should like to inform you that at the moment contacts are taking place to mark the solidarity of the 75th Session of the International Labour Conference with the justified claims of the South African workers in an appropriate manner.

If you agree, we can proceed in this way.

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – We now continue with the discussion of the report of the Governing Body and of the Director-General.

Interpretation from Arabic: Mr. AL-JUMAIRY (*Under-Secretary for Labour, United Arab Emirates*) – In the name of God, the Merciful, the Compassionate! It is my pleasure to address my congratulations to the President on the occasion of his election to the presidency of this session of the International Labour Conference. We very sincerely wish him every success in the guidance of its work in a spirit of responsi-

bility, objectivity and wisdom, so that this Conference may bear its hoped-for fruit.

I should also like to congratulate the Vice-Presidents of the Conference and wish them every success as well.

This Conference is taking place in international and regional circumstances that are delicate. The world is facing many challenges. The international economic crisis facing the world since the beginning of the 1980s is making things even more difficult. The problems of poverty and unemployment are affecting millions of people. Regional conflicts are exposing millions to destruction and death. The freedom and dignity of man are continually suffering from injustice, oppression and persecution. The rights of human communities to nationhood and self-determination are still too often denied or scorned. International co-operation is on the decline and the indebtedness of developing countries is worsening the international situation.

In this context, it was perfectly natural for the Director-General of the ILO to choose human rights as the theme of his Report for this session, for many reasons including the obvious relationship of the subject with our Organisation. The International Labour Conference is urged therefore to react to the events that are shaking our world as far as human rights are concerned, because the objectives of this Organisation are to establish peace and social justice. The Conference must therefore fulfil its duty with a sense of responsibility that is worthy of the Organisation's rank at the international level, and of its tripartite structure.

The Director-General's Report has laid considerable stress upon the Universal Declaration of Human Rights and the role of the Organisation in promoting and protecting these rights. He has made an objective and realistic summary of the state of affairs in the world as regards these rights today. He has reviewed the problems and obstacles that are preventing the enjoyment of these rights, and urged the international community to shoulder its responsibilities. We must therefore thank the Director-General for his valuable Report and pay tribute to the ILO and the other United Nations specialised agencies for their efforts in the protection of human rights. We believe that this Report, with all the information, opinions and ideas it contains, is a useful basis for our discussions. It therefore provides a starting point for further work to strengthen and protect human rights.

Forty years have passed since the adoption of the Universal Declaration of Human Rights, but the Islamic religion was revealed as an immortal message to the whole of mankind 1,400 years ago. The essence of this message is equality between human beings, the preservation of the rights of man and respect for his beliefs, for his personal integrity and property. In Islam, human rights are intangible and inalienable, and are seen in the context of a comprehensive doctrine and a structured jurisdiction which clearly establish man's relationship with his creator and the relations between people in all spheres of life.

In the United Arab Emirates we take Islamic law as the main source of our legislation, and the Islamic civilisation, a pioneer in the field of human progress, as a model in building a society with a highly developed sense of civic responsibility based on princi-

ples of equality and social justice. It is a society that guarantees its citizens equality and security, calm and equality of opportunity without discrimination on the basis of origin, nationality, religious belief, or social position.

Our Constitution has clearly established the fundamental freedoms of which we can quote as examples the freedom of the individual; the prohibition on violating the moral or physical integrity of an accused person; the freedom and secrecy of correspondence by any means of communication; the freedom to meet and associate within the law. Foreign nationals in our country enjoy all the rights and freedoms established by the international charters and instruments.

In the field of employment, the Constitution guarantees the right to choose employment and prohibits forced labour. Freely chosen productive work is considered an essential foundation of society and progress. The State ensures the promotion and protection of employment by legislation that guarantees the rights of workers and employers in accordance with the most advanced international labour standards.

In the field of economic planning, the policy of the United Arab Emirates is to try to find a balance between economic and social development. That is why my Government has paid constant attention to the development of human resources and the social and cultural development of the human being. The State provides very extensive health, educational and vocational training services. There is comprehensive social security going beyond international labour standards and not limited to wage-earners alone.

The position of the workers with respect to safety and health at work is constantly improving, which contributes to a reassuring environment.

As far as ratification of the international Conventions is concerned, we have adhered to the international labour standards essential to the observance of human rights, including those regarding hours of work, the banning of forced labour, labour inspection and night work for women.

Part II of the Director-General's Report reviews the ILO's activities in 1987, and mentions many activities and achievements in all regions of the world.

With regard to the ILO's activities in the Arab States, I should like to point out that these countries need technical co-operation activities in all the spheres of the ILO's competence, particularly the development of human resources.

I should like to draw the attention of the Conference to the 16th Session of the Arab Labour Conference held in Baghdad last March which extended the implementation of the regional development project of the Arab labour administrations for a three-year period from June 1989. We would invite the Governing Body and the Director-General to take all the steps necessary to put into effect this important project to develop Arab labour administrations.

The Director-General has also presented a report on apartheid in South Africa and a report from the ILO mission on the situation of the Arab workers in the occupied territories. Here again we must express our gratitude to the Director-General for the efforts that he has made in this respect. We must also state our unshakable position of support for the African workers in southern Africa. We support them in their courageous struggle for self-determination and

for freedom from the racist policy of the South African regime.

My delegation appeals for material and moral support for the oppressed workers of South Africa and Namibia, to help them continue their struggle. We also request that all the Conventions and Recommendations adopted by the Conference concerning the programme of struggle against racial discrimination in South Africa should be put into effect.

As regards the report of the ILO mission to the occupied Arab territories, we must thank Mr. Francis Blanchard, the Director-General of the ILO, for his visit as for his efforts. He has thus been able to see for himself the deplorable situation in which Arab workers are living in the occupied territories; he has been able to appreciate for himself the serious and objective nature of the resolutions on the subject adopted by the Conference in 1974 and 1980, and to realise the need for the ILO to intensify and continue its efforts to implement these two resolutions as long as the occupation lasts.

The report on the occupied Arab territories records once again the inhuman conditions of the Arab workers there which have, moreover, become worse. The main point we want to make in this connection is that the recommendations of earlier missions were disregarded by the occupying Israeli authorities who continued to enforce their policies of settlement and racial discrimination aimed at removing the Arabs from their own land and depriving them of their identity in order to establish Israeli settlements in fundamental violation of the rights of the Palestinian people.

These policies and practices have driven the Palestinian people to rebel against oppression and injustice and against the policy of occupation in order to demonstrate to the whole world their determination to fight against the Israeli occupation. The Palestinian people as a whole has valiantly armed itself with stones and catapults to manifest its rebellion. We cannot refrain from praising this noble uprising which should be supported materially and morally by all peace- and freedom-loving forces in the world.

The whole world has been a witness to the savagery with which the Israeli occupation authorities have repressed the uprising of the Palestinian Arab people. They have resorted to oppression, assassination, the mass expulsion of the inhabitants, the destruction of houses, arrests, imprisonment, a policy of famine, the seizure of children as hostage, the forced abortion of women, searches in places of prayer, mosques, and the breaking of people's limbs in schools, universities and other educational and training establishments. All these acts constitute flagrant violations of human rights.

This colonialist policy of Israel's is in complete contradiction with all international instruments; it flouts international conscience and world public opinion. This policy, these extortions, which contravene the most elementary human rights, as well as the international labour Conventions and Recommendations, the United Nations resolutions and international covenants and practices, have made thousands of innocent victims, have widowed thousands of women, orphaned thousands of children, and driven thousands of Arabs from their homes. This policy is the most recent example of an expansionist and colonialist policy in our times. It is for the international community and the conscience of hu-

manity to rise up against it in a responsible and objective spirit in accordance with the principles of human rights and the obligations inherent in membership of international organisations and institutions, particularly the ILO. It is now that we must ask ourselves whether Israel deserves to remain a member of this Organisation, which represents the conscience of the international community and which strives for peace founded on social justice. The delegation of the United Arab Emirates therefore invites all delegations that believe in human rights and subscribe to the principles and objectives of the ILO – peace, freedom and justice – to support the Arab resolution submitted to this session on protection of the rights and freedoms of workers and employers in Palestine and in the other occupied Arab territories.

Finally, I would like to thank you all for your kind attention and wish the Conference every success.

Interpretation from Chinese: Mr. LI (*Government delegate, China*) – I should like to congratulate the President on his election as the President of the 75th Session of the International Labour Conference. Although this session of the Conference is confronted with arduous tasks, I believe that with your experience and wisdom the Conference will surely be guided to complete success.

This year marks the 40th anniversary of the adoption of the Universal Declaration of Human Rights and the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Substantial in content, the Report by the Director-General to the Conference gives a fairly comprehensive analysis of the ILO's activities in the area of human rights. It serves as a basis for discussion at the Conference, which offers us an opportunity to explore together how to further protect the basic rights of the working people. This is of great significance. It is our belief that in the last few decades the ILO has done a great deal of work in safeguarding the basic rights of working people through formulating labour standards and providing technical co-operation. We hope it will continue its efforts along these lines.

The Chinese Government has always respected and safeguarded the basic rights of the people. After the founding of the People's Republic of China, the rights of the people, for which we had struggled for decades and paid in blood, were written into the Constitution, which stipulates that all citizens regardless of nationality, race, sex or belief may enjoy the basic rights. It should be pointed out emphatically here that the working class is the leading class in China. Trade unions, as the representatives of the working class, participate extensively through various channels in the management of the State and society. The Chinese Government has established with the trade unions good relations of consultation on an equal footing. At present, we in China are working hard to improve socialist democracy and the legal system and to build a material civilisation with an advanced socialist culture and ideology. This will provide, in practical terms, legal and material guarantees for the rights enjoyed by the people.

It is the belief of the Chinese delegation that the ILO should make efforts to safeguard the working people's right to work as the focus of its human rights activities. The right to work or the right to employment is of special importance in the world, which is

now faced with serious unemployment and poverty. Unemployment represents a disaster for a vast number of working people, in particular young people. They are not only deprived of the guarantee of a livelihood but also suffer psychologically. Under such circumstances, they cannot genuinely enjoy their other economic and social rights. The 1979 session of the International Labour Conference pointed out correctly that, in the trilogy of growth, employment and fulfilment of basic needs, employment is the key link. To ensure respect for human rights, practical efforts must be made to ensure employment of the working people.

The Chinese Government has always regarded the safeguarding of people's right to work as one of the purposes and objectives of its work. It is explicitly stated in our Constitution that citizens of the People's Republic of China enjoy the right to work and that the State creates, in various ways, employment opportunities. For nearly 40 years, the Chinese Government has made unremitting efforts to ensure employment for one-fifth of the world's population.

In the early years after the founding of the People's Republic, in the light of national conditions in China, the Chinese Government adopted a policy of low wages and more employment, thus successfully tackling the serious unemployment problem inherited from the old Government. Starting in the late seventies, when the reform of economic restructuring began, a series of policies and measures have been formulated to invigorate the economy, develop production and create extensive employment opportunities. In ten years' time, more than 75 million urban young have obtained employment and with government assistance more than 80 million surplus rural workers have shifted to non-agricultural sectors. In these efforts, we have ensured that women enjoy equal opportunities with men. The Chinese Government has also taken special care of the handicapped. By the end of 1987, the number of welfare enterprises established and operated with governmental assistance exceeded 24,000, which provided 385,000 handicapped people with employment. In recent years, the Chinese Government has also attached great importance to the rational flow and use of professionals and educated people, provided opportunities for young people waiting for employment as well as to various forms of training and further education for employed workers, and opened centres for the exchange of professionals and labour markets. Since 1986, the State has reformed its employment system and introduced the labour contract system, thus enabling both enterprises and workers to make their own choices under certain conditions. On the basis of extensive employment, China follows the principle of "from each according to his ability and to each according to his work", and by creating an employment insurance system provides people with a secure life.

An important part of human rights is the right to economic development. The basic reason for the long-term failure to solve the problems of unemployment and poverty in the world is economic underdevelopment. For the effective promotion of employment and elimination of poverty, the ILO is bound to pay great attention to the question of development. I am mainly referring to the Third World countries when talking about the right to development. At present, trade protectionism practised by

the developed countries has been steadily growing. This has restricted the developing countries' export markets and brought about a drastic decline in commodity prices in the international market, thus leading to ever-deteriorating terms of trade for the developing countries. The repayment and servicing of the heavy external debt of the developing countries constitute a big drain on their limited funds. All this gravely hinders the economic recovery and growth of those countries. Therefore, in spite of the high price they have paid for their economic adjustment, the developing countries are still in very difficult circumstances. It is our belief that, if the failure to guarantee to right of the Third World countries to economic development continues for a long time, it will not only restrict the improvement of the human rights situation in the world but also affect world peace and stability. In view of this, the international community, and the developed countries in particular, should take into consideration the millions upon millions of poverty-stricken and desperate people in the Third World, adopt effective measures in regard to international trade, foreign debt and assistance, change the unjust international economic relations and help the developing countries to overcome their difficulties and to restore the momentum of their economic development. The ILO should continue to make development and employment its priority and vigorously step up technical co-operation so as to help the developing countries to surmount the difficulties they encounter in their economic development and expansion of employment.

The Chinese delegation maintains that, in discussing human rights, the atrocities of the brutal violation of human rights caused by colonialism, racism, and foreign armed invasion and occupation should in no wise be ignored. As we all know, the South African authorities are still obstinately carrying out their barbarous apartheid policy, and the basic human rights of the Palestinian people and the people in the occupied Arab territories continue to be seriously violated. In addition, as a result of foreign invasion and military occupation, the independence and sovereignty of some countries have been trampled upon, leaving large numbers of refugees displaced and homeless.

The international community, including the ILO, should continue to pay special attention to the atrocities represented by the large-scale violation of human rights. The international community should be mobilised more extensively to condemn the atrocious violation of human rights by South Africa and condemn the other acts of brutality committed in trampling upon the sovereignty of certain countries and their right to national self-determination, support the South African and Palestinian peoples in their just struggle, force the South African authorities to desist from their shameful policy of apartheid, safeguard the legitimate rights of all citizens of South Africa, call upon the Israeli authorities to withdraw from the occupied Arab territories and restore the national and basic rights of the Palestinian people.

The world is created by working people and the working people are entitled to extensive rights and freedoms. It is our hope that the ILO will do effective work in the above mentioned four areas, step up its activities related to the implementation of labour standards and develop technical co-operation, thus making a greater contribution to safeguard the basic

rights of the working people. To this end, the Chinese Government is ready to co-operate actively with the ILO.

Interpretation from Polish: Mr. SEKULA (*Minister of Labour and Social Policy, Poland*) – It gives me special pleasure to convey to the President, on behalf of the Polish Government delegation, sincere congratulations on his election to the honourable function of President of the current session. The election of the Minister of Labour of the German Democratic Republic to this post is also an important event in the life of this Organisation.

The Director-General has justly entitled his Report *Human rights – A common responsibility*. This common responsibility exists in the relations between States, as well as within States – in relations between social partners. An honest and constructive dialogue has always been the key to common responsibility and common action.

The development of the international situation, including the recent important summit meeting of Secretary-General Gorbachev and President Reagan, prove that dialogue and rapprochement in problems important for the future of the world are possible, though the path to them may often be long and difficult. We welcome this dialogue, so essential for all of us, with appreciation and hope.

At the same time, in this very spirit of common responsibility, we view with the utmost concern situations which still threaten us with an explosion of unpredictable results, in particular the situation in southern Africa and in Arab territories occupied by Israel. What is urgently needed is common action leading to their solution. Time is working against all of us.

Human rights issues are specially close to us. Poland has rich historical traditions in the struggle for the right to national independence, not only that of our country but also of those countries where Poles set their feet; we also cherish the traditions of the struggle for collective and individual human rights to live and work in better economic and social conditions. We have ratified the International Covenant on Civil and Political Rights, as well as the International Covenant on Economic, Social and Cultural Rights, adjusting our legislation to the requirements of those instruments. We believe that sovereign States should base their co-operation in the field of human rights on negotiated international legal instruments which are the result of their common experience and compromises which in such cases are necessary. Poland has been an initiator and co-author of many such instruments. This year, the work on the convention on the rights of the child, undertaken at our initiative, has entered its final stage.

In a spirit of sincere and open dialogue, Poland has resumed its activity in the International Labour Organisation. Yesterday, we noted with satisfaction the decision of the Conference by which our delegation regained its voting rights. In our view, certain disagreements that occurred during recent years between the Polish Government and the ILO, having their background in the exceptionally difficult internal situation in my country, already belong to the past, though time is still needed to overcome the consequences of that uneasy period. What we also need is dialogue and understanding.

The question of the application of some of the requirements of Convention No. 87 in our country still stands as an important problem. I wish to stress that the issue of trade union monism or pluralism, today connected with the difficult social and economic situation in my country, in the light of Polish trade union legislation, remains open. Its prospects are linked with the directions of the further evolution of political life in Poland and constitute a part of a wider vision of a Polish model of pluralism in public life. Future solutions in this field will be connected with more general political considerations. Quite recently, the authorities of our State declared that they are for a pluralistic pattern of co-operation and common responsibility. An important expression of this could be a kind of "anti-crisis pact" – a wide, reform-oriented coalition, covering the representatives of different moral and political orientations.

In such circumstances the final solution of the issue of trade union pluralism has obviously to be deferred to a later stage. The Polish authorities are looking forward to the ILO's understanding of this need, its benevolent patience, as well as its assistance should that be necessary.

Our aim is the full application of adopted international standards. By a special decision taken this year I have established a working group consisting of eminent experts in constitutional, labour and international law, with a the task of making an in-depth analysis of the legislation at present in force and its conformity with the ILO Conventions ratified by Poland, and of presenting appropriate conclusions to the Legislative Council responsible to the Prime Minister.

The dialogue between social partners is a fundamental and necessary prerequisite for agreement. It requires a lot of goodwill and courage to take responsibility for the results of freely assumed obligation to act in common.

Poland enters the second stage of the economic reform which constitutes an indispensable condition for our country to pull through its immeasurably difficult economic and social situation. The need for the reform was supported by the majority of Polish society in the referendum that was held in October 1987. Action taken by the Government aims at the possibility of rapidly achieving increased production, productivity and profitability based on greater economic and financial autonomy for the enterprises. We are facing the difficult task of economic restructuring and its possible repercussions in the field of employment and social policy. The Report of the Director-General mentions these new and important challenges to some of the socialist countries in reforming their systems of economic management.

Action connected with the second stage of the economic reform as well as with the implementation of some recommendations by the World Bank and International Monetary Fund, especially relating to wages and, above all, prices has inevitably had effects on the living standard of society. Aware of the burden of sacrifice imposed on our society, the Government has taken appropriate protective measures, inter alia increases in pensions and social benefits. Unfortunately, in recent months in some enterprises there has been a certain climate of impatience, expressed in work stoppages accompanied by economic and political demands. In connection with this I want to emphasise that the Trade Union Act of 8 October

1982 provides the possibility of striking as an ultimate solution after prior negotiations between trade unions and the management of the enterprises and institutions in question. This procedure provided by law has not always been observed. In fact, however, not strikes, but negotiations have finally and positively settled recent disputes which had economic causes. The authorities are always ready for a frank and honest dialogue – within the existing legal order – with the working people and the trade unions representing them on both general and specific questions, but except them to adopt the same attitude. This is the only way – as the Director-General states in his Report – to achieve a satisfactory settlement of contentions questions and to avoid drastic tensions that may only cause irreparable damage, as has been the case in my country.

The reforming action taken so far has not had fully satisfactory results. New solutions in the second stage of reform are not yet operational and have not yet reached their final form. Therefore, on 11 May this year, the Parliament of the Polish People's Republic enacted legislation conferring extraordinary prerogatives upon the Council of Ministers. This should by no means be considered as a retreat from the programme of reform. On the contrary, the special prerogatives are aimed at an acceleration of the process of reform, shortening the time expected for signs of an improvement in our economy to become more visible. The special prerogatives granted to the Government until the end of this year should serve as an additional back-up to economic mechanisms which are still not sufficiently effective. They are also expected to be of help in removing factors that hamper reform.

The intention of the Government is to accelerate the process of freeing all forms of entrepreneurship, widening responsibilities to undertake economic activities in various structures and sectors, and making these activities legal in a more simple and efficient way. In order to activate the desired results of the special prerogatives of the Government as soon as possible, we have to unite the action of society, Government, trade unions, workers' self-management and managing staff of the enterprises.

In summing up the standard-setting action of the ILO in the area of human rights, the Director-General has rightly stated in his Report that the standards established in the Conventions and Recommendations of the ILO are not eternal. He also informed us of an active programme of revision of standards adopted in older Conventions. I also fully agree with the opinion of the Working Group of the Governing Body for international labour standards that there are still a number of issues which deserve standard-setting activities.

Each anniversary brings recollections of what has been done and what, in the light of experiences gained, could be improved. The world has been changing very fast, both because of dynamic technological progress and economic development, and because of transitions in social relations at the national and international level. Similarly, the role of trade unions is also changing in the world of today. Quite obviously, they have to adapt to contemporary challenges, to new requirements and socio-economic objectives. Has not the time come to consider, on the occasion of these anniversaries, the need for a more adequate formulation of the principles, place and

role of trade unions in changing social relations? This would be beneficial for the trade union movement and for the working people whose interests they represent. These are only initial thoughts which encourage us to reconsider this problem, which interests trade unions, as much as governments and employers.

The Director-General concludes his Report with emphasis on the right of a human being to live in peace. It is a lofty idea. If we really want to achieve the desired goals of social progress and justice, peace is a fundamental condition for their attainment. Therefore we want to look towards the future with hope and trust. The shape of this future, in its national and international dimensions, depends on ourselves and on our action.

Interpretation from French: Mr. MAYILA (Minister of Labour, Employment and Human Resources, Gabon) – On behalf of the Government of the Republic of Gabon and on behalf of this delegation which it is my honour to lead at this 75th Session of the International Labour Conference, I would firstly like to address my sincere congratulations to Mr. Beyreuther on his election to the Presidency of our Conference. I am convinced that under his guidance the Conference will achieve success in its work, so important for achieving peace and social justice in the world. In this respect, I can assure him that my delegation is ready and willing to co-operate in helping him carry out his exalted and noble task.

My congratulations are also due to the Vice-Presidents and, of course, to Mr. Francis Blanchard, the Director-General of the International Labour Office, for his excellent Report, *Human rights – A common responsibility*, a very relevant subject of capital importance in the eyes of the whole world.

The Universal Declaration of Human Rights is 40 years old. The time has therefore come for the international community to take stock of its position on the route followed by the nations of the world and to look at the future.

Some, in the North, do so with confidence and serenity; others, in the South, in anxiety and uncertainty over a worrying future; yet all are spurred on by the will to achieve progress for humanity by accepting the challenges which do honour to man and his genius.

It is to this that the eloquent Report of the Director-General of the International Labour Office, which deals with human rights in the context of the International Labour Organisation is addressed.

Gabon takes the ideas of peace, justice and social progress as the basis of its economic and social policy, I would say even of all its policy. The Government of Gabon has faith in the virtues of constructive dialogue and in concertation for achieving its objectives. In this context, a certain number of measures of an institutional nature particularly govern industrial relations.

The Constitution of the Republic of Gabon has taken on the essential aspects of the rights and liberties declared by the Universal Declaration of Human Rights and the rights of the citizen. Our national legislation intends to protect all fundamental values and has therefore included many standards and rules drawn up by the international organisations in the United Nations system, particularly the ILO, in both our Labour Code and our social security system.

We place considerable hopes in this substantial contribution and we are particularly happy to be able to emphasise how much we appreciate this active co-operation.

As regards freedom of association, our legislation is in accordance with the Freedom of Association and Protection of the Right to Organise Convention 1948 (No. 87). Freedom of association in general, and trade union freedom in particular, are formally guaranteed, and the Government does everything it can to promote the development of the trade union movement.

As regards equality of opportunity and treatment, the Constitution of Gabon, like our social legislation, guarantees the right to work and the rights to obtain employment without any form of discrimination based on race, sex, creed or political opinion. Vocational training is an obligation for the State and for the enterprises; workers of both sexes have the same rights of access to all training institutions and advanced vocational training institutions; migrant workers, who are subject to our legislation, enjoy all the benefits provided for by that legislation and enjoy the same conditions as do our nationals.

Furthermore, the Government that it is my signal honour to represent here has taken as its essential objective the promotion of productive, freely chosen employment in order to stimulate growth and economic development, raise the standard of living and combat unemployment and underemployment in a country where work is considered to be an honour and a source of value. The Gabon legislation prohibits all forms of exploitation of workers, prescribes respect for the liberties and dignity of the worker and guarantees him and his family decent conditions of health and life.

As regards protection in the field of social security, the system in Gabon covers all wage-earning workers and independent workers. These measures have recently been extended to all classes of the population.

Over and above the indivisible character of political, economic, social and cultural rights, this is the time to ask ourselves a number of questions, because this topic gives us the opportunity of talking about the rights of those who have no rights.

In my country, we say that a man who is hungry has no rights; that a man who is ignorant of his rights has no rights; that a man who has only the right to die has no rights. That is President Bongo's deep-rooted conviction.

Unfortunately, this is the case in many underdeveloped country and in many parts of the world where torture, humiliation and human degradation are rife. It is unfortunately and above all the case in South Africa where apartheid holds sway and this state of affairs in itself constitutes a threat to peace, liable to disrupt our precarious balance and the very principles of the liberties set out in the Universal Declaration of Human Rights.

Doesn't the Declaration of Philadelphia, the ILO's own Declaration, say that "poverty anywhere constitutes a danger to prosperity everywhere..."?

Gabon is convinced that world peace depends on respect for human rights; and the large number of ratifications of ILO Conventions and those of other institutions in the United Nations system relating to human rights demonstrate my country's will to work in this direction. What is more, certain questions

arise regarding the actual implications of human rights in developing countries which are faced with serious problems of illiteracy, poverty, demographic explosion, unemployment, famine, malnutrition, drought and other natural disasters.

Can we, in fact, talk of human rights in these poor countries where destitution, ignorance and unemployment constitute negative factors against the development of dignity and fundamental freedoms? We say no.

This is why, last year, from this rostrum we pleaded for a "Marshall Plan" for Africa and the Third World, crushed in economic stagnation by the weight of debt and debt servicing.

This is why we reiterate our appeal to the rich countries to overcome their egoism, give up the arms race in order to relaunch the world economy and thus contribute to ensuring peace in the world, because the fullness of human rights depends on this.

Interpretation from Spanish: Mr. RIOS MUÑOZ (Government delegate, Colombia) – Mr. President, allow me to congratulate you on your election and, through you, allow me to congratulate the Director-General on his Report.

The Government of Colombia wishes to greet the ILO, as well as the delegates, advisers and observers of the various countries present here.

The central topic of this meeting – human rights – provides us with an excellent opportunity to analyse the situation in Colombia, to review freedom of association in our country and to describe briefly the social and economic agenda of my Government.

Conflicts and violence in Colombia have a long history. They are linked to our process of modernisation and development, and are particularly grave from time to time.

In the past decade, new forms of delinquency such as terrorism and drug trafficking have exacerbated the violations of fundamental human rights.

The problem of disappeared persons, which has been recurring since the end of the seventies, is also a cause of grave concern.

Common delinquency, which is prevalent on the outskirts of large urban areas, contributes to this atmosphere of violence.

The victims of these acts of lawlessness are usually political leaders, trade union leaders and activists, journalists, the clergy, intellectuals, members of human rights committees, teachers, businessmen, rural leaders, members of the armed forces, civil servants, and particularly judges, lawyers and public administration officials.

It is a complex problem because these displays of violence, whose seriousness and occasional atrocity give Colombia the image of a conflict-ridden country, are provoked by a minority, whereas the great majority of Colombians live and work in the context of a democratic society, under a government elected by national majorities, which guarantees and protects the exercise of fundamental freedoms.

Moreover, Colombia's economic growth is higher than that of many other Latin American countries. Colombia is investing in programmes for social development designed to eradicate extreme poverty, improve the operational and management capacity of the State and secure stable employment for the great majority of its citizens.

Freedom of opinion, of the press and of organisation as well as freedom to mobilise and protest, are protected by the State.

Colombia is one of the States that has shown the will to find a political solution to the problem of guerrilla insurgencies through negotiation.

Specialists agree that human rights violations can be traced to extremist groups and terrorist organisations linked to drug-trafficking bands.

Some act through hired assassins, particularly in developing agricultural areas. In these areas the polarisation of extremist groups takes the form of violent action to block the application of essential reforms, such as agrarian reform, and to counter democratisation, participation, freedom of association and trade union action.

Other elements engage in actions which violate the human rights of business people, the middle class and the leaders of traditional parties.

Drug-traffickers also carry out specific types of violence in the cities, especially against the authorities and citizens, to weaken the system of justice and to protect their investments in unlawful activities, and in the purchase and exploitation of farm land.

The eradication of conflict, the struggle against impunity and the restoration of order are now priorities of our Government.

The Government's strategy operates through four types of mechanisms.

First, a call to citizens to reactivate their solidarity and infuse society with the respect for human rights.

Second, the implementation of an operative unit for the defence and protection of human rights, co-ordinated by the Presidential Advisory Body which was recently set up and is comprised of officials from state agencies competent in this field. It receives complaints concerning violations of human rights, recommends policies to protect and promote human rights, co-ordinates strategy and responds to the suggestions of citizens.

Third, a social development plan with public investments designed to eliminate the socio-economic causes of violence.

And fourth, the improved financing and administration of the judiciary system.

Further, the Government of Colombia has invited the Working Group on Enforced or Involuntary Disappearances of the United Nations to visit Colombia. The Working Group has accepted the invitation and will investigate the problem in specific areas, present recommendations and offer advice.

In October the Government will sponsor the Assembly of the Association of Relatives of Disappeared Persons in South America, which will endeavour to define common strategies of action.

The Ministry of Labour seeks to promote policies to improve trade union rights and guarantees.

The presence of a strong trade union movement and its involvement in policy-making decision-making in social, economic and public matters, is vital to Colombia's democracy.

The Colombian Government welcomes all measures which can shed light on the truth. An ILO mission will visit Colombia in September. It will be welcome. It will provide an opportunity for a close examination of my country's effort to consolidate its democratic system within a context of social justice.

Colombia, faithful to the postulates of the Universal Declaration of Human Rights and the various

international covenants, makes constant efforts to implement freedom of association, equality of opportunity and the right to work; to promote health and social security, better conditions of work and participation.

Under this administration, the coverage of social security has been extended to workers' families, domestic employees, self-employed workers, the clergy and to geographical areas which were not covered before. The social orientation of the various family compensation funds has been strengthened. By 1990 we hope to have 6 million beneficiaries, which is a 100 per cent increase over the present situation.

Standards have been drawn up to strengthen protection of child workers and minors. The educational system now offers programmes in administration, and we are developing training programmes to support the transfer of technology.

Turning to the right of association in Colombia, the State guarantees to employers, workers and self-employed workers the right to associate freely in the defence of their interests, and to set up occupational associations or trade unions which, in turn, have the right to unite and form confederations.

This right of association is protected by the State.

The Penal Code sanctions offences against the freedom to work and the right to form trade unions. The Labour Code forbids employers and workers to limit or distort the exercise of these rights and freedoms in any way.

Collective bargaining is fully in force and there is a ministry entrusted with the task of defining the relevant policies and mediating and monitoring trade union development.

At present there are 2,468 legally recognised trade union associations; there are four workers' confederations with different ideological tendencies.

Since August 1986, 1,693 negotiations have been concluded, of which 1,244 were collective agreements. Twenty-four arbitration courts were set up; 24 strikes were recorded, involving 5,629 workers. These figures reflect that in spite of the breadth of freedom of association, there has been much industrial peace.

Colombia is strongly committed to its development and the strengthening of democracy. The structure of government is based on social justice and is designed to create a new and more equitable society in which genuine opportunity is accompanied by general well-being and the equitable distribution of resources.

We have therefore decided to redirect resources towards the full coverage of services to the benefit of the poorest; to increase our financial, national and local subsidies; to modernise the management of the entities responsible for social services; and to mobilise the community and promote its participation, in the diagnosis, planning and monitoring of public programmes.

This has enabled us to define sectoral programmes such as basic education for all, the provision of basic commodities and food security, the generation of employment and the improvement of wages, full coverage of the judiciary system, popular participation, basic health care and the strengthening of the various systems of association.

Colombia finds itself at a crossroads in its history. The State, the private sector and the social partners are confronting this situation; as we said earlier,

considerable advances have definitely been achieved in the social and economic field. But the Government aims higher still and is engaged in a constitutional reform through which it hopes to extend benefits to all Colombians.

In the field of human rights, we want to recognise new rights, extend the coverage of existing rights and establish machinery which will guarantee the protection of these rights. We would like, for instance, to review traditional freedoms and establish a more modern social right – the right to health; to reform the machinery for the protection of woman by strengthening the judiciary system; to implement these rights and create a special institution to promote the protection of human rights.

Finally, machinery will be developed to strengthen the relationship between employers and workers and make it more co-operative, enabling trade unions and enterprises to improve the quality of life of all citizens, in a fair and rational business environment.

All these elements imply radical change and great responsibilities, which the Government is prepared to shoulder with conviction and optimism, and the knowledge that it is working for a better Colombia.

Mrs. AYKUT (*Minister of Labour and Social Security, Turkey*) – I should like at the outset to associate myself with previous speakers in extending warm congratulations to the President on his election, as well as to the other officers. I am confident that under his able guidance and with the assistance of his officers, the session will be in a position to fulfil its task in the most positive manner.

I should also like to take this opportunity to thank the Director-General for his comprehensive and excellent Report. The study of the Director-General on the realisation of human rights within the framework and mandate of the ILO contains a brilliant overall analysis of the actual situation and many inspiring suggestions which, I am sure, will receive the attention they deserve.

The ILO has always been an organisation making essential contributions to the promotion of human rights in the areas which fall within its competence. It is, therefore, most fitting that the theme of the Report of the Director-General has been selected this year as *Human rights – A common responsibility*. In fact, as is said in this Report, the whole range of ILO activities is related to the promotion of human rights.

The ILO has been successful not only in bringing into existence a body of standards, but also efficient arrangements to monitor the effect which has been given to them and to assist the countries in improving their labour legislation.

In the context of human rights, the Organisation's standard-setting activities, together with the need for an efficient mechanism of monitoring, have been and continue to be of the utmost importance. In order not to put this exercise under strain, the whole mechanism needs to be credible. This requires that a line be drawn between what is theoretically desirable and what is realistically feasible. Not only in setting standards, but also in monitoring, the harsh realities of daily lives and the diversities of countries have to be taken into account. The monitoring mechanism of the ILO should never be allowed to be used for purposes other than that for which it is devised. When setting standards, care must be taken so as to make them realistically applicable to as many coun-

tries as possible. In monitoring the application, the utmost care should be taken to keep this exercise within the limits for which it is devised and to resist all attempts to exploit it for other purposes. It is only this way that the credibility of the ILO system can be upheld and, consequently, any strain on it avoided. Within the same context, the need for continuing review and updating of standards and continuous sensibility over the manner in which the monitoring mission is carried out acquires a growing importance.

It is within the framework of these views that we subscribe to the principles enumerated in the fourth report of the Governing Body Working Party, particularly to the need to strike a balance between the duty of upholding the values of human freedom and dignity enshrined in the Constitution of the Organisation and the necessity of circumscribing, rather than extending, the area of international tension, and one might perhaps say, as well, national tension.

The wide range of successful activities in different technical fields and in several regions contained in the second part of the Report of the Director-General attests to the continued role of the Office in responding to the challenges faced in the field of labour.

Within this framework, the advisory services and technical co-operation offered by the ILO have always been useful in promoting training, working and employment conditions, especially in developing countries. Turkey is among the countries which has benefited from its technical co-operation with the ILO. We intend to pursue this fruitful co-operation.

In its present session, the Conference is being asked to consider the question of "employment promotion and social security". In our view, the standards to be established in this field should be flexible enough to be adapted to the various national systems without being based on any particular model. In considering the proposed texts, we should also take into account the necessity of resolving the difficulties faced by disadvantaged persons in finding employment or obtaining assistance. Migrant workers constitute a major category of these persons because their number is estimated to be 30 million all over the world. Any Convention relating to employment promotion and social security would not be satisfactory unless it contained the necessary provisions for protecting the right of migrant workers.

Unemployment continues to be one of the most serious problems facing the member countries, particularly those which are developing. There is no doubt that this problem is closely linked with world economic problems. During the first half of the 1980s the number of people living in absolute poverty has considerably increased. The real wages in developing countries have fallen dramatically. The main causes of this negative development are, no doubt, growing protectionism. The worsening of foreign debt, the increasing difficulty of servicing it and shortcomings in implementing structural adjustment. It is, therefore, essential to establish a closer dialogue between organisations engaged in combating world poverty and implementing structural adjustment. The developing countries which confront the biggest part of the present world economic difficulties need three types of action: a better international environment, an adequate flow of capital and appropriate domestic policies. Only the combination of these three can prepare conditions in which these countries would be

able to solve these economic problems, which in turn, would prepare the ground for the solution of their social problems. The present difficulties are a challenge both to the developed and to the developing countries. Efforts must therefore be made through concerted measures, both national and international, to accelerate employment-generating growth and to combat long-term unemployment.

As a developing country, Turkey is unfortunately not immune to this problem. Although in recent years our Government has been able to contain the upward trend in unemployment, the diminution in the rate of unemployment has not as yet reached a sizeable proportion. As I said earlier in my statement, to fight economic difficulties, and hence unemployment, we need a better international environment, an adequate flow of capital and appropriate domestic policies.

We believe that we have successfully fulfilled the last condition and contribute to the first two. The dynamic economic policy followed by my Government in the recent years is firmly based on liberalism, close international co-operation and the concept of interdependence for economic growth.

Within the framework of the economic policy I referred to above, the national employment service has been fundamentally reorganised. As a body affiliated to the Ministry of Labour and Social Security, the service was established in 1946 in line with the principles laid down by the Fee-Charging Employment Agencies Convention, 1933 (No. 34), and the Employment Service Convention, 1948 (No. 88). Within the framework of the legal arrangements under way, a tripartite administrative structure will shortly be introduced for furthering the existing dialogue with employers and workers.

To meet the needs of the labour market, several projects were put into operation, namely the promotion of vocational training through co-operation with employers, on-the-job training in the industrial sector, the promotion of women's employment in the domestic services, special services for displaced workers, employment of the handicapped, etc.

I should also like to deal briefly with developments in the fields of social policy and industrial relations in Turkey. My Government is of the view that the efficiency of the free collective bargaining system depends mainly on the integration of this system with social policy measures. That is why the fundamental policy objectives of our Government have been the elimination of poverty and unemployment, the realisation of social justice, the strengthening of the middle class and the achievement of price stability. With a view to attaining these objectives, we have put into practice measures to reinforce the social infrastructure.

One of the concrete consequences of our century-old struggle for democracy and industrialisation is the progress achieved in the field of industrial relations. Labour law has gained a collective dimension throughout the process of democratisation, and Turkey witnessed a rapid development from the stage of basic legal rights to the next stage, that is to say the right to organise and collective bargaining.

There is no doubt that Turkey's membership of the ILO since 1932 has been most influential in all stage of this development. Leaving aside the history of 150 years of the Turkish labour movement, Turkey has had labour legislation for 50 years, trade union

legislation for 40 years, and free collective bargaining system for 25 years. In all these, Turkey benefited from the ILO's contribution and guidance. Despite all these developments, we are fully aware that we still have to achieve further progress in this field.

The ILO can be rightly proud of its long services and contribution to the dignity and happiness of mankind. I want you all to know how deeply touched I am as one of the few women labour ministers, to be addressing the session of the Conference of our Organisation, which upholds and serves human values.

Taking as a point of departure the fact that the basic goal of development is human welfare, we believe that economic progress has the basic aim of achieving social progress.

Industrialisation within a democratic system aimed at progress, respect for human rights and social justice has always been the main aspiration and policy target of Turkey.

About a week ago, 55 workers – Turks and Germans – lost their lives in a coal mine accident in the Federal Republic of Germany. I was in the Federal Republic yesterday to attend their funeral. I am confident that all participants in this session of the Conference will share the deep sorrow we felt on this tragic loss and join us in expressing our condolences to the bereaved families of the victims.

Finally, I wish to express our sincere hope and belief that our Organisation will approach the problems faced by various categories of countries with a sense of collective responsibility and international solidarity, assessing them objectively in a depoliticised atmosphere, so as to find the right solutions according to the real merits of each case and problem. We believe this to be in the interest of the credibility of this body and, consequently, in the interest of all member countries.

I wish the 75th Session of the International Labour Conference the best of success in its humanitarian work.

Interpretation from German: Mr. BOCHOW (Workers' delegate, German Democratic Republic) – The 75th Session of the International Labour Conference of 1988 is taking place in a period that is full of hope and promise. After years of critical international tension, the successful summit between the highest representatives of the USSR and the United States has moved the prospect of a world of peaceful co-operation closer to us.

For the first time, the Intermediate-range Nuclear Forces treaty will not only limit weapons of destruction but eliminate them altogether. The door has been opened to a nuclear-free world. Now we must ensure that no one will close it again.

It is also with this aim in mind that the Head of State of my country has convened an international meeting on nuclear-free zones, from 20 to 22 June in Berlin, which will be attended by representatives of different political and social circles from over 100 countries.

At the beginning of July, the first holidaymakers will take their vacation in an area in the north of my country that was, until very recently, a missile site. Even before the instruments of ratification were exchanged, the Soviet-missiles had been withdrawn and the area concerned handed over to the trade unions for their use.

How often have we not heard the claim that resources released through disarmament, should be made available for social purposes? Here we have a concrete example, where a missile base became a trade union holiday centre for hundreds of workers and families.

The Report of the Director-General deals extensively with the activities of the ILO to implement human rights; as pointed out in the Report: "the ILO was the first to proclaim the indivisible character of human rights".

The Report contains shocking figures on the working and living conditions in a large part of the world.

Seventy million unemployed, 500 million underemployed, 900 million persons living in dire poverty in countries of Asia, Africa and Latin America, as well as 30 million unemployed in capitalist industrialised countries are deprived of basic human rights. The reason for this situation can be ascribed to "the unfavourable economic environment... and the structural adjustment policies imposed as a consequence of external debt".

What exactly is an unfavourable economic environment and what are its causes? Is it not partly due to the selfish exploitation of developing countries through the international monopoly of capital and transnational companies? Is it not also because vast capital is concentrated in the hands of the few, whose efforts to maximise profits are increasing wealth on the one hand and making poverty worse on the other hand? Is it not true that the arms race is still using up vast funds?

As UNCTAD and IMF statistics show, from 1970-85, the developing countries paid more than \$1,100 billion to capitalist industrialised countries and their banks to service their debts.

The payment of interest, as well as the servicing of the debt and the flow of profits from direct foreign investments, led to a situation in which, in 1986, the developing countries alone had to provide some \$130 billion to the capitalist industrialised countries. This is more than four times the amount they received by way of development aid in the year 1985.

If we look at the conditions in which millions of people are still forced to work in a number of countries, it is clear how much remains to be done to implement the basic rights of the worker everywhere.

No one can overlook this fact. My colleagues from the capitalist countries can provide sufficient examples of their own to show to what extent new poverty is spreading even in the so-called rich countries.

All this is accompanied by a number of efforts to restrict the field of action of the trade unions and, if possible, to exclude trade unions altogether.

Behind all these efforts, there is often an uncoined intention to use scientific and technological progress and the ensuing technological change exclusively in the interests of making a profit. Flexible strategies, pursued by entrepreneurs, as well as numerous legal provisions severely curtail trade union activities.

The scientific and technological revolution obviously confronts the trade unions of my country with new challenges. We feel that technological progress and economic growth should always be accompanied by a marked improvement in working and living conditions. In my country as well, this is only possible through the untiring efforts of our trade unions. We therefore feel that an international exchange of

views between trade unions in this area is very useful.

It is with this in mind that we are preparing a European symposium on this subject: "New technologies - Employment and trade unions", which will be held in November this year.

At the same time, we would welcome it if, in 1990, the ILO would duly commemorate the 100th anniversary of the celebration of 1 May. We support all initiatives and proposals of trade unions which have already been submitted in this connection.

Allow me to refer to two particularly serious cases of violation of basic human rights which are quite rightly mentioned in the Report.

First of all, I shall turn to the policy of Israel in the illegally occupied Arab territories. The mass protests of the Arab population on the West Bank and in the Gaza Strip show the need to avoid further delay in finding a fair and lasting solution to the problem of the Middle East. The International Labour Organisation should make even greater efforts to ensure that an end is put to the persecution and discrimination of Arab workers.

A subject under constant discussion at the International Labour Conference is the situation in South Africa. Despite public protests, the apartheid regime is continuing the repression of the majority Black population and increasing its terrorism both inside and outside the country. The recent measures taken against progressive trade unions, especially those belonging to of the umbrella organisation, COSATU, are a flagrant violation of relevant ILO standards. It is vital that we step up the campaign for an effective boycott against South Africa and obtain the strict implementation of the corresponding United Nations resolutions.

The ICFTU, here in Geneva, pointed out in a remarkable report that considerable capital investments of western industrialised countries are still being made in South Africa, which prolong the existence of this anti-human rights regime.

At this point, we cannot but support the reference in the Report of the Director-General which mentions the close links between the application of basic human rights to education and work, to life in peace and social security and the maintenance and development of trade union rights.

Obviously, trade unions in the German Democratic Republic also had to strive over a period of time to obtain recognition and influence, and it was due to the hard work and competence of their officials.

I can assert the fact that in the indivisible area of human rights and freedom of association we do not apply double standards: our solemn adherence to the relevant international Conventions bears witness to this - and can be verified at any time. It is the result of a long and continuing process of innovation and reform in which the rights of the trade union in the enterprise have been constantly developed.

The Report of the Director-General quotes a speech given by the President of the United States, Franklin Roosevelt, to a conference in Washington in 1941: "In international, as in national affairs, economic policy can no longer be an end in itself. It is only a means of achieving social goals." This principle is the cornerstone of the social programme of the German Democratic Republic which unites economic and social policy. This policy ensures that each citizen shall enjoy social security, comprehensive

education, full employment and a promising future. In a comprehensive national programme, for example, we introduced a social housing project which made it possible for over half of the population to have access to new or renovated housing over a period of 15 years. Stable prices for staple food stuffs, services, rates and rents guarantee workers an adequate standard of living through their work.

It is easy to understand that the unions of the German Democratic Republic participate actively in a policy – which, after all, is based on the basic claims of the trade union movement – in a number of ways, as independent sovereign organisations, with far-reaching rights.

Shortly after joining the ILO in the year 1974, my country ratified Convention No. 87.

Article 44, paragraph 2, of the Constitution clearly states that trade unions shall be independent and no one may restrict or hamper their activities.

In the Labour Code of the German Democratic Republic, which was developed by the trade unions some ten years ago and submitted to public opinion and Parliament for discussion, the legal standards for trade union activities are spelt out. It states, among other things that trade union activities are protected by the socialist State. All state bodies, economic bodies and enterprises are obliged to promote trade union activities and work together with them closely. It adds that anyone who curtails trade union activities will have to answer for his actions.

Obviously, we are not naive and realise that despite the fact that there is no conflict of interests between the heads of enterprises and trade unions based on ownership, there can nevertheless be differences of opinion. In such cases we have a number of trade union committees, assemblies of shop stewards and opportunities to air our views. We also have proven democratic instruments by means of which, together with the central trade union executives, we can always solve problems by consensus.

I am sure you will not object if I end by expressing my congratulations to the President of our Conference, the Secretary of State for Labour and Wages in the German Democratic Republic, on his election to his high office. It is extremely pleasing for a trade unionist to note that not only has this responsible task been entrusted to an eminent representative from my country but also to an active trade unionist, a member of the National Council of the Confederation of Free German Trade Unions (FDGB) and for many years a deputy chairman of this organisation. I am sure that you, Mr. President, on the basis of your long-standing experience, will devote a great deal of attention to the concerns of trade unions from all countries at this Conference.

Interpretation from French: Mr. HUG (*Government delegate, Switzerland*) – It is a pleasure for me to associate myself and the whole of my delegation with earlier speakers in congratulating the President on his election to the presidency of our Conference. I should also like to address my congratulations to the three Vice-Presidents.

I should not wish to start my statement without first addressing my thanks to the Director-General and, through him, to all the officials of the International Labour Office for the enormous amount of work they do during the course of the year. The

calibre of their performance, their competence and their commitment to the work are an honour to our Organisation. In my capacity as a representative of the host country of the Organisation, and like all Swiss representatives, we obviously have the privilege, throughout the year, of maintaining close links with the International Labour Office and thereby sharing the interest we have in its activities.

Might I, therefore, reiterate here in this plenary session our commitment to the International Labour Organisation and to the objectives it pursues with consistency, seriousness and conviction. I should also like determinedly to emphasise the vital importance we accord to the activities of our Organisation on behalf of the defence and protection of the fundamental human freedoms and rights. In this respect, I give my Government's full support to the system and the procedures established in our Organisation to ensure respect of the obligations undertaken in exercising their sovereignty by the member States.

The Director-General has this year presented us with a Report devoted to a double anniversary – the 40th anniversary of the adoption of the Universal Declaration of Human Rights on the one hand and one of the key Conventions of the ILO, Convention No. 87, on freedom of association on the other. This Report furthermore refers to many other fundamental instruments of the Organisation dealing with equality of opportunity, employment, remuneration, working conditions and social security.

In this context, might I take up two aspects of the Report of the Director-General which I think merit consideration. Firstly, freedom of association and its implications in Swiss society and then in a more general sense the role of employment promotion in the exercise of human rights. Switzerland, a country in which consensus puts its stamp on everyday social and political life, has understood for a long time now that freedom of association is one of the essential foundations of economic and social success. Nevertheless, we are conscious of the fact that freedom of association is not an asset we can question when, in our country as elsewhere, economic conditions require painful adjustments or restructuring. Social dialogue and the responsibility of the social partners are essential conditions for strengthening our economy, and in Switzerland they find their expression in a dense network of collective labour conventions. But for us freedom of association is also an opportunity to take part in the political life of the country and to allow the workers freely to express their ideas. For that purpose, we in Switzerland have consultation mechanisms which are fully in keeping with the basic principles of our Organisation, particularly tripartism. By ratifying this essential instrument of the Organisation – by which I mean the Freedom of Association and Protection of the Right to Organise Convention 1948 (No. 87) – our country has endorsed the idea expressed by the Director-General that “freely established and freely functioning representative organisations are an essential part of the continuing dialogue ... on which the search for solutions to economic and social problems must be based”.

But dialogue and social consensus also mean a concern for social justice. That is why we must always bear in mind, as representatives of public authorities, that it is not possible to find just solutions to economic problems to the detriment of employ-

ment and a reasonable and effective social policy. True, we in Switzerland are in favour of liberalism which allows free play to market forces and encourages the spirit of innovation in company managers. But, on the other hand, the counterpart to this free market economy must be a solid system of social security.

Now, in the second part of my speech, I should like to revert to the role of employment promotion in the exercise of human rights. The low unemployment rate in Switzerland doesn't relieve us of the need to exercise vigilance. We therefore consider it essential that every individual should have the possibility of gainful employment, which is synonymous with freedom, dignity, economic security and equal opportunities, all of which principles are contained in the Universal Declaration of Human Rights. This year the Organisation has once again given us the opportunity, within the framework of its standard-setting activities, to find constructive solutions to the serious problem of unemployment in the world by placing on the agenda of the session the subject of employment promotion and social security. There is no miracle recipe for solving the problem of unemployment, but we welcome the creation of international standards permitting unemployed persons to be guaranteed a decent standard of living. In the view of the Swiss Government the revision of the Unemployment Provision Convention, 1934 (No. 44), was necessary and judicious. By taking up the problems of protection against unemployment not only from a "reactive" but also from a "preventive" point of view, the session has set itself the dual objective of guaranteeing the unemployed equitable compensation for the loss of earnings resulting from unemployment and highlighting the promotional role of unemployment benefits. This wind of change which has blown through many systems of protection against unemployment and which stresses the promotion of additional employment opportunities and employment assistance has also blown across our frontiers. Since 1984 Swiss legislation on unemployment insurance has been encouraging, through benefits, the reconversion, advanced training and occupational integration of the unemployed; it grants contributions to unemployed people who accept jobs in regions distant from their homes; and the law supports, through subsidies, workers' and employers' organisations and public authorities which set up courses or occupation programmes for the unemployed.

This modern and dynamic perspective which the session has adopted to analyse the problem of unemployment and which highlights the economic element, must not, however, allow us to forget that some States provide no protection against unemployment or have only rudimentary social security systems. In the concern for international solidarity the international instruments drawn up with a view to revising the Unemployment Provision Convention, 1934 (No. 44), should provide for flexible provisions which the largest possible number of States should be able to ratify; they should also contain recommendations from which States will be able to derive inspiration in developing or improving their systems of protection for the unemployed.

In the world of work today the ideal would be to find a good balance between the free play of market forces, social justice and – and this is topical – the protection of the environment.

Guaranteeing respect for human rights and social welfare depends on universal solidarity. However, for that solidarity to be able to produce the best possible results, there is one principle which every State should bear constantly in mind: man is and will always remain the driving force behind the economic machine. The economy serves man, and man must be at the centre of all economic activity. Thus economic performance should not constitute the sole aim of a balanced policy nor should a frantic concern to ensure the protection of nature. It is by counting on our human capital, by guaranteeing the full dignity of man and by giving him adequate and equitable working conditions that we shall be able to give effect in full to the new demands relating to human rights and freedom of association.

Mr. OBOCKI (*Member of the Federal Executive Council, President of the Federal Committee on Labour, Health and Social Welfare, Yugoslavia*) – I would like to congratulate the President upon his election and to express my best wishes for success in carrying out his important and responsible duties as President of the 75th Session of the International Labour Conference. I am confident that his experience and expertise will be of inestimable help in ensuring a positive overall outcome of our Conference.

We have studied the Director-General's Report with due attention. I should like to observe that this year's exhaustive and comprehensive Report shows a high degree of objectivity in analysing the activities of the International Labour Organisation as well as the main problems it had to confront in the period between the two Conferences. It is quite obvious that the serious problems of a political, and particularly of an economic and social, nature confronting the world today have a decisive impact on the main directions of the activities of the International Labour Organisation as well as on their results. It is my opinion that the International Labour Organisation is managing more or less successfully to adjust to the current situation and that the principal orientation and structure of its activities correspond in great measure to present-day needs. This essentially favourable assessment of the activities of the International Labour Organisation in the period under review also applies in the main to the Medium-Term Plan in its basic strategic options, which provides a positive orientation corresponding in principle to the course development is expected take.

In this connection I should like to underline in particular our support for the general trend towards greater economy in the Organisation as a whole which implicitly means greater financial participation by member countries. The question is certainly not a new one nor is it being raised for the first time, but I feel that this is the right moment to underline once again the need to intensify the efforts to achieve a definite turn around in this respect. This brings me, for example, to the question of the possibility of holding the general Conference once every two years, when any new normative instruments could be adopted and issues coming directly under the terms of reference of the Conference dealt with. In the meantime, we could step up our professional activities and undertake all the necessary professional preparations, which seem to me to be more important than any others.

In mentioning the serious economic and social problems in the world I had in mind, in particular, the fact that the world economy and international economic relations are again experiencing a period of profound crisis. The stagnation in development is the most protracted and the most serious we have known since the second World war. However, it is at this very moment that the economies of the developed countries are undergoing structural change and making all-round technological progress, while the gap in economic development between the North and the South is widening and the position of the developing countries is constantly deteriorating. I refer, in the first place, to the aggravation of the debt problem, certainly the most topical problem on a world scale today, which is having an increasingly adverse effect on the developing countries. This also applies to my country which is passing through a period of grave economic difficulties.

The principal tasks facing the Government of my country and society as a whole in the period ahead are to overcome the crisis and stagnation and to check the inflationary trends.

In this connection, our activities will focus on the preparation of proposals for a reform of the economic system as the key prerequisite for surmounting the current difficulties and ensuring stable and dynamic economic and social development. With this aim in mind, changes are being examined and prepared in the following segments of the economic system: the system of expanded production including property relations, the market and prices; the system of formation, distribution and allocation of income; the financial system, which will embrace monetary-credit relations and banking; the system of accounting, taxation and contributions; the system of foreign economic relations; the system of planning and the system and policy of encouraging the accelerated development of the underdeveloped. In addition, the Government of my country will propose a social policy concept geared to the conditions of implementation of a thorough reform of the economic system.

The principal aim of these changes is to give effect in the economy to all the criteria of a realistic economy and to provide scope for the full play of economic and market laws coupled with the complementary and corrective role of state interference in economic life, and the establishment of conditions to enable economic enterprises to take their business and development decisions independently and to bear all the risks of managing socially owned resources. These changes should make for greater exposure of the Yugoslav economy to the favourable effects of the world market, its greater participation in the world economy and an increase in its exports. The rate and direction of the country's further technological and overall development will depend on the results of these efforts.

May I now refer briefly to the extremely important subject of the general debate in our Conference, namely human rights. Though the event that prompted this debate may have been the 40th anniversary of the Universal Declaration of Human Rights as well as of the ILO Freedom of Association and Protection of the Right to Organise Convention (No. 87), I believe that the general situation with respect to the protection of human and trade union rights is such as to warrant an appraisal and indication of the main directions of future action in this field by the ILO as

the oldest specialised international agency and the only tripartite organisation in the United Nations family.

I should, first of all, like to underline that the Socialist Federal Republic of Yugoslavia is active and consistent in its unceasing efforts, within the United Nations and all its bodies and specialised agencies, to promote and protect human rights. True to its choice, Yugoslavia has ratified and built into its legislation all the international instruments existing in the area of human rights protection, specifically the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

In keeping with its policy, Yugoslavia denounces human rights violations and is actively involved in the struggle against them, particularly with respect to the rights of the people of South Africa and Palestine and against apartheid as an anachronism in these times. Yugoslavia also advocates the affirmation of a comprehensive concept of human rights, which essentially means full equality and unity of economic, cultural and social rights as well as of political and civil rights. Moreover, Yugoslavia resolutely supports recognition of the contribution to human rights development made by all, not only by certain cultures and nations, and of the right to development as a human right of both individuals and nations. I consider the latter to be of special significance for the developing countries, as it implies their right to exercise control over their own natural resources and to establish international and economic and other conditions conducive to more rapid socio-economic development. Generally speaking, we in Yugoslavia believe that the level of development attained in the world, the process of decolonisation, the emergence of new nations and the advent of the non-aligned movement necessitates the elaboration and affirmation of certain new rights of nations and individuals. Among these new rights, in addition to the right to development mentioned above, the most prominent place certainly belongs to the right to participation which is gaining in significance in the world today and is becoming a part of all sectors of contemporary society. There is not a single country in the world today which has not developed some form of participation. Some developing countries have opted for participation as the dominant characteristic of their overall social relations, whereas in Yugoslavia this phenomenon has been raised to a higher level of social significance by taking the form of self-management which constitutes the basis of our socio-economic system. In this context, I think the International Labour Organisation has a very significant role to play and that it has already done a great deal. At the same time, I would like to point out that certain novel aspects of human rights are emerging which require more active and direct involvement on the part of the Organisation.

Regarding the extensive agenda for this year's session, I note that all the items we shall be discussing deserve our close attention and that the Yugoslav delegation will urge the adoption of solutions corresponding to a maximum degree to the complex interests of all of us.

Finally, may I express my conviction that this 75th Session of the International Labour Conference will produce positive results, particularly given the politi-

cal readiness of the entire structure of the Organisation to address key problems.

Interpretation from Chinese: Mr. SHA (*Employers' delegate, China*) – May I, first of all, extend my warmest congratulations to the President on his election to the presidency of the Conference. I am confident that the current session of the Conference will be crowned with success under his guidance.

Forty years have elapsed since the adoption of the Universal Declaration of Human Rights and the ILO's Freedom of Association and Protection of the Right to Organise Convention (No. 87). These four decades after the Second World War, though short in human history, have witnessed more changes on this planet than the previous hundreds of years. In the perspective of different regions and aspects, these changes have been complicated. However, in a global perspective, there has always been an irreversible trend towards peace and justice, independence and sovereignty, science and democracy, prosperity and development.

On speaking of seeking material well-being and spiritual development in conditions of freedom and dignity, we should not fail to observe that, when a country is under foreign military interference, invasion, or even occupation, the restoration of its independence and sovereignty is the precondition for discussions of freedom and dignity; that when a country is pursuing policies of racial discrimination and apartheid, to mobilise the world community to support people of all races in their struggle for equal rights and interests is a practical action for safeguarding human rights in that country; and that when the people of a country or region live in abject poverty, to provide aid and promote economic development for them are the basic guarantee for the material well-being and spiritual development of the people there.

In addition, it is clear that democracy and freedom for the individual are inseparable from a series of social and economic questions such as promotion of employment, fair income distribution, improvement of working conditions and social security, equal pay for equal work of men and women, protection of the aged, young and handicapped workers, and freedom of expression and association. In the efforts to safeguard human rights, we should start by tackling practical problems, and steadily accumulate results so as to promote peace and prosperity for all mankind.

On behalf of Chinese employers, I am pleased to report that marked progress has been achieved in China in developing democracy and strengthening the legal system. For enterprises in China, it was an event of far-reaching significance when, at the 7th National People's Congress held last spring, the Law of the People's Republic of China on Industrial Enterprises Owned by the Whole People and the Law on Chinese-Foreign Contractual Joint Ventures were adopted. The Conference also adopted amendments to China's Constitution concerning the private sector of the economy.

The Industrial Enterprises Act is one of China's basic laws and took ten years to prepare, draft, revise and adopt. It can be said that the Law is the crystallisation of democracy and the legal system in China.

The essence of the Act is the principle of separating ownership of enterprises from their management. The Act explicitly stipulates that, while still owned

by the whole people, these enterprises are vested with extensive managerial rights in a broader sense, including the right to possess, utilise and dispose of property. Under the Act, enterprises will decide independently on their management and development, and on the utilisation and transfer of their property, including the holding of shares in other enterprises, investment, mergers and acquisition. The Act provides a legal basis and guarantee for transforming enterprises into socialist producers of goods with independent managerial power. It also provides a legal basis and guarantee for turning directors and managers of enterprises into legal representatives of the enterprises, who will take up the central position in these and assume full responsibility for them. However, in exercising their authority, the directors and managers of enterprises should respect the right of workers and staff to participate in the democratic management of the enterprises, accept the role of the staff and workers' congresses in supervising and checking upon the work of the enterprises and adopt a democratic decision-making process for major issues. The staff and workers' congresses have the right to assess and supervise the work of the leading members at various levels of the enterprise and to propose the reward, reprimand or punishment of the directors and managers for their work, as well as their appointment and dismissal.

The Law on Chinese-Foreign Contractual Joint Ventures is a major achievement in the implementation of the open policy in China. On the basis of the experiences of various types of Chinese-foreign contractual joint ventures, the Law stipulates in explicit terms the process that enterprises should follow for registration and application for approval, enterprises' rights and obligations, their structure of leadership, the recruitment of staff and workers, the activities of their trade unions, regulation on the control of foreign exchange and imports and exports, the distribution of profits, and the termination of co-operation. The implementation of the Law on Chinese-Foreign Contractual Joint Ventures provides a legal basis and guarantee for business operations by foreign entrepreneurs in China and will undoubtedly promote further co-operation and exchanges between Chinese and foreign businessmen.

The amendment to China's Constitution which is important for enterprises is the addition of the following passage, which reads as follows: "...the State permits the private sector in the economy to exist and develop within the limits prescribed by law. The private sector of the economy is a complement to the socialist public economy. The State protects the lawful rights and interests of the private sector and exercises guidance, supervision and control over the private sector". This gives the managers of private enterprises equal legal status with the managers of the state-owned and collectively-owned enterprises, thus providing a legal guarantee for private entrepreneurs in developing their business.

While developing democracy and improving the legal system in an effort to meet the requirements of the development of the socialist modernisation programme, a contingent of Chinese entrepreneurs has emerged, which includes managers of state-owned enterprises, collectively-owned enterprises and private enterprises. They are playing a more active role than ever before. In recent years, in order to protect their lawful rights and interests, and to exchange

experiences on improving their business performance, Chinese entrepreneurs, with the assistance of the China Enterprise Management Association, have gradually organised themselves into various entrepreneurs' associations and clubs. Among them are the China Enterprise Directors' Association, Township Enterprise Directors' Association, Female Enterprise Directors' Association, Young Enterprise Directors' Association and many other local enterprise directors' associations and clubs.

The organisations of Chinese entrepreneurs are emerging vigorously and developing fast. They are playing an increasingly important role in China's economic development. We wish to develop further our friendly co-operation with the ILO and the employers' organisations of all countries. I believe that the friendly exchanges and co-operation among China's enterprises, the ILO, other countries' enterprises and personages in various circles are not only conducive to China's development, but also helpful to the promotion of the material well-being and spiritual development of all mankind.

Interpretation from Spanish: Mr. CARRILLO ROJAS (*Workers' delegate, Colombia*) – One year ago, representing the workers of Colombia, I had the opportunity to inform the 74th Session of the International Labour Conference of the creation of the Unitary Centre of Workers of Colombia (CUT). Today, speaking again on behalf of the workers in my country, I can say that the process of unity in the Colombian working class has been strengthened despite the terrible violence that afflicts my country. Element of the extreme left and the extreme right have resorted to terrorism, kidnapping and assassination as a means of imposing themselves upon the vast majority of the public who reject them. Liberals, conservatives, communists and members of the Patriotic Union party have been assassinated. More than 100 trade unionists, all of them members of CUT, have fallen victim to the assassins. Soldiers, policemen and guerrillas are dying violently almost every day and in the midst of this drama, the CUT is struggling for respect for the right to life, for pluralism and for peace with social justice.

One of the regions which has suffered most from the violence and where the greatest number of workers have been assassinated, Uraba, is an area in which great social injustice exists, non-compliance with labour standards and indeed subhuman living conditions. Workers have managed to set up trade unions which are trying to change the situation through collective bargaining. These workers' organisations, subsidiaries of CUT, have been the victims.

On behalf of Colombian workers, I would like to thank the ICFTU, the WFTU and in general the entire international trade union movement for all the solidarity they have shown us.

In the light of the concern expressed by the Governing Body of the ILO at the situation of violence in Colombia, it is of great importance that a special mission be sent to my country. This would provide enormous support to the decision of the President of our Republic, Virgilio Barco, to see that the crimes which have been committed do not go unpunished.

We consider the central theme chosen by the Director-General for this meeting, human rights, to be very appropriate. We are convinced that the ILO can play an important part in the economic transforma-

tion which the world requires to guarantee the exercise of human rights.

In the last few years in Colombia employment agents have become more powerful, thus replacing the direct relationship between the employer and the employee. With the excuse of reducing costs and increasing profits, Colombian enterprises are hiring new staff through these intermediaries, middlemen who belong to employment agencies set up under Decree 1433 of 1983. With this method, the employer simply hires and the worker is hired out, completely eliminating the human relationship and imposing upon the worker a twofold subjection, on the one hand, to the person who gives the orders in the factory and, on the other, to the person who pays the wages.

The worker works constantly, but without any right to job security, to membership of a trade union, to the protection of collective bargaining or to exercise the right to strike. More than 40 per cent of employees in Colombia are now being employed by temporary employment agencies.

This policy is a violation of the Equal Remuneration Convention, 1951 (No. 100) and the Discrimination (Employment and Occupation), Convention, 1958 (No. 111). Convention No. 100 stipulates equal pay for equal work, whereas the temporary worker earns less than the rest of the staff. Convention No. 111 forbids discrimination in employment. Temporary workers are discriminated against in comparison with the rest of the workers.

We want prompt intervention in order for all the Conventions of the ILO ratified by Colombia to be respected, both by the Government and by employers in my country.

In my statement to the ILO last year, I drew attention to the seriousness of the world economic crisis and the need for governments to take the necessary decisions to correct the drift off course. I mentioned at that time that not only countries in the Third World were seriously affected by the crisis, but that workers in the developed world were also being affected by the contraction of the international market.

I denounced the structure of international credit, which is based on speculation and usury. I said it was the root of the ongoing pillage of the actual economy. In October 1987 the world received a warning of what the future could hold. International markets have still not recovered from the blow and measures taken by the bodies that regulate the world economy, instead of stimulating a recovery, have made the situation worse.

Unemployment and poverty will appear in every corner of the world and no country will be spared if the whole system crashes to the ground. That is why, today, world solidarity is essential as a basic principle to create a new international economic order where the principles of inequality and injustice do not prevail.

All nations should have the right to scientific and economic development without limitations. Differences of race should not be an argument to decide who can be more or less powerful. Economic power in the rich should become the basis of the development of the poorest without limiting progress through financial conditions based on usury.

Latin America is suffering from the consequences of the crisis. From our horizon, all hope of progress

and economic development is vanishing little by little. In the past few years the policy of indebtedness implemented by the International Monetary Fund has led us to change from countries requiring capital into net exporters of capital abroad. Year after year, the continent as a whole pays the international bank 100 billion dollars in debt servicing and the situation has reached the point where the capacity of our countries to pay has become exhausted.

But the World Bank, instead of reacting by creating new credit lines to favour development has resorted to the process of renegotiation, country by country, thus subjecting us to a process of unprecedented inflation. What is negotiated is a reduction in health and education. Our currencies are devalued so that our products can be bought at rock bottom prices. Governments only promise economic plans that cannot be implemented because there are no real budgets. Year after year, the salaries of the workers lose their purchasing power and unemployment grows, casting millions of families into absolute poverty. Diseases such as malaria, scarlet fever and polio are recurring in the form of epidemics.

The Director-General of the ILO has said "Third World countries are estimated to have over 70 million unemployed and close to 500 million underemployed, with some 900 million living in extreme poverty" (English text, p. 10). He states that the economic inequality induced by foreign debt has caused this situation.

The International Labour Organisation could propose a world employment plan to serve as a basis for a new economic order. Only through using productively the idle hands existing throughout the world can we reactivate the economy. Industrial and technological development in the developed countries should be placed at the service of the Third World. Entire continents such as Latin America and Africa should be the centre of vast projects to endow them with rail and road infrastructures as well as the irrigation capacity they need to restore the productivity of areas as fertile as the Sahel desert used to be.

Developed countries basing themselves on a credit system with low interest rates and long-term repayments could provide employment, particularly in the productive sectors of the economy to produce the machinery and technology that the Third World needs to overcome its poverty. We in the poor countries will have to strive to abandon our scientific and technological dependence through systems of education enabling us to train researchers and inventors who will contribute to the development of science and human progress.

Quite recently, a Colombian compatriot of ours, Dr. Manuel Elkin Patarroyo, showed the world that there is creative potential in our nations, by discovering the vaccine against malaria. Thanks to this discovery, millions of human beings in the world will benefit. This Colombian scientist deserves particular recognition and he needs economic support so that he may pursue other researches of great importance in the field of health.

As was said by his Holiness John-Paul II on his recent visit to Latin America, we are trying to create a world that is of benefit to all, where governments, workers and employers work in a harmony of interests. The ILO, the forum where we all come to analyse the problems of the labour world, should shoulder the responsibility of co-ordinating a world

development plan that is genuinely in the interest of all humanity.

Mr. ABOR (*Minister of Labour and Social Security, Sudan*) – I bring you greetings, best wishes and congratulations from the people of the Sudan, from their workers' and employers' organisations and from their Government. On their behalf, I say to you: "salam alekum wa kulu seina intum bakheir".

Mr. President, your election to the high office of the presidency of the 75th Session of the International Labour Conference is of special significance to us in the Sudan and, I believe, to the rest of mankind, who have thought it wise to entrust this momentous responsibility to such an experienced and wise man.

We extend our congratulations to you because we are convinced that our affairs and problems, as well as the affairs and problems of the rest of mankind, are in safe hands where they will receive full attention and adequate care.

May I also extend my congratulations to the international community on the 40th anniversary of the adoption of the Universal Declaration of Human Rights. May I further register my appreciation to the Director-General for his particularly apt choice of human rights as the subject of his Report; indeed, for many of us this is a rare commodity. The fact that he has dealt with this in his first Report is indicative of his order of priorities and personal attachment to the matter, and of his concern that human rights are not more widespread.

Please allow me to refer to the Sudan so that you may have a view of the Sudan and be able to appreciate the problems and advantages of the Sudanese people from the Sudanese standpoint.

First, the Sudanese people were able, in a mass popular uprising, to throw off the shackles of totalitarian military dictatorship and to introduce a relaxed, multi-party democracy as a system for the management of their affairs. We have a Parliament, the supreme legislature in the country, wherein members are elected by a one-man-one-vote style of selection of leaders. We have 18 political parties and 11 of them are represented in Parliament through a popular vote. There is a Government made up of a coalition of parties and parliamentary opposition to the coalition.

We have over 20 newspapers, all of them enjoying total freedom of the press. Workers' organisations and trade unions are as free as they can be anywhere in the free world. All these liberties and freedoms are embodied in the transitional Constitution of the Sudan, as we have yet to draw up a permanent law.

Regarding labour conditions in our country, the following positive steps have been taken: first, a new Trade Union Act, confirming and reinforcing freedom of association, has been enacted; second, an amendment to the current Minimum Wages Act has been adopted; third, an amendment of the Pensions Act has been adopted to provide for more favourable pension terms for the public service employees; fourth, other labour laws are undergoing favourable review, including the Social Security Act, the Individual Labour Relations Act and the Industrial Safety Act.

Concerning human resources development, continuous efforts have been made to increase the num-

ber of institutions for human resources development, especially in the areas of vocational training, technical education and management development. We place special emphasis on the education, training and skill upgrading of specific human categories such as women, youths, the disabled, the displaced and the refugees. We have, however, been confronted with serious problems of employment, underemployment and unemployment. Nonetheless, various studies have been carried out on these subjects, some in close collaboration with the International Labour Organisation. These problem areas have been given full consideration in the formulation of the Four-Year Programme for economic salvation, economic rehabilitation and development of the land.

Sudan's social and economic development strategy is currently based on the Four-Year Programme, which concentrates on human resources, planning, development and utilisation of resources. This Programme sets out to formulate and adopt a population policy which is in conformity with the social, cultural and economic conditions in the Sudan; and to adopt a labour-intensive approach to the development and rehabilitation of infrastructures and community facilities, particularly in the rural areas of the Sudan.

The preceding points are a summary of our projections for the improvement of the living conditions of all members of the Sudanese national family. We are aware that it is not as comprehensive as it might be, but it is the best we can do at the moment, given the hurdles we have so far encountered at home.

As I have mentioned "the hurdles we encounter at home", I should perhaps describe a few of them to you because you need to know, and the international community represented here also needs to know.

First, out of the recorded number of refugees in the whole world, i.e. 13 million, two-and-a-half million are in the Sudan alone. Slightly over 2 million of them are from Ethiopia. Second, there is a second category of uninvited guests now in the Sudan. They have flocked in over the years from the West African countries of Chad, Mali, Nigeria, Senegal and Mauritania. Their total number is estimated at three-and-a-half million people in the Sudan. Third, there is another category, of Sudanese nationals, whose living conditions may be even worse than those of the refugees. This may be attributed to two reasons. First of all, over the past few years, there has been a speedy advancement of the desert southwards and a constant drought. As a result, there has been no water for men and animals, no crops and no grass for the cattle. It has also led to an exodus of large populations, totalling about 2 million. They have moved into strange areas that were not prepared to receive them and brought a crisis upon our country. The second reason is that a most inhuman war is being fought in southern Sudan; a war organised, financed, equipped and directed by foreign forces for foreign interests against the Sudan, in spite of the fully relaxed Sudanese brand of democracy, unparalleled anywhere in Africa or even in the rest of the Third World.

The number of Southern Sudanese looted of all their belongings, uprooted from their homes and forced to flee en masse is about 4 million. Two million of them have fled to Northern Sudan and this number is increasing daily. An other million have left the rural areas for the district and provincial headquarters in the south.

The total number of people in wretched, sub-human conditions in the Sudan, both nationals and aliens, is easily 12 million. That is about half the total population of the Sudan. Does that not show the disastrous impact on our economic and environmental balance? On our social, cultural and moral stability? On our political and security infrastructures? The strain on our administrative and security infrastructures is massive and severe, to say the least.

We are not complaining, but we want the human community to know. Our motto in the Sudan is: my brother's problems are also mine.

I said earlier that what is most human in man is freedom *per se*, and to deny freedom to any man or any group of men is to dehumanise that person or those people. It is our opinion in the Sudan that apartheid in South Africa is a scheme of dehumanisation because it blatantly denies democratic freedom to the overwhelming majority of the population of South Africa. There must be something diabolically wrong in a man who thinks it right to dehumanise his fellow humans. It is therefore our opinion in the Sudan that the human family has an obligation to move to liberate the victims of apartheid and to destroy apartheid, and to have pity on the architects and the perpetrators of apartheid, to regard them as perverts and clinical cases that need to be liberated from themselves and from their domain of grievous misconceptions about themselves and about their fellow men.

The physical fact of the military occupation of a people and their territory also constitutes, in our opinion, a tragic violation of human freedom. the continued occupation of Arab lands and the violent suppression of the resisting Arab people by the people of Israel is a lamentable violation of human rights and freedom, a regrettable contradiction to the central theme of the 75th Session of the International Labour Conference.

It is only 40 years ago that the people of the Jewish family suffered horrible persecutions and acts of genocide from the Nazis. The people of the world rose in sympathy and support for the Jewish people. The Nazis were crushed, along with their heinous state apparatus for the liquidation of the Jews and other victims. It was then possible to gather the remnants of the much persecuted Jewish people, and the State of Israel was set up in Palestine for them. To this day the perpetrators of those terrible crimes against the Jewish people are still being hunted for their crimes, and are still being brought to trial and adequate punishment. Is it possible then that people could have such short memories, to the extent that the Jewish people themselves could be seen to be committing similar terrible acts of violence and injustice against their unarmed Arab cousins and neighbours?

Is it not actually possible that, in another 50 years, the present Jewish perpetrators of crimes of violence against the Arabs could also be the hunted and the persecuted in Arab law courts, in the same manner that the Nazi criminals are being hunted and persecuted today in Israeli courts? I do not have any definite answer to this question, but I know for a fact that vengeance is a basic human sentiment, and in some instances it is synonymous with justice.

(Mr. Adiko takes the Chair.)

Mr. MARTOS (*Employers' delegate, Hungary*) - Since this is the first time I have taken the floor in this plenary session, I would like to avail myself of the opportunity to congratulate the President and all the Vice-Presidents of the Conference on their election.

I am very happy that, for the first time of the history of the Organisation, a member of a socialist government has been elected unanimously as President of a session of our Conference. I hope that in the future, this will not seem so unusual. I would like to wish the President every success in fulfilling his task. I consider it very appropriate and reasonable that the Director-General has chosen the question of human rights as the main subject of this session of the Conference. Human rights can be viewed in a wider sense, as social, political and economic rights. For the International Labour Organisation the right to work has a very special importance and so does the gradual improvement of conditions of work emphasised in the title of the Director-General's Report, the interpretation and protection of human rights is our common responsibility. Every State, regardless of its political system together with representative organs of employers and workers, is responsible for the same. To be able to work under proper conditions and with high efficiency is in everyone's interest.

The contents of human rights are changing continuously. They are closely connected with the level of political and economic development of the individual countries. Whatever the political intentions and wills are, certain rights can only be granted in the measure allowed by the performance of the economy. In our world the gap between poor and rich countries keeps on widening. No country or group of countries has the right to expropriate the contents of human rights and the related level of provisions and security, or to impose them on any other country where the level of development makes it impossible to grant the same conditions.

As a function of the social system and the level of development, human rights gain different meanings. Naturally, the importance of certain questions also differs, in the light of the social conditions in a given country.

In the course of examining the issue of human rights we should abstain from simplifications. When studying the effectiveness of human rights the state of development, in terms of achievement and backwardness, should be considered.

The Hungarian People's Republic continues to strive to guarantee human rights while promoting the democratisation of its institutional system and the openness of its politics. Our economy, however, faces difficulties. Our foreign debt is especially high; the efficiency of the economy is low; so is the rate of growth of the national income; inflation is increasing. These conditions require the consistent elaboration and implementation of political and economic reforms of high efficiency. With this aim, the Parliament has approved the Government's new programme which has introduced a value-added tax and a personal income tax. These modern systems of taxation help economic organisations and the Government to see the economic situation more clearly. Furthermore, a unified corporation tax and the modernisation of the Company Act, which dates back

over 100 years, are also on the agenda of the Parliament.

These regulations will encourage "competition neutrality" on the markets, the growth of competitiveness and of economic efficiency. The intensification of economic competition and the diminution of uneconomical activities have caused much social uneasiness, which should be handled differently. Thus, the modernisation of the social security and pension system, as well as that of the means of employment policy, is essential.

A significant feature of our reform will be the major restructuring of wage policy and the wage system, to enable economic organs to regulate wages, and abandon central wage regulation.

The discrepancies between macro- and micro-level interests have to be surmounted by developing a system to reconcile interests. The State intends to achieve higher incomes, while companies operating in a competitive market will seek to minimise costs - including wages. Directives and regulations should, in our opinion, be replaced by the mechanism of reconciliation of interests, where decisions will be made by the interested parties by way of compromise. Such a mechanism would correspond to the ILO mode of operation. Therefore, we hope to rely on its experience and advice.

Let me speak briefly, as I do every year, of the Hungarian Chamber's activity. Today, there is no doubt in Hungary that after the developments of the past years the Chamber truly represents the interests of companies. The Government, takes due consideration of this fact in carrying on the reform.

The Prime Minister, his deputies and the ministers more and more frequently consult the Chamber on general and specific economic issues.

In the proposed mechanism of reconciliation of interests, bodies of different levels of the Chamber represent the interests of employers; thus, in the course of collective bargaining on wages a clear-cut and fair relation will be established with the other negotiating parties, in other words, the Government and the trade unions.

Undoubtedly, in Hungarian economic life the Hungarian Chamber of Commerce is distinctly an employers' organisation and it would be expedient if the Employers' group of the ILO - bringing an end to a dispute of several years - would make a final decision on whether or not to acknowledge the Hungarian employer representatives.

The Hungarian Chamber of Commerce - in the interest of its member companies - intervenes in all questions concerning companies and employers. Thus, we have prepared studies on the basis of our special points of view on the expected Company Act, and on the revision of the pension system, complementing the efforts of competent government organs. We are working for greater company independence and wish to strengthen the representation of interests of the company directors as employers.

Since last year's session of the Conference, our contacts with the ILO have been intensifying. In the fall of 1986 Mr. Francis Blanchard, Director-General of the ILO, while in Hungary, met with the President and leading officials of the Chamber, and exchanged views on the development of relations between the two organisations.

At the invitation of the Chairman of the State Office for Labour and Wages, an ILO expert group

studied the employers' activity in the framework of an investigation regarding the employment situation.

When launching a training course, an ILO associate on mission in Hungary studied the Chamber's activity of representing and safeguarding the interests of the employers.

An integral part of our activity for renewing the Hungarian economy is the dissemination of the methods which may help to build an up-to-date economy. In this context, jointly with the State Office for Labour and Wages, we have issued an ILO publication: *Payment by results*.

Before concluding, I wish to emphasise that the activity of the Hungarian Chamber of Commerce is evidence of the great importance we assign to our role in representing company interests, fostering relations, and benefiting from ILO experiences.

These endeavours show that the organisation of the Hungarian employers is striving to build constructive co-operation with the ILO and with those organs which seek to achieve its aims on the basis of mutual advantage.

(The Conference adjourned at 1 p.m.)

Fifteenth sitting

Thursday, 9 June 1988, 3 p.m.

President: Mr. Beyreuther

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (cont.)

Interpretation from German: The PRESIDENT – We shall continue with the discussion of the reports of the Governing Body and of the Director-General.

Interpretation from Arabic: Mr. BEN SEDDIK (*Workers' delegate, Morocco*) – Forty years ago, at the time of the proclamation of the Universal Declaration of Human Rights and at a time when the ILO had adopted the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Moroccan workers were faced with a legal and political system which was discriminatory in the extreme. This meant that Morocco was the only country under French domination where the indigenous population was deprived of the freedom to exist or to act will regard to trade union rights, and could legally neither join trade unions nor even set up their own trade union organisations.

This fact points to the particular historical identity of our trade union movement; a movement towards organisation under a regime which, by its very nature and prohibitions, imbued us with the spirit to organise our action towards a nationalist struggle because in order to combat that nationalising the regime denied us the right to action.

In point of fact, our struggle for trade union rights became assimilated with nationalism, and this placed us among the very foremost ranks of the struggle of Moroccans for freedom; freedom we consider to be indivisible and sacred. We believe it to be the source of our feeling for organisation and for trade union activities, as of our ideals of solidarity.

Moroccan workers remember the support given to their movement, in particular by the ILO, whose Governing Body twice – on 26 June 1953 and on 11 March 1954 – had adopted unanimously the Report of the Freedom of Association Committee, calling for our right to form trade unions and our right to freedom. This support, based on the constant efforts of the ILO towards defining, promoting and defending human rights, freedom, dignity, security and well-being, had contributed in no small measure to curbing the repressive aspect of colonialism.

The Moroccan Union of Labour thus bears witness to the great value and highly important role of the concept, as well as the very action of solidarity.

The principles of freedom and solidarity were, and still remain, the very basis of our action towards achieving trade unions free of any interference by the State, by sectarian interests or by employers – a movement which should be sure of its strength and

its continuity, and which organises and truly represents the workers, builds upon and supports their interests and at the same time defends and promotes those interests. The ILO has been informed of the enormous number of obstacles and persecutions which the Moroccan Union of Labour has had to endure since its inception.

As our organisation undertook to remain free, independent and authentic, our trade unionism often saw its very right to exist and to act trampled underfoot by repression aimed at dismantling and gagging it – in other words, at harnessing it.

But our will and our right to exist and to act in independence and unity were also threatened by the divisions which were manoeuvred by political groups which had no true meaning. With the interested concern of the administration, this gave rise to a number of spurious organisations which are not in any way related to trade unionism. However, there are some 14 such bodies which claim to have the status of trade unions.

This example shows us how perniciously trade union freedom can be threatened.

The Report of the Director-General to the 75th Session of the Conference far-sightedly places the question of freedom of association foremost among those themes which he explores from the lofty and noble standpoint of human rights.

The Moroccan Union of Workers is happy to note the development of the theme in the Report and fully supports the principles pertaining to the basis of trade union rights and to their fundamental objective, role and framework, as well as the means which are indispensable for their existence and for the activity of the trade union movement.

We also express our pleasure at the fact that the ILO has explicitly rejected the erroneous idea which has appeared and which, although fashionable, is both self-interested and backward, according to which the trade union movement, in the light of economic changes, seems to be losing its *raison d'être*. We are convinced of the contrary; we are convinced that no strategy enabling us to emerge from a crisis, be it national or transnational, can be truly effective without the active participation of the organised and representative body of labour in its formulation and implementation.

This having been said, freedom of association calls for further clarification of its principle.

The Director-General recalls rightly that "Governments...should not attempt to transform the trade union movement into an instrument for the pursuance of political aims".

We fully support this principle.

However, we consider that freedom of association is just as seriously violated when political factions make undue use of that same freedom in order to set up and multiply a number of bodies or unions. Political and economic interests, acting against the workers, hasten to endow these bodies artificially with the prerogative of representation or even negotiation which should normally belong to true and authentic trade union organisations and to them alone.

Now this is a serious infringement of any healthy social dialogue and, hence, of development. It shows a will to destroy trade union unity.

Pluralism can, in the political sphere, on the one hand, imply diversity and set standards of tolerance on the basis of democratic constitutional rules. In the trade union field, on the other hand, particularly in a country seeking true development, trade union plurality does not imply the concept of pluralism. Very often it aims only at breaking up the true trade union movement. Indeed, it is not warranted by any truly objective need. Instead it provides a crude cover for sectarian ambitions which have no plans, no future and are a source of confusion and an additional handicap to workers.

It is true that trade union unity cannot be truly imposed by any other law than that of the common will of the workers, and legislative interference in trade union activities must be rejected. However, we must similarly reject the idea that trade union independence, which is the prime condition for the unity of workers, should be attacked through political factions and interest groups.

When their objective interests so require, and as long as there is no religious or ideological ferment to divide them and they choose trade union freedom, then the workers must be protected against any artificial distinctions imposed upon their trade union movement and superimposed in the name of pluralism on the occupational fragmentation which already distorts to such a great extent the societies of the Third World countries.

Freedom and solidarity also make it our duty to mention here the questions of migrant workers, of the Palestinian workers and people, and of the workers and people of southern Africa.

Since these questions are examined from the point of view of equal opportunity and treatment in the Report of the Director-General, it appears that the ILO has not remained unaware of the fate of these workers and peoples. We thank the Director-General for having demonstrated the tragic scope of these questions and the efforts of the international organisation in this regard.

The situation in the occupied Arab territories makes a daily demand upon conscience and universal principles in order that it may be forcefully denounced and that the Israeli aggression against youth, workers and the whole Palestinian people struggling for their existence and self-determination under the leadership of the PLO may cease. The heroic and exemplary uprising of the Palestinians demands active solidarity on the part of all human beings who love freedom and progress. It is not a formal and verbal solidarity which can satisfy the conscience of those who express it that is required, but a real and active solidarity which necessarily must lead to a direct confrontation with the racist and usurping oppressor.

It goes without saying that any support and assistance which the ILO can afford to the workers and people of Palestine will lighten the yoke of the occupation and its everyday misfortunes. Nevertheless, the true solution to the tragedy resides in an end to the Zionist occupation and the recognition of the right of the Palestinian people to freedom and independence.

The same applies in Africa, where apartheid continues to prevail, and we must condemn such a system and ban it from international society.

We are also concerned about the situation of migrant workers in host countries where they – who are already the prime victims of the economic crisis – become easy and artificial preys to political competition or where discrimination infringes the dignity of these workers and tries to destabilise them.

These questions go beyond the mere aspect of equal opportunity and treatment, as stated in the Report. They warrant the greatest seriousness and render urgent the implementation of action strengthening the authority of the United Nations by substantiating within its system, as within the international trade union movement, a more active and more efficient policy of solidarity.

Interpretation from French: Mr. MILLOGO (*Minister of Labour, Social Security and the Civil Service, Burkina Faso*) – I would like, first of all, on behalf of the delegation of Burkina Faso, to convey my heartfelt congratulations to the President and to all the members of the Bureau of the Conference. I am firmly convinced that under their wise guidance the work of the 75th Session of the International Labour Conference will proceed in excellent conditions and attain positive results.

I would also like to congratulate heartily Mr. Francis Blanchard, the Director-General of the International Labour Office, for the brilliant report he has submitted to us. The rigour, the quality and the richness of this document make it an excellent and very precious instrument of work for this 75th Session.

The agenda of the Conference calls on us to give thought to a number of themes. In behalf of my country, I would like to describe briefly our point of view on the Universal Declaration of Human Rights.

The Report of the Director-General accords particular attention to the theme of human rights, as well as to the capital role of the International Labour Organisation in the pursuit of the objectives of the Universal Declaration of Human Rights through the establishment, adoption and implementation of standards on the basic freedoms of man such as freedom of association, non-discrimination in employment, the abolition of forced labour. Having noted the contradictions between the enthusiastic and unanimous adherence of member States to international standards which guarantee and protect human rights, on the one hand, and the violation of these very standards in numerous regions of the world on the other, the Report of the Director-General puts before each member State the question of ILO standards which aim at the protection of human rights; this is a very important question, one of vital importance for every man, and a problem to the extent that human rights are marked by a clash of the most diverse opinions and political positions.

It is incumbent upon us all to recognise the value and the validity of the Universal Declaration of Human Rights and the ILO's efforts to achieve the realisation of these rights through its standard-setting activity. However, much has still to be done. May I quote Article 1 of the Universal Declaration of Human Rights: "All human beings are born free and equal in dignity and in rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood".

Today, what sense or meaning can a South African Black find in the Universal Declaration of Human Rights, 40 years after its proclamation, if racial discrimination is raised to the level of a system of government? Does this mean that the South African Black has no dignity? That he has no reason, no conscience?

An overwhelming majority of the people of the developing countries live daily in an atmosphere of insecurity and fear for the morrow. For them human rights is still an illusion.

These are some of the questions that have yet to be answered and to which the delegation of Burkina Faso would like to draw your attention.

Despite these difficult questions which are all the more complex within the framework of different socio-economic regimes, we would like to assure you that Burkina Faso attaches considerable importance to the standard-setting activities of the ILO in the field of human rights. Indeed, international labour standards constitute a useful guide in the orientation of social action, in the formulation of labour legislation and in the constant improvement of living conditions. For these reasons my country has ratified a large number of Conventions and has committed itself to abide by them and broaden their scope of application in the future.

In this connection I would merely like to stress that since the accession to power of the Popular Front on 15 October 1987, the basic concern of the Government of Burkina Faso has been to establish a healthy social climate based on trust and loyalty, with a view to satisfying the fundamental and legitimate aspirations of our people who are anxious to live in peace and happiness.

We must not fail in our efforts. We must not remain simple spectators while thousands of people are starved and subjected to torture throughout the world. We are happy to note that the ILO has reinforced its action by intensifying its struggle against discriminatory practices in the interests of peace and progress.

I therefore wish for full success in our work.

Interpretation from Czech: Mr. KOZIK (Workers' delegate, Czechoslovakia) – I am very glad to be able, on behalf of the Czechoslovak trade union delegation, warmly to congratulate Mr. Beyreuther, from the German Democratic Republic, on his election to the post of President of this session of the Conference. I have known Mr. Beyreuther for many years, not only for his trade union experience but also for his knowledge of high-level matters, and I am sure that under his chairmanship our work will proceed in a spirit of co-operation and constructive dialogue.

The 75th Session of the International Labour Conference is taking place in a period which can leave none of us indifferent. Barely six months have passed since the signing of the Soviet-American agreements

involving, for the first time in history, the elimination of an entire class of nuclear weapons. In its turn, the recent Moscow summit meeting has shown that the process of détente and disarmament is taking further, important steps. We are firmly convinced that this development will not only be such as to prevent the threat of nuclear conflict but will also make a significant contribution to solving the urgent problems facing mankind in the economic, social and labour spheres. After all, the preservation of peace is not simply a question of a ceasefire but particularly a matter of promoting social programmes and developing man's material and spiritual life. This goal can be achieved only through multilateral and everdeepening co-operation in the search for solutions to problems many of which are of concern to all of us irrespective of the region and social system in which we live. The world is characterised by a multiplicity of interrelationships and makes our common responsibility and hence the responsibility of the universal international organisations more important. If the International Labour Organisation wishes to continue to make its presence felt in these new conditions, then it will have to shed many of the attributes which tie it too closely to the past.

As we noted when considering the draft Medium-Term Plan of the ILO for the period 1990-95, the leadership of this Organisation is seriously concerned for its future. But I must say frankly that we read this draft with mixed feelings. We entirely support the four main priorities put forward in the Plan: the defence of human rights, employment promotion, and the improvement of working conditions and social security. We shall continue to regard as the principal instrument of the ILO the setting of standards which is of decisive importance for all the priority areas I have mentioned. In our opinion the prerequisite for the adoption of effective international standards and their implementation is the democratisation of all the Organisation's activities, particularly through promoting the role of the most representative and most democratic organ of the ILO, the International Labour Conference. However, so far as this goes, the draft Medium-Term Plan causes us a certain measure of doubt and concern. For many years the International Labour Conference has been, and it is still, considered, to be a genuine parliament of labour. It gives the participating delegations and their various components the opportunity to exploit their proposals and points of view to the full. In our opinion it would be unacceptable – and it might even jeopardise the future activity of the Organisation – if any attempt were made to reduce its sphere of activity or possibly replace it with other organs which would not be capable of representing the ILO in its full universality.

We have also studied with great interest the other document – the Report of the Director-General on problems of human rights. I should like to make just three very brief comments on this subject.

First of all, I should like to note with appreciation the fact that the Director-General has emphasised the interdependence and indivisibility of political and civil rights on the one hand and economic and social rights on the other. One could cite many instances from the quite recent past to show the extent to which the long-term economic crisis is depriving man not only of the right to work and adequate remuneration and other social guarantees, but how in its con-

sequences it can deprive him of the opportunity to fully enjoy his political and civil rights, if not even the possibility of exploiting them in society.

I also welcome the fact that the Report sees the ILO's key role as supporting full employment, rejecting the view that full employment and the right to work are merely unrealistic and outmoded notions. I should like to emphasise that our delegation is one of those which considers that the adoption of an international Convention recognising and guaranteeing to the letter the right to work as one of the fundamental objectives of the ILO.

Finally, I should like to touch upon the chapter which caused us a certain disappointment, that is to say the chapter on freedom of association. We feel that there is need for a more thorough analysis of a phenomenon which is referred to elsewhere in the Report, an analysis of the reasons and consequences of the weakening of trade union organisations; this is due not only to structural changes in the economy but also to varying legislative measures and frequently even open anti-trade union discrimination. In our opinion, this is a phenomenon that should have been given far greater attention, all the more so as it is to be observed in new and promising branches of industry, even in countries with a long-standing trade union tradition. We therefore support the Resolution concerning the contribution of the ILO to the strengthening of respect for human and trade union rights, submitted by a number of trade union organisation members of the WFTU.

I am perfectly well aware that current developments in many socialist countries, including Czechoslovakia, are being followed with great interest by the world community. I should like for this reason, to touch briefly upon a number of issues connected with the changes which the restructuring of our economy is bringing to workers and the activity of their trade union organisations.

At last year's session of the Conference, I already outlined some of the changes planned which, from an economic standpoint, are considered to be the most significant taken over the past 40 years. These changes are now in full swing, with the complete participation of the trade unions. In particular, plans are afoot to strengthen the principal element of the economy, that is to say the state enterprise, which is the cornerstone of the socialist economy and entrepreneurship. However, a higher degree of independence of the enterprise involves more responsibility for the results achieved and this of course entails a certain amount of risk. In these circumstances, it is essential that the workers should have a real say in the running the affairs of the enterprise. The self-management of workers will thus become increasingly crucial for they will be entrusted with important duties, such as the power to elect the director of the enterprise. These new aspects are being tried out in a whole series of enterprises. However, it is already clear that the trade unions will retain their position, even within this new economic system and that, through the participation of their members in the autonomous administrative bodies, they will have even greater influence on the key issues of concern to their enterprise. The essential mission of the trade unions, even in these new conditions, will, however, continue to be to promote favourable living and working conditions and to defend the justified interests and needs of the enterprises.

The period which is now beginning will confront the Czechoslovak trade unions with new challenges and tasks in the field of living standards, social justice and social policy at large. These will centre on the effective exercise of the social and economic rights of citizens, particularly in the field of wages policy, employment, personal and public consumption, as well as conditions away from the workplaces. In connection with the self-financing of enterprises, there might be problems and tasks that could even generate a certain measure of local tension. The proposal to place limits on inefficient production to reduce the administrative apparatus and to carry through other structural changes will involve a major redeployment of the workforce. We have to prepare ourselves. We must not only predict the social consequences of these phenomena but also take measures likely to alleviate their impact on workers and their families. The Central Trades Union Council considers it perfectly natural that measures of this nature in the field of remuneration, work and the social sphere should be undertaken by agreement with the trade unions.

The new conditions in the economy also require new labour legislation. Last week there was an open discussion on the draft Labour Code. Of course, I cannot go into details at this point but I should like to point out that the updating of this law will give the trade union organisations a greater measure of responsibility and also open up new possibilities for them. For example, there is to be a considerable increase in the number of subjects which may be covered by collective bargaining, especially in the fields of remuneration, and these matters will also be made more legally binding. There will also be considerable changes for trade unions, in so far as trade union officials will have increased legal protection. No trade unionist or member of an industrial tribunal may be dismissed or transferred to another job without prior authorisation from the higher trade union body. This will contribute greatly towards consolidating the role of trade union officials at enterprise level, in accordance with the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

At the start of my statement, I emphasised the great responsibility incumbent on the ILO to tackle urgent social problems. Any progress in this direction, however, will depend to a considerable extent on conditions in the Organisation for constructive dialogue, based on the principles of equality and mutual respect. This applies not only to relations between the member organisations but also to relations between individual groups. I am firmly convinced that the positive trends which were noted in this past year will pave the way for the future activity of the ILO, and this will not only be in its own interests but will benefit the workers of the whole world.

Interpretation from Portuguese: Mr. DE JESUS (Government delegate, Angola) – I should like to share with you my feeling of satisfaction in addressing this great session of our Conference under the presidency of my friend Mr. Beyreuther, Secretary of State for Labour and Wages of the German Democratic Republic, for his election, and the Vice-Presidents, Mr. Smith, Mr. Tsujino and Mr. Adiko, whom I warmly congratulate on behalf of my Government and my delegation.

I hope that their vast experience will be decisive in the success of the work of this 75th Session of the International Labour Conference which is being held on the theme *Human rights – A common responsibility*.

This year the Director-General has given us for our consideration in his Report not only some ideas about the fundamental, complex and exciting theme of human rights but also details of the practical achievements within the limits of the ILO's competence as they progressively take shape.

This theme is dear to us in the People's Republic of Angola, a country in southern Africa and a redoubtable bulwark of the revolution in Africa, which has been making sacrifices in a war that has lasted for some 27 years, in order to consolidate its national independence. It is a theme that is present in all the programmes that we have carried out within the process of national reconstruction.

Our people, our party and our Government form a single whole in the sacred struggle to enable every citizen and every worker of Angola to exercise once again his political, economic, social and civil rights. The entire legal order in force in Angola is directed towards this ideal.

In implementing its human rights objectives, my country through its progressive stance has adopted an internationalist position placing at the disposal of other peoples its material, moral and political support and committing itself to the struggle against obstacles to human rights.

I am speaking of the peoples of southern Africa, Namibia, Palestine and others.

Labour is the heart of all this. Labour, we feel, is a fundamental value for man, giving its true dimension to other scales of values. Thanks to labour, man has transformed nature for his happiness. But the labour that dignifies and civilises man takes different, sometimes monstrous, forms that undermine human dignity. In other words, institutionalised or hidden slavery, forced labour, discrimination in employment, apartheid – all these are challenges for all progressive countries and the organisations of the United Nations family, and not only for us who want workers to enjoy and exercise their rights simply because they are human beings.

Now although it is true that the sacred cause of human rights must be the responsibility of all, in the political, economic, financial, social and cultural conditions of the world, it seems to me that what we must do is to commit ourselves to concrete and viable action so that under the auspices of ILO we can gradually achieve these noble ideals.

At this juncture, I should like to pay tribute to the ILO and its Director-General for the efforts made to promote and consolidate conditions for the exercise of human rights throughout the world.

We therefore note with pleasure in Part II of the Report the activities carried out by the Office to comply with the Organisation's terms of reference and the challenges of the present-day international situation, for the benefit of the well-being and progress of mankind.

As an African, I cannot fail to congratulate the ILO in particular for its co-operation programmes in the African region at a time when Africa is facing a very serious economic crisis with tragic repercussion on the social conditions of the peoples in most of its countries.

I am convinced that everyone in the ILO understands and accepts the specific attention which the ILO must pay to measures in favour of the Third World and particularly Africa. Indeed, there are shortcomings in the national technical capacity in the field of professional training, market employment, social statistics, labour administration, social security, strategy for small and medium-sized enterprises, management and planning of labour, all problems which undermine the status and effectiveness of the ministries of labour and social security. It is to be hoped that the ILO will give due attention to the training of national counterparts by international experts and advisers, which would allow not only a better development, but also a better follow-up of projects.

We also need scientific, diversified and comparative technical studies on the social and labour realities of Africa.

This is where the *International Labour Review*, the *Social and Labour Bulletin* and the *Legislative Series* of the ILO and other publications are so useful. However, it is also necessary to call upon African professionals and experts, trade unionists and employers, who should not hesitate to give us their thoughts and their experience in various publications, since the political decision-making bodies need these thoughts and experiences in order to take concerted action on effective global means of carrying out social policies.

I would like now to speak about labour administration in the Portuguese-speaking African countries. The administration of labour is still in its infancy since there is a distinct shortage of the necessary human and material conditions. Our priority, therefore, is the specialised training of our cadres. Co-operation between the ILO and the PALOP countries is satisfactory, but development is sometimes hindered or slowed down by various administrative obstacles. We need a constant liaison body between our country and the technical services of the ILO in order to better solve our problems and reduce the drawbacks due to geographical distances and bureaucracy.

In order to face the difficult national and international situation, my country had dedicated itself to a programme of economic and financial recovery known as SEF, to promote and stabilise economic development. But in implementing this programme, we face specific problems with social implications, requiring prior and careful work which our present organisation of labour cannot deal with unless we receive speedy, and in certain cases exceptional, international technical assistance.

In addition, I believe that the permanent monitoring of the administrative labour bodies concerning the social dimension of economic development can only take place through social institutions which are well organised and well equipped.

I give my full support to the policy of decentralisation put forward by the Director-General in order to introduce greater dynamism, efficiency and effective presence in the regions and subregions; undoubtedly, the development of a decentralised system of organisation of ILO activities will meet the concern expressed at the meeting of Ministers of Labour in Maputo last November.

As front-line countries we are satisfied with the assistance given to the liberation movements of

southern Africa. This is an important ILO contribution to the defence of human dignity and human rights.

We are following keenly the PIACT programme and would like to inform you that since 1986 we have established in Angola a "National week of protection and health in labour", to which we have invited observers from other countries and from the ILO.

ILO missions have worked with us this year on questions of inspection, employment markets, social security and standards.

We should also like to ask the ILO to help us in a new training programme in Angola since we will probably need an assessment mission.

As for the activities of the International Social Studies Institute, we would like to congratulate and encourage its Director for his determination in giving practical advice in the field of social and labour policy alongside science and research. We seize this opportunity to recall the wish expressed by the delegates of the first Social and Labour Policy Course organised for the Portuguese-speaking countries in Brasilia in 1985 that the course should be held regularly in order to stimulate reflection on social questions in our countries.

In conclusion, I should like to express my agreement with the Director-General that if we cannot guarantee conditions for the exercise of human rights, it would be a lie to maintain that we wish for peace in our countries.

That is why, together with progressive nations and individuals of the world, on behalf of my Government and my delegation, I express my satisfaction and my support to the Soviet Union and the United States of America for the courageous and dynamic work being accomplished for disarmament and peace in the world.

Interpretation from French: Mr. BAILLY (*representative of the Trade Unions International of Workers in the Metal Industry*) – On behalf of the Trades Unions International of Workers in the Metal Industry, I would like to thank the President for giving us the possibility of participating in the work of this session. We hope that this 75th Session of the International Labour Conference will be very successful and that it will have thoughts and decisions to share with the world of labour aimed at improving the conditions of work and life of wage earners.

Our Organisation is an international professional organisation of metalworkers which represents 71 trade union organisations in 46 countries. Our organisation can be found on all continents and in the countries with a different social regime. Furthermore, we maintain friendly contacts and working relations with other organisations on the basis of an open dialogue for the defence of the interests of the metal workers.

That is why the questions that are being discussed here are of considerable interest to our Organisation. Indeed, the application of trade union rights and human rights is essential for advancing workers' rights, culminating in the ratification and implementation by all those member States that have not yet done so, of the Freedom of Association and Protection of the Right to Organise Convention (No. 87) and of the Right to Organise and Collective Bargaining Convention (No. 98).

The Tenth International Conference of the unions of metalworkers which took place in 1987 in Berlin, capital of the German Democratic Republic, made a broad analysis of the situation of metalworkers in the various countries and regions of the world.

On that occasion, the participants in the Conference stressed the problems encountered by metalworkers in the practical exercise of their human rights and trade union rights.

One of the main concerns of the participants in the Conference, a concern which is strongly emphasised in the Report of the Director-General of the ILO, within the framework of human rights, is the right to work. We note that about 35 per cent of all the unemployed in the world today are workers employed in the various branches of the metal industries.

We also note that the unemployment is continually increasing. At the same time, two-thirds of the world population live below the poverty line. Unequal relations and the external debt hit the people of the developing countries the hardest.

In the developed and developing capitalist countries, unemployment, the erosion of purchasing power and social guarantees, co-ordinated deregulation, the choice of investment, and financial speculation in all its forms have but one purpose – to ensure maximum profits for possessors of capital only. These policies are pursued to the detriment of the interests of the people and the workers, among whom those in the metal industries are particularly affected. In this connection, it is essential to ensure that the millions of metalworkers who have lost their employment following restructuration in the various branches of their industry should be able to find another job.

According to the forecasts of the ILO, between now and the year 2000, it will be necessary to create a billion productive jobs, mostly in the developing countries, if we want to achieve universal full employment. We solemnly assert that the situation of the workers is not predestined.

Article 23 of the Universal Declaration of Human Rights, adopted 40 years ago, which stipulates that everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment, is still in practically the entire capitalist world, a right yet to be attained.

These preoccupations are those of many national, regional and international trade union organisations.

A whole series of contemporary economic and social problems could be solved if the resources now being wasted on the arms race were transferred to finance economic and social development programmes. The last summit meeting between the Soviet Union and the United States has confirmed that this could be done.

Priority should be given to the satisfaction of needs, the creation of jobs for the unemployed, the solution of the terrible problem of underemployment and the adoption of measures to full human resources in the struggle against poverty and hunger, to reabsorb the external debt of the developing countries and to protect the environment.

Unfortunately, the offensive of the monopolies in the arms race, and their attempts to dominate in the social, economic and political spheres run counter to the interests of the workers.

This offensive is a destabilising factor in international economic and political relations.

Transnational corporations exercise a strong influence over countries' political, economic and social options by creating relations of dependency. They attempt to interfere in the internal affairs of numerous States.

In this context, we fully support the principle enshrined in the Constitution of the ILO that universal and lasting peace can be established only if it is based on social justice, which is inconceivable without the effective exercise of freedom of association.

Metalworkers' trade unions have found, in many countries, that they have to face a joint and co-ordinated policy on the part of the employers, supported by the capitalist governments, the purpose of which is to jeopardise the very existence and activity of the unions. Everywhere the employers attack the rights of the metalworkers which have been attained after years of struggle. They do not hesitate to use all the repressive measures available to them against the workers and their unions.

In countries where there is a military regime, and those where militarism plays a dominant role, employers have recourse to the brutal intervention of the police and the army. Physical repression is organised; many workers and militants are imprisoned without trial and tortured, and some are even murdered.

In capitalist countries, workers and militants are penalised, dismissed, dragged before the courts, imprisoned and fined. The repression of workers and their unions is intensifying, resulting in numerous victims.

In many countries, trade union activity is increasingly considered to be illegal; while militants and wage earners are likened to criminals.

In these circumstances, we call upon the ILO to actively defend the basic individual and collective rights of workers, and of metalworkers in particular.

We would like to draw your attention to the fact that, in the present-day world, the socialist countries are the most advanced in safeguarding and enforcing the rights of workers in the economic, social, political and cultural fields. A useful discussion and practical work are underway with a view to enlarging the role of the trade unions in the advancement of society. The implementation of socialist democracy makes it possible to develop the active and constructive participation of workers and trade unions in all spheres of national life.

As is pointed out in the Report of the Director-General of the ILO, "efforts to secure the enjoyment of human rights involve the entire international community" but the realisation of these efforts depends in large measure on national activities.

Our international union reaffirms that the trade union movement is a tool in the struggle to emancipate the development of the individual and the community. It is the basis on which wage earners can be together and one of the basic components of democracy in the organisation of society. That is why our international union, in accordance with the standards and Recommendations of the ILO, supports the recognition of the right to organise in trade unions and the right of collective bargaining, particularly at the level of transnational corporations; the independence of trade unions and the non-interference of employers in their internal affairs; the elimi-

nation of all intervention or control of trade unions by public authorities or state bodies; the full enjoyment and free exercise of the right to collective bargaining against compulsory arbitration; legislative guarantees relating to the right to strike, including general, solidarity or protest strikes and the elimination of all restrictions on that right; a total ban on lock-outs; the right of trade unions to participate in the elaboration of labour legislation, in political, economic and social decision-making and in the implementation of development strategies; the abolition of all legislative provisions or measures preventing or restricting the development of international trade union relations, international trade union solidarity and affiliation to international organisations; the elimination of all forms of anti-trade union repression and of all discrimination as regards affiliation to trade unions and union activities; observance of international labour Recommendations and Conventions of the ILO relating to trade union rights by employers and governments; a ban on any professional interdictions; and the eradication of the regime of apartheid and of racism in all its forms.

Our International Union hopes that all the means that are available to the ILO will be placed at the disposal of the workers and people. The standards and Recommendations established by the ILO are a positive support in many fields. We hope the ILO as a tripartite organisation will find the ways and strength to ensure respect for these norms.

Our International Union associates itself with all trade union organisations which fight for the realisation of trade union rights and human rights. We associate ourselves with all those who strive for a life of peace and freedom.

COMMUNICATION BY THE PRESIDENT TO THE CONFERENCE

Interpretation from German: The PRESIDENT – Before I give the floor to the next speaker, I would like to make the following communication. This morning I received a letter from the Ambassador of the Permanent Mission of Jamaica in Geneva. I call on the Clerk of the Conference to read this communication.

The CLERK OF THE CONFERENCE – The letter is in English, dated 9 June 1988, and reads as follows:

Excellency,

It is with much regret that I have to inform you that the Honourable J.A.G. Smith, Minister of Labour, Jamaica, and Government Vice-President of the Conference, has had to return to Jamaica on urgent official business.

The nature of the business is such that the Minister could not foresee its early resolution which would allow him to return to the Conference to carry out the important duties for which he was elected. He has therefore requested me to advise you that regrettably he has no option but to resign from the office of Vice-President.

The Honourable Minister has asked me also to convey to you his sincerest apologies for not having had the opportunity to inform you personally of this unforeseen development.

Please accept, your Excellency, the assurances of my highest consideration.

(Signed) Antony HILL
Ambassador,
Permanent Representative
of Jamaica

Interpretation from German: The PRESIDENT – You have heard the contents of this letter. The Government group will therefore have to meet as soon as possible to nominate a new Vice-President. Further information will be provided in due course.

REPORTS OF THE GOVERNING BODY AND OF THE
DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from Chinese: Mr. FANG (*Workers' delegate, China*) – May I congratulate the President on his election to the presidency of this session of the International Labour Conference. I am sure that under his guidance and that of the Vice-Presidents, this session will fulfill its task successfully.

The Director-General, in his report, focuses his attention on the problems of human rights and trade union rights. These are the issues of common concern to the international community. Looking back, we are glad to note that for several decades the International Labour Organisation has done much to safeguard workers' rights and interests through its standard-setting activities and by providing technical co-operation.

Great changes have taken place in the international community in the past 40 years since the adoption of the Universal Declaration of Human Rights and the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). The overwhelming majority of countries subject to enslavement in the past have already attained their independence and sovereignty. The international community increasingly condemns and discards the practice of encroaching upon the sovereignty and territories of independent countries, interfering in the international affairs of other countries, denying other people's dignity and attempting to decide the destiny of others. It has become an urgent desire for the people of the world to free themselves from poverty and unemployment, and to promote economic development and prosperity. In the new era, the concept of human rights has expanded to encompass democracy, freedom for individuals, the rights of everyone to work, rest and social security, the independence and sovereignty of the State, as well as national self-determination and economic development.

Obviously, safeguarding human rights requires a peaceful environment. The realisation of human rights cannot but encounter serious obstacles in a society where there is turmoil and injustice.

Here I would like to mention the apartheid policies of the South African authorities. This barbarous system of racial discrimination and encroachment upon trade union rights, not only denies the basic human rights of the South African Black people, but also constitutes a threat to peace and stability. At the same time I would also like to draw attention to the human rights of the Palestinian people. In the past 20 years, the economic, social and trade union rights of the Palestinian people in the occupied territories have been wantonly encroached upon. The arrest, imprisonment, beating and shooting of young people, women and children occur time and again. Human rights are not in the least ensured. We firmly support the South African people in their just struggle against apartheid and for racial equality; we support the Namibian people in their just struggle for

national independence. We strongly demand that sanctions be imposed on South Africa. We firmly support the Palestinian and other Arab peoples in their just struggle against Israeli aggression and expansion, and their struggle for the restoration of the national rights of the Palestinian people.

We also note with anxiety that the economic gap between the rich and poor countries has been widening, and that unemployment and poverty are pervasive in most parts of the world. At present, the world's unemployed population has surpassed one-tenth of the world's total, dashing the hopes of so many for the right to work and a higher living standard. The only way to change this situation is to promote economic development. This not only requires all countries to work out policies suitable to their own conditions, but imposes on the international community the need to make joint efforts to alter the existing unfair international economic order.

Since the ILO has promoted multilateral co-operation in the economic and social fields and done a lot of work in carrying out technical and vocational training, we hope that it will continue to make contributions to counter poverty and unemployment.

Since the founding of the new China the rights of the Chinese people have been enshrined in the Constitution. The socialist system guarantees the rights of the people as masters of the State. At present China is accelerating its policy of reform and opening up to the outside world. The aims of the reform are to boost social productivity, incessantly to improve the people's material and cultural life, to strengthen socialist democracy and the legal system, and to promote the building of socialist culture and ideology. Reforms provide effective guarantees for the vast majority of the people to enjoy all kinds of material and legal rights.

Trade unions are the most important mass organisations in our country. They are playing an increasingly important role in the reform. They participate in formulating plans for social and economic development, and drafting laws, decrees, regulations and policies concerning the vital interests of workers. For example, trade unions take an active part in drafting reform plans such as the reform of the labour system, the wage system, social security, the price system, the distribution of houses and housing rents, as well as the system of enterprise leadership. They organise workers to exercise supervision in the course of the implementation of these reforms. The workers' rights are safeguarded through participation. During the reform, the Workers' Congress Regulation and the Enterprise Act were promulgated in 1986 and in April of this year, respectively. The trade unions participated in the drafting work and solicited the opinions of vast numbers of workers and trade unionists. The Enterprise Act explicitly stipulates that, with enterprise directors assuming full responsibilities for enterprises, workers and staff members should support their directors or managers in their lawful functions. Furthermore, the Enterprise Act establishes the right of workers, as masters of the enterprises, to participate in the democratic management of enterprises. The Act stipulates that the main form of workers' participation in the democratic management of enterprises shall be the Workers' Congress. It has the following functions: to discuss and examine any important decisions of the enter-

prises; to discuss and decide on the welfare of the workers and staff; to criticise and supervise directors or managers and other leaders at lower levels of the enterprise. A series of regulations on the rights of workers and staff members, embodied in the Enterprise Act, provides legal guarantees for them.

To play a better role in the socialist modernisation drive in China, the Chinese trade unions are carrying out a process of self-reform. Trade union reforms focus on economic development as the central task, and stress the defence of the specific interests of workers, while safeguarding the overall interests of all citizens. Trade unions will carry out their work independently and advance towards a real democratic organisation of the masses.

Meanwhile, trade unions adopt various forms of workers' education such as occupational training and further training, to upgrade the workers' skills and promote their ideological, cultural and technical qualities so as to ensure that the workers of our country can play a greater role in the reforms and the modernisation drive, while fully enjoying all kinds of rights and benefits.

Human rights are closely linked to peace and development. The people of the world hope that peace will be defended, and that all who are able to work will have greater opportunities to contribute to economic development and social progress. We hope that the joint efforts of the workers and peace-loving people of the world will put an end to atrocities, to the deprivation of basic human rights and the violation of the legitimate rights of nations.

China stands for equality among all countries, big or small, rich or poor, weak or strong and for the non-bullying of others and the non-interference in the internal affairs of other countries.

We hope that the objectives embodied in the ILO Constitution and the Universal Declaration of Human Rights will be truly realised through the joint efforts of the people of the world.

(Mr. Tsujino takes the Chair.)

Interpretation from Portuguese: Mr. ROSSI (*Employers' delegate, Brazil*) – May I congratulate the President on behalf of the employers of Brazil. We are sure that under his wise guidance the work of this session of the International Labour Conference will meet, once again, with full success.

The Director-General of the ILO has very appropriately chosen human rights as the theme of his yearly report, in honour of the 40th anniversary of the Universal Declaration of Human Rights. Human rights is a delicate and controversial, but topical, problem. From time immemorial man has sought to secure and defend his rights, forging his customs and the laws governing social coexistence. His original aim was to define and refine social structures through laws which would submit all individuals to the specific mechanisms of the society of the era.

As a direct consequence of this tendency, social institutions came into being: government, religion, marriage and many others. Then appeared trade laws, property rules, and the repression of acts which could disrupt the social fabric. New precepts served to strengthen social solidarity. But it would be illusory to believe that principles of special order were intended to protect human rights. Their objective

was not man as such, but society, and the need to achieve its stability, security and progress.

The ancient civilisations developed on the basis of these principles. The individual had no choice but to abide by prevailing customs, habits and laws or face expulsion from the community. His work and his efforts were tributes paid to a society which agreed to accept him, but which required in exchange a heavy burden of obligations and duties.

The fragmentary legislation of ancient times clearly shows that the protection of human rights was weak, timid and inefficient because legal statutes aimed only at peace and the security of society. The total submission of man to the constituted authority, as reflected even in the smallest details of life, enables us to state that man in ancient times did not truly enjoy individual freedom.

This situation did not evolve much in the Middle Ages, when men began to feel the injustice of the feudal system.

The institution of the constitutional State then took place in a political framework marked by two extraordinary historical events of the eighteenth century – the American Declaration of Independence and the French Revolution.

In those days, the idea of the rights of a human being was closely linked to the struggle for greater political participation by the people, and to the struggle against social inequality. Thus, a model of the State was conceived, based on law, and forged in such a manner as to afford the individual the possibility of participating in the sovereign will of his country, thus ending the relation of perpetual subservience binding man to the State. The State was no longer the alpha and omega of individuals. It was brought down from its throne to serve man.

Certain documents of the time, such as the American Declaration of Independence of 1776 and the Bill of Rights for the first time proclaimed certain inalienable and fundamental rights of the human being, such as the right to enjoy life, liberty and the pursuit of happiness, and the right to own property.

Since then these new humanistic values have gradually been incorporated in the internal legislation of our modern countries. Today, the protection of human rights is widely recognised by the various declarations of principles, by constitutional texts, by law and by jurisprudence.

Today, it is perfectly clear that the aim of legislation is not a threat to the individuality of any person. On the contrary, laws to protect society and laws to protect the individual are but two sides of the same coin, provided the citizen respects the limitations imposed by legislation to which he is subjected.

Where efforts to safeguard human rights were once limited to purely political aspects, they subsequently assumed a much wider scope to include social rights, economic rights and cultural rights, as well as the right to security, work, education, scientific progress and so on.

The Universal Declaration of Human Rights, engendered by the horror of the barbaric acts of the Second World War, represents one of the most beautiful and complete enunciations of the principles of human rights. Within this framework we have the principles of free enterprise, which is the fundamental basis for the economic, social and political development of peoples, as a primordial condition for the existence of a democratic, fair and pluralist society.

As stated by the Director-General, the activities of the ILO, in one way or another, are linked with human rights. Nevertheless, these activities have always been geared primarily towards the protection of workers, while the defence of free enterprise, the source of productive employment, has come second.

The Preamble to the ILO Constitution states that universal and lasting peace can be established only if it based on social justice. This reflects the ongoing commitment of the ILO to fight untiringly against injustice and to enhance the human dignity of all individuals, as well as their equal and inalienable rights which constitute the basis of freedom, justice and peace in the world. Indeed, it is only in a system of free enterprise and market economy that there can be a guarantee of full freedom. That is why the principles of free enterprise must be defended, stimulated and strengthened.

The International Labour Conference, as well as the regional conferences of the ILO, have already produced innumerable documents concerning the protection of human rights. For example, I could mention Conventions Nos. 29, 105, 100, 122, 144.

The question of freedom of association, to which the Report of the Director-General devotes an entire chapter, is of great importance within the activities of the ILO.

The existence of representative and freely constituted trade unions contributes to the cause of civil and political rights because it allows freedom of expression and association. The existence of trade union organisations further perfects the democratic nature of the member States by enabling workers and employers to engage in dialogue among themselves and with government. Moreover, they collaborate in seeking solutions for economic and social problems affecting every country. From this point of view, as was mentioned in the Director-General's Report, the independence of the trade union movement is fundamental in order to foster social progress; and precisely for this reason, the trade unions should not serve as instruments of government in the pursuit of political objectives.

Labour is not a commodity, as recognised by the Declaration of Philadelphia. In the final analysis, employment policy is necessarily dependent on the general orientation which each country gives to its economic policy, and its efficiency is determined by the extent to which government accelerates the process of privatisation by reducing the State's role as employer and by extending the economic scope of the private sector; by the extent to which government stimulates the creation of new enterprises, especially small and medium-sized enterprises, and reduces public expenditure.

The right to suitable remuneration and prosperity emanates from powerful economic activity. This is the only way of addressing the structural problems of each State Member and enabling it to create new employment.

When we speak of the enjoyment of social and economic rights as guaranteed by the Universal Declaration of Human Rights and other international instruments, we fully agree with the Director-General.

We cannot see the issue as a whole if we overlook the negative context of the world economy which for many years has been strangled by a persistent crisis,

which is the cause of many evils, such as underdevelopment, poverty and unemployment.

The absence of an economic order based on international solidarity is responsible, in large measure, for the low rates of growth of many African, Asian and Latin American countries which are suffering from the staggering expansion of their populations and from notorious imbalances in their labour markets.

We believe there could be a political will at the international level in order to reverse this unfortunate trend. Solidarity will be exercised through frank dialogue among nations and through closer collaboration in their political, commercial and scientific relations. Covering this road on a tripartite level, the ILO has enhanced the values of harmony and co-operation with a completely modern vision which aims not only at preserving social structures or the objectives of legal statutes from mankind's past. Today, the ultimate goal is Man, and the realisation of his aspirations, his longings, his dignity and his individual freedom.

Interpretation from German: Mr. MEINEL (representative of the Trade Unions International of Public and Allied Employees) – May I begin by congratulating the President on his election to his high office and to wish him success in his work.

I have the honour to speak on behalf of the Trade Unions International of Public and Allied Employees, an organisation which brings together more than 38 million trade unionists from all areas of public service, from all regions of the world and from all economic and social systems.

Ove 65 per cent of our member organisations are at work in developing countries.

We have taken note with keen interest and close attention of the Report of the Director-General. Allow me to confine my remarks on the Director-General's Report and on the ILO Medium-Term Plan to the aspects that concern the civil service and public services sector which undoubtedly deserve the close attention of the participants in the 75th International Labour Conference, particularly since one employee in four works in that sector.

We welcome the fact that the Director-General's Report addresses in detail the common responsibility for all human rights, that is to say both basic human rights and trade union rights and freedoms, dealing with them in a comprehensive manner and not in isolation from political, economic and social problems.

A similar approach also marked the 8th International Congress of Public Service Employees which recently took place in Sofia, and whose delegates and guests took their decisions on behalf of over 51 million organised employees from 85 countries, and with the participation of 21 international and regional organisations including the ILO.

In accordance with the decisions of that Congress, we should like particularly to emphasise the direct connection between human rights to education and work and the most fundamental human right to life and peace. As trade unionists, we consider that our aspirations to social security, trade union rights to organise and engage in collective bargaining in all areas of the public service, would lose all meaning in the atomic age if war and weapons should lead man-

kind to the brink of a nuclear disaster. There can be no doubt that disarmament would release resources for education, job creation and the introduction of a system of social security that would make it possible to guarantee the most basic human rights, from which two-thirds of mankind are still excluded. Accordingly, as trade unionists, we call for the conversion of the arms industry to civilian production. We call for practical measures of nuclear, chemical and conventional disarmament. And for this reason, we emphatically welcome the historic agreement whose implementation will, for the first time in history, lead to the destruction of a whole class of nuclear weapons. We welcome the proposals contained in the Six-Power initiative and the initiative by the German Democratic Republic for an international conference to be held on nuclear-free zones. This conference is to be held shortly in East Berlin, in the German Democratic Republic.

We believe it would have been desirable if the Report of the Director-General had attached more importance to these important aspects since the relations between human rights, peace, disarmament and the new international economic order are a reality, to deny which would have dire consequences such as hunger, poverty, inadequate health care, an anti-social policy, to the benefit of the arms budget, and other global problems with which mankind is today confronted.

We find it incomprehensible that the ILO Medium-Term Plan, despite the responsibility it has in the socio-economic aspects of disarmament, provides for not one pertinent activity. More ILO commitment in this area would be a genuine contribution to social security, justice, peace and progress and would be in keeping with the preservation of basic human rights.

Speaking of human rights, the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), which was adopted 40 years ago in San Francisco, must be regarded as having the utmost significance. Convention No. 87 and the struggle for its implementation have undoubtedly led to positive changes in the world of labour, and have increased the opportunities for collective representation of the workers' interests by trade unions.

We believe that this 40th anniversary of the adoption of Convention No. 87 provides an opportunity to honour the ILO's contribution to its implementation. In many cases, our Trade Union International and other trade union organisations have been able to help trade union activists effectively on the basis of this Convention in the struggle to advance their legitimate interests.

However, we are also well aware that Conventions Nos. 87 and 98 and the Labour Relations (Public Service) Convention (No. 151), continue to be infringed in many countries and have still not been ratified by many governments. Governments are still making use of legal, military and racist measures in order to undermine the rights of workers and their trade unions and to prevent the implementation of the Conventions.

Trade unionists are liquidated, imprisoned, tortured, their organisation prohibited and their resources confiscated or destroyed.

We are all familiar with the situation in South Africa, in Chile or in the Israeli occupied Arab territories. But in other countries, too, it may be seen

that laws and measures are being applied whose purpose is to reduce or even to eliminate the influence of trade unions in the civil and public service and in other areas. This often happens in connection with the introduction of greater flexibility into labour relations or the privatisation of parts of the civil and public service in order to create trade union-free institutions to destroy the right to collective bargaining and thereby make more difficult or even impossible the activity of trade unions as collective representatives of the workers' interests.

Unfortunately, these phenomena are not only to be observed in countries where dictatorship and violence are used to secure those in power against the will of the majority of the population. Even in countries that have enjoyed democracy for years, repressive measures are increasingly being used against trade unionists and their organisations. In Great Britain, the assets of trade unions have been confiscated; in Spain, on 17 May this year, the Secretary of State for Public Administration suspended the trade union rights of the workers' committees in connection with the granting of time off to do trade union work. The justification offered for this decision was that the trade unions were not prepared to sign an agreement which would have led to a reduction in the purchasing power of public servants. Trade union officials were even threatened with dismissal. Meanwhile, this particular infringement of Convention Nos. 87 and 135 has been settled. It is gratifying in this instance that those responsible have recognised trade unionists as valid representatives, even though differences of view persist on certain issues.

However, we are resolutely opposed to any measure of repression against the trade unionists on workers' committees in this regard. We hope the problems will be completely solved on the lines indicated by the President of the Government of Spain in his speech to the 75th Session of the International Labour Conference.

It should be emphasised that there is an obligation and a responsibility for all democratic forces to resist even more energetically the increasing infringements of human and trade union rights, especially in the civil and public service, and to restore trade union rights in all areas and at all levels.

In this connection, our Trade Union International attaches central importance to the standard-setting activities of the ILO, including the question of employment promotion and social security, since mass unemployment and social insecurity demonstrably create fertile soil for continuing infringement of human and trade union rights.

And beyond this, we take the view that the supervision of the implementation of Conventions Nos. 87, 98, 135 and 151 must continue to be given special attention by the competent organs of the ILO.

In this connection, we welcome the holding of the Fourth Session of the Joint Committee on the Public Service of the ILO in November this year. We understand that the ILO has to make savings, but we believe that the already meagre activities of the ILO in the area of the public service should not be reduced still further. This is particularly true for the Fifth Session of the Joint Committee and the discussion of the problems of employees in health services, fire departments and women employees in our sector.

In conclusion, may I draw your attention to the fact that in most countries of Africa, Asia and Latin America the situation of public service employees and civil servants and the population at large has undergone dramatic deterioration; elementary services cannot be guaranteed; poverty, hunger, homelessness and attacks on trade union rights are on the increase. This situation is often the consequence of the established priorities of national, economic and social policy. It is, however, above all a consequence of the existing international economic relations, of the anti-social and anti-democratic conditions imposed by the International Monetary Fund, the World Bank and other international financial institutions. This situation gives most developing countries no opportunity to carry out their national development programmes and this includes the development programme for the civil and public service. On the contrary, their foreign debts and debt servicing have reached proportions that severely hamper any national development or even make it impossible and actually put development into reverse. We emphasise this because we believe that the question of human and trade union rights at the end of the twentieth century cannot be addressed in isolation from the global problems now confronting mankind. I am referring to issues such as the maintenance of peace, the achievement of disarmament, development, the solution of the debt crisis, the protection of our environment, which need to be considered in direct connection with the exercise of human and trade union rights. The complexity of these problems underscores the fact that today no country and no international organisation, whether it be our Trade Union International or the International Labour Office, is in a position to carry out effective measures on its own in the interests of human and trade union rights. What is required is international co-operation in the framework of the ILO and beyond its walls. What is required is the joint effort of all democratic forces and organisations in the interests of the preservation of human rights in all regions and in all countries of the world.

Interpretation from Spanish: Mr. MONTT BALMACEDA (*Employers' delegate, Chile*) – I should like to extend my most cordial congratulations to Mr. Beyreuther on his well-deserved election as President of the 75th International Labour Conference.

Once again, the Director-General, Mr. Francis Blanchard, has submitted for discussion to this Assembly an excellent study of the greatest interest, on this occasion the first part of his Report *Human rights – A common responsibility*, a subject matter which is rich in both content and suggestions. As he points out quite rightly in the introduction to this text, “although the term ‘human rights’ is not specifically mentioned as such in the ILO Constitution, the concept underlies all the activities of the Organisation; indeed, the ILO was the first to proclaim the indivisible character of human rights which encompass, without distinction, civil and political rights and economic, social and cultural rights”. We shall refer to these words again at the end of our statement.

Now, as concerns the ILO proper, we are rightly reminded in the Report of the Director-General of the text of the Declaration of Philadelphia, according to which freedom of expression and association is essential for constant progress. Freedom of associa-

tion, I think we should add, is nevertheless acquiring different ways and means of application as time goes on, according to the requirements of each international community to which it is applicable.

On more than one occasion we have indeed emphasised from this rostrum the most significant duty which the Employers' Association in Latin America has today, to participate in the social and economic development of the continent.

It is with satisfaction that we have also on more than one occasion noted that, as in the case of Chile, the response of our employers to this legitimate requirement is becoming ever more favourable. Thus, for example, in addition to the dedicated and constant work of social development, undertaken already many decades ago by the Chile National Society of Agriculture, the oldest of our employers' organisations, whose 150th anniversary we are celebrating just now, we must also mention the ongoing efforts of the Society for the Promotion of Manufacturing, the largest representative body of the industrial sector in the field of technical professional education, vocational training, housing for workers, health, etc., and the ongoing action of the National Mining Company, the National Chamber of Commerce, the Chilean Chamber of Construction, the Association of Banks and Financial Institutions along similar lines, and a wide spectrum of employers' organisations in Chile, represented through the Confederation of Production and Trade, our main organisation, whose work in employment programmes has been widely disseminated in the various media of the ILO.

Thus, we enthusiastically support the ILO programmes for Latin America aiming at giving assessment, guidance and help to our employers' organisations on the continent and their action along these lines.

Then there is the right of association, not only to defend the specific interests of those they represent, but in this case also constitute an important factor in the collaboration of the corresponding bodies in national development.

I would go further. Such contributions would be even slighter, or completely non-existent if at the same time the enterprises affiliated to these organisations were idle. But on the contrary, in Chile today we are witnessing flourishing economic activity, especially vigorous during the past five years, where the private enterprises are playing an ever greater role. It would take too long to refer in detail to the main features of this positive phenomenon, which a distinguished Chilean economist has rightly called our “silent revolution”.

But a brief outline of this would nevertheless lead us to emphasising, inter alia, together with progressive debureaucratisation and the positive attitude of the employers which we see growing today among new generations of Chileans, the notable modernisation of agriculture and the literally explosive increase in exports. Take, for example, the field of agricultural production, where we had 25-fold increase between 1973 and 1986, whereas copper, which in 1973 represented 80 per cent of our exports, today represents only 40 per cent of the same; and whereas in 1971 Chile only exported 412 different commodities to 58 countries, today it exports 1,343 products to 112 countries. Meanwhile, 798 exporting companies have joined the Chilean economic process

in the past two years, whereas between 1973 and 1986, the number of these enterprises tripled.

"Economic policy can no longer be an end in itself. It is only a means to achieving social objectives", said President F. D. Roosevelt when he spoke in 1941 to the International Labour Conference. These were wise words from that notable statesman and specially significant in this Organisation. Today we recall these words in order to say that this process aims quite rightly, at general progressive well-being; so when faced with the undeniable improvement in the quality of life that we are experiencing in Chile today, we must also add to this the significant increase in the purchasing power of salaries. Never before in our country have we had such new and interesting formulas as "ownership of capital" or direct contributions by enterprises to the improvement of training, special coupons for the family support, sporting and cultural events and so on.

Thus certain companies, some private, some being privatised, have a significant number of their workers who are shareholders: 12 per cent in SOQUIMICH, 31 per cent in the Steel Company of the Pacific, 27 per cent in Chilectra Metropolitana, and so on. The process is going on. A recent study of the Confederation of Production and Trade concludes that in 1986, for each peso paid in wages, private enterprise contributed 1.11 additional pesos to improve the general quality of life of its workers.

For many years now Chile has been the subject of severe criticisms in the international community. I would like to make my own modest contribution to rebutting this. Chile has an area of 2,006,626 square kilometres and over 11 million inhabitants. Chile speaks the beautiful language of Castilla and has received two Nobel Prizes for literature. It has been independent for 180 years. Its per capita income is increasing day by day. In other words, the real Chile is far better than it is seen by many in the remainder of the world today.

Of course, it is not an earthly paradise. But what country is? It has not been the custom, because it is not our duty for Chilean Employers' delegates at session of the Conference to refer from this rostrum to current political, international or internal situations in our country. Chile is in the forthcoming months approaching a very relevant moment of its institutional evolution according to its Constitution. Therefore, I could not fail on this opportunity to refer, very briefly, to some concerns which affect the sector that I represent.

Our Director-General has rightly reminded us in various chapters of his Report, explicitly or implicitly, of the principle of indivisibility, unity and mutual inter-relationship which should govern the various specific fundamental rights of the human being. In addition to these rights, we also call today for the inclusion of legitimate "freedom of enterprise" as an inherent part of human nature. We should never again wish to see this brutally eliminated in Chile, as we have in the past. For its better realisation, we envisage freedom of enterprise as being fully integrated with other political and civil rights, but neither can we envisage the one without the other, neither can exist in isolation. Together, they supplement each other within an institutionality based on justice.

Freedom of enterprise, in a world which demands ever more in the way of welfare and, therefore,

creativity, is today being readopted by many great powers, some worthily represented in this assembly, tired, perhaps, of ideologies and bureaucracies as the main key to progress. Freedom of enterprise, indeed, makes us more human because it involves risks and challenges, which are so inherent to the best parts of our life.

In the extreme south-west of Latin America, between the Andes and the immensity of the Pacific, the Chilean entrepreneurs tempered by many decades of vicissitudes but today being reborn in their impetus to create, are looking to you, to collaborate with all of you without exception, in a world ever more united for the greater well-being of your countries and of Chile.

Mr. van LEEUWEN (*representative of the International Federation of Free Teachers' Unions*) – First of all, I should like wholeheartedly to congratulate the President on his election by this assembly. I also wish to congratulate the Director-General on the Report he has presented to the session. You will not be astonished that our organisation, the International Federation of Free Teachers' Unions, which represents 6 million teachers all over the world, is particularly satisfied that the Director-General has devoted this year's Report to the issue of human rights. It is our organisation's main objective to promote and protect these rights through both trade union action and education. We consider it of great importance that again attention is drawn to the fact that all ILO work is related to the common standard of achievement set for all peoples and nations in the Universal Declaration of Human Rights. It is unfortunate, however, that in 1988 governments still need to be reminded of this Universal Declaration and their moral obligation to respect basic human rights. In many countries economic, political and religious doctrines still remain obstacles to the full application of international human rights standards.

In the introduction to his Report, the Director-General quite rightly notes that "the achievement of human rights is an integral part of efforts to secure man's material well-being and spiritual development" and that in this sense "economic development cannot be separated from social development". In other words, it does not pay to restrict basic freedoms, to deny human rights: there are no economic or political benefits. On the contrary, the suppression of people, whatever form it takes, is bound to backfire both economically and politically. Many examples from the past and the present support this view and show also that nations which comply with international human rights standards perform much better – in almost every field – than those which impose restrictions. You might say that the Universal Declaration is not only a moral standard but also some sort of "self-help guide" to social progress and accompanying economic growth.

This Conference is held at a time of spectacular changes, some of which bring hope for the future. In my address to this assembly in 1984 I felt compelled to express my organisation's deep concern over efforts of certain nations to reform the composition, jurisdiction, authority and procedures of the ILO control mechanisms. At that time we had reasons to believe that these efforts were motivated by the unwillingness or alleged inability of these nations to comply with international labour standards. Today

we note a quite different tendency: suspicions are fading, attitudes are changing and the Director-General has returned from Moscow with hopeful news. As far as we are concerned, no better moment could have been chosen to address this report to international labour standards and human rights.

The recognition or denial of trade union freedoms and human rights is not only an issue of friendly or hostile governments. It is also, and perhaps first of all, a matter of awareness among people, among the individual members of our societies, of the absolute and immutable values that these rights and standards represent. I do not have to explain that teachers, and the field in which they work, education, represent a tremendous potential for imparting these values, imparting them to future generations and for teaching the techniques to promote and protect them.

Our Organisation considers the promotion of human rights education one of its major tasks. It is satisfying to notice that millions of classroom teachers are indeed actively involved in this kind of education activity, despite the many difficulties which they encounter, including repressive measures taken by those authorities that fear the powerful effects of such education. A good – or bad, if you want – example of course, is that of South Africa where teachers, students and parents a few years ago started developing the so-called “people’s education” concept. The South African Government, realising that if schools would start to educate against apartheid, the resistance and opposition to their racist policies would spread, responded hard and ruthlessly. Meetings to discuss “people’s education” were forbidden and its initiators, among whom were many teachers, were arrested and detained. Yet, the people’s education movement in South Africa flourishes, schools have become tools to combat apartheid and, as a result, opposition and resistance against the White minority regime have grown.

In Chile, we also see that teachers are making every possible effort to make education a vehicle for democracy. There too the authorities respond harshly. Some time ago the Chilean Government simply fired thousands of teachers many of whom played an active role in the struggle for democracy. Our Organisation has filed a complaint against this measure, one which is currently under ILO consideration. Only a few weeks ago members of a local branch of the Chilean teachers’ union in the provincial town of Iquique were, while in a meeting, arrested after police forces had harassed them and damaged their building.

Nobody doubts the importance of human rights education; nobody doubts the significant role our schools play in the combat against oppression, inequality and poverty; nobody doubts the significant contribution of education to social progress and economic growth. On the contrary, we all have high expectations of our school systems and their ability to lay the basis for a better society in the future. Yet the people who have to do the work, who must meet all these demands, who have to live up to these expectations – the teachers, the educators – our members – are seriously neglected. Their trade union rights, their professional freedoms, their terms and working conditions – these are all neglected.

Even if we leave aside South Africa and Chile and pretend that these countries are different from all others, the general picture of the situation of teach-

ers, of the application of their rights, of their employment situation, is a very gloomy one. Both in the developing countries and in the industrial economies teachers’ pay and conditions continue to deteriorate while their workload concurrently becomes heavier. People who manage to remain teachers until retirement age are exceptions. Most of them leave beforehand, sick or disillusioned, because they are unable to work under the miserable conditions that their employers allow to endure. Moreover, the remuneration of teachers – in most developing nations not even reaching minimal pay levels and in most industrial nations remaining far below the average earnings of industrial workers – does not at all attract young people to enter the profession. For this reason in certain countries a serious shortage of teachers should be anticipated. At the same time we see that efforts on the part of the teachers’ union movement to stop this trend, to bring about changes, are being barricaded. Sometimes this is done by decree, by taking away teachers’ trade union rights. A recent example is the measure of the Government of the United Kingdom to suspend the collective bargaining rights of teachers in England and Wales. Although I wish to express our sincere satisfaction at the recognition by the ILO of the validity of the complaint filed about this serious infringement, I do hope that the ILO will also exert the necessary and additional pressure on the Government of the United Kingdom to have these basic rights restored. I stress this point – that since the decision of the ILO that the practice of “Berufsverboten” was a violation by the Federal Republic of Germany of Convention No. 111, it has not led to any change whatsoever in that practice. In the Federal Republic of Germany today a teacher’s political convictions can still keep him from practising his chosen profession.

I have said that the position of teachers, their interests as workers and professionals, are grossly neglected; I would add, not only by national governments, but also by international bodies. The IFFTU finds it incomprehensible that the ILO’s programme hardly entails anything in support of our sector. Yet we are talking about millions of dedicated workers in the midst of a crisis, workers who are shouting for help from the only intergovernmental organisation that is able to provide it.

In the Organisation for Economic Co-operation and Development (OECD) we hear that teachers should perform better; within UNESCO we hear that teachers should work harder; within the International Monetary Fund we hear that teachers should be paid less. But the ILO remains silent. Let me again try to break that silence. Let me again urge for action regarding the ILO/UNESCO Recommendation on the Status of Teachers which, year after year, has proven to be ineffective. Governments do not even bother to reply to the questionnaires concerning the application of this Recommendation. We have repeatedly pleaded for the transformation of this one instrument into two instruments – one on educational standards and policies, to be enforced by UNESCO, and one on teachers’ conditions, to be enforced by the ILO.

As far as ILO sectoral activities are concerned, I wish to recall the recommendations made by the Joint Meeting on Conditions of Work of Teachers held here in Geneva in November 1981. It was suggested to the Governing Body that a standing com-

mittee on the education sector be established and that various studies on the employment situation and conditions of teachers be initiated. Seven years have now gone by and practically none of these recommendations has been implemented. As for the near future, not even another Joint Meeting is planned.

We understand the budgetary constraints that are the main cause of this neglect. Yet it demonstrates that the priorities have been placed elsewhere, and this brings me to my final comment, namely that the ILO in setting those priorities should take better account of changes in the composition of the working force, of the decline of certain industrial sectors, and of the growing importance of other sectors – not only to guarantee that reality is better reflected in its work but also to prevent that the ILO alienate itself from large groups of workers.

Our organisation, the IFFTU, is a part of the trade union movement of public service workers that operates under the name “Common Front”. Next week my colleague from the PTTI will address this assembly on behalf of the Common Front which in its entirety represents more than 20 million public service workers. I wish to associate myself with the statements he will make.

Mr. KHURANA (*Employers' delegate, India*) – I should like to extend to the President, with deep sincerity, on behalf of the Employers of India and on my own behalf, congratulations and good wishes on his election to preside over the 75th Session of the International Labour Conference. I also extend warm felicitations to the Vice-Presidents who have been elected to assist him. We are certain that under his inspiring leadership the proceedings of this Conference will be steered to a successful conclusion.

I would also like to place on record our appreciation of the commendable work done by the Director-General in bringing out a very thought-provoking Report, *Human rights – A common responsibility*. The issues posed in this Report need to be critically examined so as to evolve and spell out coherent operational strategies and modalities of action to meet the merging aspirations and challenges in the realisation of human rights.

Admittedly, as pointed out by the Director-General in his Report, the efforts to secure enjoyment of human rights involve the entire international community. It is also widely recognised that a just and equitable social order will be achieved only when human rights can become functioning and living realities. Our efforts in this direction are, however, greatly influenced by the global economic environment which at present is characterised by structural imbalances. These imbalances reveal themselves in the burgeoning surpluses in foreign accounts of a few market-oriented industrialised countries, the ballooning of the developing world's debt, excessive volatility of exchange rates and erosion of faith in the rationality of capital markets as a result of the stock market crash of last October.

While the developed industrialised countries may get along well in this situation for some time, the developing countries are bound to face even more serious problems. With falling commodity prices and a decline in the value of exports, an increase in import prices of manufactured goods and a rise in interest rates, the developing countries cannot escape deceleration in growth rates and mounting un-

employment. The indications are that imbalances in the world economy, combined with the protectionist policies of the developed world, are likely to accentuate the unemployment position in the developing world.

Should the 40th anniversary of the Universal Declaration of Human Rights not be the occasion to ask if anything can be done to lessen the burden of developing countries, to accelerate their development, to alleviate their poverty? The answer obviously is that a lot can be done.

In fact, what is required to be done is already known and even accepted in principle. There is, however, a general lack of international will to do what is necessary and feasible, and on a scale that can make a significant difference. Capital and technical assistance, support to primary product prices, preferential access to manufactured and semi-manufactured products and relief in times of crisis are some of the accepted policies that are practised only half-heartedly.

The rationale of these policies should not be charity or the provision of temporary relief. The endeavour should be to improve, on a long-term basis, the productive capacity of those who today produce little. Judged in terms of commercial rates of return or in terms of contributions to the balance of payments, there may not be many projects in such countries that may attract technical and capital assistance. Nonetheless, the projects which make a distinct contribution to improving the domestic economic environment cannot be ignored. To meet such situations, the need for concessional assistance has been accepted. The International Development Agency (IDA) was created to provide such concessional assistance. But unfortunately it has continuously been starved of funds.

Surely the world is rich enough to set aside not just 1 per cent but about 3 per cent of its GNP for the alleviation of poverty around the world. Yet even the target of 1 per cent of GNP has not been achieved. From our experience in relation to developing countries, it is becoming increasingly clear that help from outside will have to be provided to them largely by way of concessional assistance. If it is not possible to assist on this basis and on a scale which can make a significant contribution to its economies, much of the developing world would have to face the spectre of continued poverty for millions for many decades to come, with the attendant social and political upheavals. In an interdependent world, as we all know, “poverty anywhere constitutes a threat to prosperity everywhere”.

At times like this, it is relevant to ask whether the existing framework of international co-operation needs any change. Strictly, the actions involved in regard to promoting reasonable international economic policies fall within the purview of other international organisations. But considering the serious impact that international economic policies have on labour and employment and the unique position which the ILO enjoys on account of its tripartite character, it seems to me that the ILO is best placed to provide a lead in such matters. In this connection, the initiative taken by the ILO in organising last November a High-Level Meeting on Employment and Structural Adjustment involving other specialised agencies of the United Nations system deserves commendation. I suggest that this arrangement

should be institutionalised so that such meetings are held regularly. It is also essential to forge an understanding among nations as to what constitutes reasonable economic policies and what rules of the game should apply internationally to help the developing world.

The other important theme of this Conference, and which is very closely related to the eradication of global unemployment and poverty, is rural employment promotion. Most developing countries are predominantly rural – with over two-thirds to three-fourths of the population living in rural areas and depending on agriculture. There is a general consensus, backed by empirical studies, that in these countries investments in the urban industrial sector, though essential, have not helped generate sufficient employment opportunities to absorb the growing labour force. With an increasing population and a multiplying labour force, and with the majority of the people living in rural areas, an effective rural employment policy is the most appropriate instrument for achieving the goal of growth with social justice in these countries. It is gratifying to note that the ILO attaches considerable importance to this subject and that a detailed report lucidly conceptualising the issues which need to be tackled and resolved has been submitted to this Conference for consideration.

I believe that the solution to the growing menace of unemployment and underemployment in rural areas lies in building a strong, efficient, productive and functioning rural economy, which may perhaps be termed “ruralisation”, the intention is not to minimise the importance of industrialisation. Accelerating industrialisation in these countries is necessary for bridging the gulf between the developed and developing world, between traditional and modern technology. A sound and strong industrial base is also necessary to provide adequate linkages with agriculture, irrigation, health care, family welfare, education and so forth. Industrialisation and “ruralisation” are therefore not mutually exclusive. Each has its own importance and its own part in taking the society as a whole towards achieving the accepted objectives of the ILO.

To increase employment opportunities in rural areas, it is essential for developing countries to accelerate the pace of rural development. This calls for programmes and measures which can increase agricultural production, develop rural skills to meet the requirements of farm and non-farm activities, promote rural industries and provide rural people with access to education, health care, modern transport and means of communication, and other facilities necessary to improve the quality of life. The endeavour obviously must be to create the infrastructure and the conditions for promoting self-sustaining growth in the rural economy. Considering the nature of the problem confronting the developing countries, the magnitude of the task to be performed is stupendous. While this Conference would enable the ILO to determine the manner in which it can assist these countries, under its existing technical co-operation programme, I feel that it should provide assistance on a scale which can make a significant contribution to their rural economies.

This, I feel, is the background for deliberations on certain important issues before this Conference. Forty years ago the international community adopted the Universal Declaration of Human Rights. The

world can hope to achieve the objectives enshrined in this Declaration only if nations of varying sizes and levels of development strive together to create a more just and equitable social and economic order. This calls for all-pervasive transformation. This is the occasion for the distinguished representatives of governments, employers and workers of all persuasions to evolve modalities and strategies for achieving the desired transformation.

Interpretation from Spanish: Mr. FAVELEVIC (*Employers' delegate, Argentina*) – Once again it is my honour to address this Assembly on behalf of the Employers of Argentina, and in my capacity as Vice-Chairman of the Argentine Industrial Union.

Allow me first of all to congratulate the President on his election to the presidency of the Assembly, the duties of which he is fulfilling most efficiently and to say how grateful our sector is for the excellent work carried out by Mr. Blanchard and his colleagues, as well as for the contents of the Report which he has submitted to the 75th Session of the International Labour Conference.

Indeed, the subject of *Human rights – A common responsibility* is vital to our society.

There can be no doubt that apart from being specifically mentioned in international or national documents, as pointed out in the Report, the very idea underlies the principles and the constitutional objectives of the International Labour Organisation and, I might add, all those documents which seek to reflect the very foundations of contemporary society: namely the preservation of human freedom and dignity and their exercise within a framework of justice.

This premise, which was proclaimed long ago but which has lost none of its vital importance and relevance, embodies man's aspirations to attain his ideals and states in simple terms objectives that are as profound as they are difficult to achieve.

Freedom, dignity and justice are expressed in our century and on the threshold of the next, in association with the idea of justice and progress.

These are not empty words; this progress is a necessity; there can be no real justice unless there is sustained growth ensuring man's integral development allowing him to meet adequately his needs.

The Director-General has reminded us that the problem of human rights has to be contrasted with the harsh realities of daily life which for many are the realities of underdevelopment and malnutrition. On this point we should like to add that private initiative has as its fundamental objective, through the enterprise, to produce goods to meet the needs of the people, thereby generating jobs and opening up new opportunities for social progress.

In this way there is a convergence of aims for the achievement of the general welfare which, in turn, opens up new development possibilities for the enterprise, enables it to consolidate its markets, expand its output, update its technologies and train its workers efficiently. Economic progress and social progress are thus inextricably linked.

The Report before us deals in depth with workers' rights which in labour terms are a true expression of human rights. We cannot but share this view and express the hope that any obstacles preventing their realisation may be overcome, particularly in the developing countries.

However, allow me to make several comments from the standpoint of the Argentine employers.

If the workers' aims are to be achieved, there must be vigorous economic development; there has to be full productive capacity and this is only possible with an economic model which promotes freedom and private initiative. These prerequisites are not possible under authoritarian political systems or under economic rules which restrict freedom, fetter the initiative of citizens or infringe in any way, no matter how subtle, the right of ownership of the means of production.

Indeed the world's most advanced economies are found today in those countries which have adopted models of economic freedom and adhere to democratic political systems; systems in which justice and the equality of opportunity are guaranteed to all.

However, for countries like ours which are trying to overcome their difficulties under the burden of heavy external debt and are also affected by an undue policy of agricultural subsidies practised above all by the most highly developed countries, these rules of the game are absolutely essential.

As employers and citizens, we must recognise with deep satisfaction the consolidation of our republican and democratic political system. Under this form of government, there can be no doubt that political freedoms can be exercised broadly.

This success, which has been achieved with great difficulty by the community as a whole, also requires imaginative and up-to-date approaches in the labour field, in order to achieve effective results.

It might be said that the Director-General's Report summarises the aspirations of the Argentine people in the labour field. However, we believe that these objectives will be a mere illusion if there is not a sustained development of the economy, based on clear-cut definitions which provide guarantees of workers' rights, and employers' freedom to organise and run their affairs, which are compatible with the principles of industrial and commercial freedom and the freedom of property, guaranteed by our Constitution to all the inhabitants of our country.

If, simplistically, we were to fail to advocate this basic premise, we would only be representing the wishes of one sector of the community. We would simply be presenting a list of requirements but not of practical possibilities. We would merely be wasting our words.

We believe unreservedly in human rights, but the rights of all men, and whilst giving our full support to the Report submitted to this Conference, we claim inalienable rights for employers and entrepreneurs because they are not purely motivated by selfish reasons but realise that progress can only be the result of the growth of the productive system and that this can only take place in a free economy, last but not least, there can be no distribution of wealth if there is no wealth to distribute. Therefore, to create wealth and not to administer poverty is our catchword and our concern.

Confounding these goals would mean practicing reverse discrimination; not discrimination against the worker but equivocally against the enterprise, which can only result in stagnation, disinvestment, poverty and frustration on every side.

Accordingly, in the name of the political freedom which we have recovered in Argentina, we question the new trade union law which is at variance not only

with the terms of our Constitution but also with the categorical terms of Convention No. 87 inasmuch as it does not comply with the principle of the freedom of trade union freedom, and uses language imposed by the law which is incompatible with the establishment and free functioning of genuinely representative trade union organisations.

This explains and justifies our condemnation of this law before the supervisory bodies of this International Labour Organisation.

We also object to this trade union law because it infringes legitimate employers' rights in the following ways: it undermines the powers to organise and manage, it works against the efficiency and productivity of enterprises, particularly small- and medium-sized enterprises, and against the growth of productivity, without at the same time benefiting the workers; it confers privileges on trade union representatives that are turned into a veritable preserve affecting the right of equality before the law, and not only vis-a-vis the enterprise but also vis-a-vis other workers; it fails to envisage the essential need to modernise the regulatory instruments of labour relations, nor does it contribute to an ongoing dialogue between the factors of production, maintaining models that are out of date and creating grave obstacles to the free development of working life, ignoring the fact that modern legislation must contribute to social peace, to growth and to distributive justice.

To sum up, excessive trade union interference in the life of the enterprise and trade union arrogance demonstrate an excess of rules and regulations which we fought while the legislation was in preparation and which now justifies our efforts and militates in favour of an amendment of the text which is already in force.

We are also concerned that the proposals to revise the legislation with regard to individual workers' contracts can have dire consequences because we need clear and consistent labour legislation which will protect the rights of the workers but which will not result in clandestine work or evasive behaviour which can be of no benefit to those who want to see a transparent economy where informality would not be the rule, since such undesirable mechanisms, would end by destroying competition, for there can be no competition against marginal employment.

We shall always raise our voice, especially here, a natural place for tripartite dialogue, in favour of the harmonisation of sectoral interests in order to facilitate the adoption of fair and equitable standards. This did not happen in our case because adequate account was not taken of our claims, nor were solutions found which we would regard as reasonable.

Argentinian employers are not against laws which improve the situation of workers and their conditions of work. Rather we would favour such laws, provided they are in keeping with realistic criteria and do not prevent the attainment of the general goals mentioned above.

Neither are we against a just and balanced protection of trade unions and their representatives; but the law in question works against the general interest and its implementation will upset the necessary balance among the various intermediate entities and the harmony which should reign in labour relations.

It must be emphasised that productivity and efficiency must be the goals not only of the employer, but also of the workers, because it is possible to share

the fruits of growth only if growth is generated and there is no possibility of a permanent increase in real wages without improvement in productivity.

Because we believe in a state of law and we are fully aware of its importance, we have to struggle for it to remain in force, recognising the rights of others, but also insisting on respect for our own rights. Only in this framework, can the ideals of justice and equality be fully realised.

This is the only way that sustained social and economic progress can be achieved in accordance with the aspirations of the national community as a whole.

(The Conference adjourned at 5.45 p.m.)

Credentials

Second report of the Credentials Committee

Objection concerning the nomination of the Workers' delegate of the Bahamas

1. The Credentials Committee had before it an objection to the nomination of the credentials of the Workers' delegate of the Bahamas submitted by the Commonwealth of Bahamas Trade Union Congress (CBTUC) and supported by the International Confederation of Free Trade Unions (ICFTU).

2. The authors of the objection declared that since 1983, the Government of the Bahamas had refused to recognise the CBTUC as the sole registered trade union centre of the Bahamas and had arbitrarily selected representatives from trade unions which had publicly expressed support for the governing political party. This year a new organisation, the National Workers' Council of Trade Unions and Associations (NWCTUA), was created comprising mainly those unions which support the Government. According to the objecting organisations, the Government had organised the consultations in such a way that a number of very small trade unions which did not function according to the labour laws or their own constitutions were able to participate in the balloting thereby biasing the results against the CBTUC. For this reason, the CBTUC suggested to its affiliates that they take no part in the selection process.

3. In a written communication to the Committee, Mr. C. Turnquest, Director of Labour and Government delegate of the Bahamas to the Conference, indicated that the CBTUC had 11 registered unions and that combined membership was about 10,000, whilst the NWCTUA represented 16 registered trade unions with a total membership of 15,400. The CBTUC represented neither a majority of the registered trade unions nor a majority of the total union membership. The Government had made efforts to appoint the Workers' delegation in agreement with all the most representative workers' organisations in the country without exception in conformity with the wishes of the Committee and had appointed a Workers' delegate from the most representative workers' organisation.

4. In an oral statement before the Committee, the Government delegate of the Bahamas added that, concerning the balloting, each trade union had one vote. Among the unions composing the NWCTUA, only two had fewer than 100 members. All registered unions, of which there were 38, including those belonging to the CBTUC, had been invited to participate in the ballot. Among the 17 unions which re-

plied, 16 voted for the NWCTUA. In reply to a question of the Committee, the Government representative indicated that, according to the law of the Bahamas, registration was open to all trade unions but not to confederations.

5. Some doubts were expressed in the Committee as to whether the balloting introduced by the Government was the best method of ensuring that the most representative workers' organisation was selected. The Committee noted that, according to the information provided by the Government, the NWCTUA was the most representative workers' organisation. It noted that the ICFTU, while stating that the CBTUC was the most representative workers' organisation, had not provided any data in support thereof. The Committee noted the efforts of the Government to give effect to its previous recommendations and decided not to accept the objection. In so doing, the Committee expressed the hope that the Government will pursue further its efforts in order to obtain the agreement of all the most representative organisations in the nomination of the Workers' delegate to the International Labour Conference.

Objection concerning the nomination of a Workers' adviser of Peru

6. The Committee had before it a telegram from Mr. Ramírez Salas and Mr. Flavio Rojas Sarmiento, presenting themselves as President and Secretary General respectively, of the Confederación de Trabajadores of Peru (CTP), stating that the workers' adviser, Deputy B. Céspedes Pérez did not represent the authentic CTP of Peru.

7. The Committee noted that this objection which was of a succinct nature did not contain any element permitting it to take any position in that regard.

Communication concerning the delegation of Afghanistan

8. The Committee had before it a communication from the delegation of Pakistan stating that it wished to place on record its reservation regarding the credentials of the delegation of Afghanistan for reasons already stated by the Pakistan delegation at the last session of the United Nations General Assembly. The Committee noted that, apart from recording this reservation, the communication did not call for any action on its part.

Communication concerning the delegation of Lesotho

9. The Committee noted the communication sent by Mr. M.L. Mophethe, Government delegate of

Lesotho to the Conference, stating that, contrary to the principles of the International Labour Organisation which his country held dear to its heart, the delegation of Lesotho did not include a Workers' representative. The Government found it impossible to nominate the most representative organisation in view of the failure of the workers' organisations to agree on their representative to the Conference and to fulfil their obligation to send returns by the deadline provided for under the applicable legislation.

10. In this connection, the Committee referred to the terms of paragraph 16 of its first report (*Provisional Record*, No. 9, page 9/39), in which it recalled governments' obligations in this matter.

Communication concerning the nomination of the Workers' delegate of Portugal

11. The Committee had before it a communication from the Confederação Geral dos Trabalhadores Portugueses – Intersindical Nacional (CGTP-In) concerning the Workers' delegate of Portugal.

12. The communication stated that although the CGTP-In continued to be the most representative organisation of workers, having been so recognised

by the Committee in previous years, the Government had nominated a titular delegate which was not of that organisation. It added that the CGTP-In could have presented an objection under article 26, paragraph 3, of the Standing Orders of the Conference. If it had not done so, it was in order to give the possibility to the Government and other interested parties to correct the discriminatory attitude towards the CGTP-In. This decision did not prejudice the possibility in the future of presenting a formal objection if the goodwill of the CGTP-In did not receive a response from the other interested parties.

13. The Committee noted that the communication did not call for any action on its part and limited itself to taking note of it.

14. The Credentials Committee submits the present report to the Conference in order that the Conference may take note of it.

Geneva, 9 June 1988

(Signed) T. NAKAMURA
Chairman

E. HOFF

J. SVENNINGSEN

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COMMUNICATION TO THE CONFERENCE

Report of the Appeals Board set up by the
International Labour Conference's
decision of 8 June 1959

1. By a letter of 3 June 1988 communicated to the President of the 75th Session of the International Labour Conference, the Employers' delegate of Nicaragua objected to the fact that, as a result of a decision of the Conference of 2 June concerning the composition of its committees, none of the positions of titular member which he had requested had been assigned to him.

2. The President of the Conference referred this objection to the Appeals Board set up by the Conference on 8 June 1959 for the appointment of Conference Committees. The Appeals Board, appointed by the Governing Body of the International Labour Office at its 240th Session (May 1988), and selected from among the persons designated for that purpose by the Conference, was composed of Mr. G. Abi-Saab, Mr. L. Cottafavi and Mr. P. Laroque. It met at the International Labour Office on 8 and 9 June 1988, under the chairmanship of Mr. Laroque, to examine the above-mentioned objection in accordance with the terms of reference assigned to it by the Conference decision of 8 June 1959.

3. In discharging its responsibility, the Board considered, as all of its predecessors had done, that it was essential, firstly, to guarantee the right of all parties concerned to appear before the Board and, secondly, to follow an expeditious procedure so as to enable its decisions to become effective at as early a stage of the Conference as possible. In order to safeguard the right to a hearing, the President invited the appellant to submit in writing to the Office of the Clerk of the Conference, for the attention of the Board, his observations on the facts and arguments submitted in support of his appeal. On communicating these written observations to the Chairman of the Employers' group, the Board invited him similarly to submit a brief comment on the appeal, which was in fact made against his group. After taking note of the comments made by each side, the Board then heard the appellant and the Chairman of the Employers' group on 8 June 1988. The Board wishes to thank both the appellant and the Chairman of the Employers' group for their punctual and full replies to these invitations. Thanks to their co-operation, the Board is of the opinion that the right of the parties to be heard on an equal footing has been fully guaranteed and that its task has been carried out in the shortest possible time.

Statement of the appellant

4. The Employers' delegate of Nicaragua, Mr. M. González Pastora, duly accredited to the 75th Session of the Conference by his Government, had requested that he be assigned a position as titular member on the Committee on the Application of Standards and that his technical adviser, Mr. J.R. Aragón Marín, should be assigned a position as titular member of the Committee on Rural Employment. However, the appellant had been assigned only a position as deputy member of the Committee on the Application of Standards, while Mr. Aragón Marín had been appointed neither as titular nor as deputy member of the Committee on Rural Employment.

5. In his written statement the appellant deplored the discrimination to which he was subjected by the Employers' group, and stated that this attitude violated the spirit of the Constitution of the International Labour Organisation and defied his authority as Employers' delegate of Nicaragua (since it is the delegate who in principle has to decide which of his technical advisers shall take part in the work of the various committees). He repeated his request that he be included in the voting section of the Committee on the Application of Standards and that Mr. Aragón Marín be allotted a seat as titular member of the Committee on Rural Employment. He also requested to be heard by the Board.

6. Addressing the Board, the appellant regretted the need to repeat the arguments he had put forward at previous sessions of the Conference, and expressed the hope that agreement on the subject of participation by the various employers' organisations of Nicaragua would make a repetition of his appeal unnecessary. He had made a modest request for two titular members' seats, for himself and his technical adviser, and his request had not been granted. Although he took part in discussions in the Committee on the Application of Standards as a deputy member, he requested, for reasons of principle, the right to vote, which the Employers' group was refusing him, taking its stand on the arguments put forward in previous years. This situation was unacceptable, and the appellant asked the Board to rectify it.

Statements by the Chairman
of the Employers' group

7. In his written statement the Chairman of the Employers' group recalled, firstly, that the great majority of the members of the Employers' group were of the opinion that the system adopted, which empowered a board composed of persons from outside the Conference to take decisions without appeal concerning the functioning of the Conference, was in contradiction with the right of all delegates to vote individually on all matters before the Conference (article 4 of the Constitution).

8. As regards the substance of Mr. González Pastora's appeal, and subject to what had gone before, the reasons why the Employers' group had not proposed Mr. González Pastora as a titular member of the Committee on the Application of Standards, and his adviser, Mr. Aragón Marín, as a titular member of the Committee on Rural Employment, arose from the fact that these two persons did not truly represent the employers of Nicaragua. For the same reason, as in 1986 and 1987, protests had been made against the nomination of Mr. González Pastora as Employers' delegate of Nicaragua. In the previous year, the Credentials Committee had concluded that the Government should have nominated the Employers' delegate in agreement with the Higher Council of Private Enterprise (COSEP), which is in fact the most representative employers' organisation in Nicaragua and which opposed the appointment of Mr. González Pastora as delegate.

9. Contrary to Mr. González Pastora's claim, the grant of voting rights to a certain number of employers' representatives on Conference Committees represents a delegation of power by the Employers' group, not by an individual delegate. Persons who have thus been appointed as titular members of committees have the responsibility of representing the group in the event of a vote. The number of such representatives must necessarily be limited in such a way that the group is always in a position to vote at full strength, with the support of its other representatives appointed as deputies. The fact that the Conference, on the recommendation of the group, can decide which of the members of a Committee are entitled to vote implies, on the contrary, that a certain number of members are not so entitled.

10. The group considers that it has fully applied the principle of equality of treatment which the Conference had in mind when it adopted the "Procedure for the constitution of Conference committees". This procedure certainly does not give any delegate the right to be appointed as a voting member simply because he has expressed the desire to be granted this right. Such a right would render completely meaningless both the elections for membership of committees and the decisions of the groups as to the number of voting members to represent them in each committee.

11. Addressing the Board, the Chairman of the Employers' group said that the situation which had prompted the present appeal was the same as that of 1987, and that therefore he would not repeat in detail the arguments deployed previously. The Employers' group, while it was aware of the precedents which the Board had set, nevertheless took the view that, since the situation had not shown any further development, it would be inappropriate to depart from its standpoint, for reasons of principle, in view of the fact that the Employers' delegate of Nicaragua represented arable farming and cattle-raising interests which made little use of wage-earning workers and thus failed to correspond to his group's concept of "employer".

Ruling of the Appeals Board

12. From the information available to the Appeals Board it appears that the candidature of Mr. González Pastora for the voting section of the Committee on the Application of Standards and that of Mr. Aragón Marín to the Committee on Rural Employment were dismissed simply because the employers' organisation with whose agreement Mr. González Pastora was nominated delegate was alleged not to be the most representative employers' organisation in Nicaragua. Although at the 73rd Session of the Conference the Credentials Committee had taken the view that "in the absence of agreement [on the nomination of the Employers' delegate of Nicaragua], the Committee continued to be of the opinion that the Government should have appointed the Employers' delegate in agreement with COSEP, which apparently continued to be the most representative employers' organisation", the Credentials Committee had decided not to propose that Mr. González Pastora's credentials be invalidated.

13. It is not for the Appeals Board to pronounce upon the representative character of delegates to the Conference. Such a pronouncement would call in question the validity of their credentials under article 3, paragraph 5, of the Constitution; this is subject to another procedure, provided for in article 3, paragraph 9, of the Constitution and article 26 of the Standing Orders. By virtue of article 26, paragraph 8, of the Standing Orders, "the delegate to whose nomination objection has been taken shall have the same rights as other delegates, pending final decision of the question of his admission". Accordingly, in the absence of such a final decision, the Appeals Board can only conclude that the position of the Employers' group is based on grounds which cannot justify it. Mr. González Pastora's objection to his exclusion, and that of his substitute Mr. Aragón Marín from the voting section of the Committee on the Application of Standards and that of the Committee on Rural Employment respectively, is thus substantiated.

14. The Appeals Board therefore decides to add Mr. González Pastora and his technical adviser Mr. Aragón Marín to the voting sections of the Committee on the Application of Standards and that of the Committee on Rural Employment respectively.

15. By the terms of Part III, paragraph 3, of the Conference decision of 8 June 1959, it is incumbent upon the Conference to make the necessary arrangements to preserve the equality of voting strength of the three groups where the composition of the voting sections is altered by the Appeals Board's decisions. The vote-weighting system in operation will enable this requirement to be met.

Geneva, 9 June 1988

(Signed) P. LAROQUE
Chairman

L. COTTAFAVI
G. ABI-SAAB



Sixteenth sitting

Friday, 10 June 1988, 10.15 a.m.

Presidents: Mr. Beyreuther, Mr. Tsujino

SEVENTH REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

Interpretation from German: The PRESIDENT – The first item of the agenda is the submission of the report of the Selection Committee. I call on Mr. Vargas Escobar, Government delegate, Nicaragua, Chairman of the Selection Committee, to present the report.

Interpretation from Spanish: Mr. VARGAS ESCOBAR (*Government delegate, Nicaragua; Chairman of the Selection Committee*) – It is my honour to submit to the Conference the seventh report of the Selection Committee which is to be found in *Provisional Record* No. 5F. The report deals exclusively with changes in the membership of the Committees of the Conference.

I recommend to the Conference the adoption of this report.

Interpretation from German: The PRESIDENT – The seventh report of the Selection Committee is now before the Conference. If there are no objections, I take it that the report is adopted.

(The report is adopted.)

COMMUNICATION BY THE PRESIDENT TO THE CONFERENCE

Interpretation from German: The PRESIDENT – I should like to communicate to the Conference a proposal that it send a preliminary reply to the telex from Mr. Oliver Tambo, President of the ANC, of which I informed it yesterday.

I would therefore like to read out to you the text of a preliminary reply and ask for your consent:

Mr. Oliver Tambo, President of the ANC.

I have received your telex of 6 June 1988 concerning imminent legislation restricting trade union action in South Africa. This is causing great concern in the Conference and is receiving the immediate attention of the Committee on Apartheid of the 75th Session of the International Labour Conference which will be proposing concrete measures to be taken in this regard for adoption by the Conference within the next week. Please be assured of my highest consideration.

President of the 75th Session
of the International Labour Conference

If you agree and have no objections to this provisional answer, then we shall send the telex as I have read it out.

(It is so decided.)

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – We will now resume our discussion of the reports of Governing Body and of the Director-General.

Interpretation from Arabic: Mr. ABDULGABBAR (*Minister of Labour and the Civil Service, Democratic Yemen*) – I should like first of all to congratulate the President on his election, testimony of his experience and wisdom.

I would also like to express our satisfaction with the positive development in relations between Democratic Yemen and the ILO, and express the hope that it will continue.

The Director-General's choice of human rights as the topic of our discussion was a wise one. I don't think that his intention was merely to commemorate the 40th anniversary of the Universal Declaration of Human Rights or to recall the importance of these rights. Rather, I think he sought to stress the ways and means of bringing about local and international conditions which better ensure the implementation and exercise of these rights.

There is no question that the International Labour Organisation has contributed much to furthering human rights through its many activities, and be enshrining these rights and principles in international labour instruments concerning social security, equal remuneration, the promotion of rural employment and other vital areas.

Nevertheless, current economic and social conditions require the Organisation, within the framework of its Constitution, to redouble its efforts to promote human rights. The ILO stands before a historical challenge which calls on it to summon courage and determination to address problems and their real causes. The Director-General is right in saying that the ILO should re-evaluate its role.

Human rights should not be considered as an abstract ideal, but rather as a practical and intellectual aspect of daily life.

Human rights cannot be realised only by legislation; without an economic basis they are merely empty concepts. That is why human rights are deeply influenced by the general economic and political situation throughout the world.

Owing to its modest resources and the underdevelopment left by 130 years of colonialism, Democratic Yemen has since its independence on 30 November 1967, been faced with so many difficult choices that it is virtually impossible to assign them an order or priority. We have had to plan our economic development to ensure gradual social progress. The development of human resources was given a proper place in our plan, with priority given to eliminating illiteracy, which is the greatest barrier to participation in public life and the exercise of democracy. Our reconstruction also focused on free education, which has been extended to the university level and to the most remote rural areas. The State has built schools and vocational training centres and established agencies responsible for their organisation and operation. In the field of labour and the genuine participation of enterprises, workers and other popular organisations, we have managed to promulgate appropriate legislation, such as the Labour Code of 1978 and the Social Security Code of 1980, establishing bodies for their implementation. This legislation guarantees a number of principles such as equal remuneration between men and women, the abolition of forced labour and child labour, etc. We have also passed an Act on the rights and obligations of trade unions. However, a great deal remains to be done, but we are doing our best, within the constraints common to most developing countries. •

The over-populated and over-indebted developing countries are characterised by low levels of development and national product. This situation was not of our own choosing; no country chooses poverty and misery. This situation results from the over-exploitation of natural and human resources by colonialism and the periods which followed it. The present economic situation has imposed on developing countries an international division of labour which condemns them to exporting raw materials and importing finished products in a market controlled by the capitalist countries, whose economic, scientific, technological and military supremacy enable them to impose an unfair monetary system which exposes developing countries to enormous losses while frustrating their development efforts.

The question we must ask ourselves is whether developing countries can guarantee respect for human rights and for the international labour Conventions concerned with them – which establish, for example, the possibility of productive remunerative work for every citizen – when the world economic and monetary system is a perpetual threat to human rights in those countries; that is, the right of their peoples to stability and peace and to economic and trade transactions based on equality and justice.

We believe that it is difficult for these countries, faced with so many obstacles, to put all these rights and Conventions into effect, however keenly they may wish to do so.

This being so, what we need for the last decade of the twentieth century is a renewed international commitment upholding the rights of peoples – without exception – to a new world system guaranteeing economic security, peace and equality for all peoples.

If human rights are truly the responsibility of all of us, how can we stand by while a people in its own territory is coerced, subjugated and subjected to racial discrimination?

The report of the International Labour Office mission to Palestine and the other occupied Arab territories, which has been presented to us here as part of the Report of the Director-General, describes only a fraction of the sufferings of the workers, trade unions and employers in those territories. The proposals and recommendations of the mission echo those already made in the 1987 report. Meanwhile, ten years have gone by during which the situation in Palestine and the other occupied Arab territories has continually worsened in economic, employment and humanitarian terms owing to the Zionists' racist practices of confiscating land and water sources, of expelling and uprooting citizens, of breaking the limbs and bones of our young people, of murdering children and adolescents and the many other acts of terrorism perpetrated in flagrant violation of the Universal Declaration of Human Rights, the international labour Conventions and the Geneva Convention of 12 August 1949 relative to the Protection of Civilians Persons in the Time of War.

The stones, of which we can no longer say that they are cold and silent, address an eloquent appeal to the conscience of all of us in all parts of the world. And all those who have watched the Zionist crimes on their television screens, have expressed their horror and reprobation, in common with all the Parliaments and all the international, regional and professional organisations in the world.

The grief and bitterness aroused in us by the suffering of the Arab people of Palestine and the other occupied Arab territories are equalled by the pain we feel at the suffering of the African people in their land under the racist regime of apartheid in South Africa and Namibia. Apartheid is an affront to man and to his dignity; it is a challenge to morality, to standards and to the divine commandments. The Organisation must take up a firm position with regard to the racist regimes consonant with its role as protector of human rights and dignity.

Human rights and dignity are indissociable; the struggle for the realisation of these rights is indissociable and is unquestionably our common responsibility.

Interpretation from Arabic: Mr. ABBADI (*Minister of Employment, Morocco*) – In the name of God, the Merciful, the Compassionate! It is a pleasure for me, Mr. President, to extend to you, on my own behalf and on behalf of the delegation of the Kingdom of Morocco, my very warm congratulations upon your election to the presidency of this session. We wish you full success in your task and hope that our work will achieve positive and constructive results.

The Director-General of the ILO has made a wise choice of theme for the first part of his yearly report, *Human rights – A common responsibility*.

The discussion of this theme at this session is an excellent way for the ILO to commemorate the 40th anniversary of the Universal Declaration of Human Rights and to review our Organisation's efforts to give concrete expression to these rights in its fields of competence.

The action of our Organisation in this area is essentially reflected by the adoption of a very great number of Conventions concerning equality of opportunity, treatment and remuneration; social secu-

ity; trade union rights and freedoms; improvement of working conditions and the working environment; and employment promotion.

The defence of human rights is a shared responsibility. The Kingdom of Morocco is aware of this responsibility; consistent with its dedication to the principles continued in the Constitution of the ILO and the Universal Declaration of Human Rights, it has always striven to protect these rights and guarantee their exercise.

Thus, Morocco has ratified almost all the Conventions pertaining to these subjects and has incorporated their general and fundamental principles in its national legislation.

In the field of wages, several measures have been adopted with a view to establishing the principle of equal remuneration. These measures include the suppression of wage areas and the unification of the minimum wage for men and women in the various local and provincial governments of the Kingdom.

In this connection, I should mention that the legal minimum wage is adjusted periodically, as needed.

As for social security, which guarantees workers and their families the right to various payments and benefits, it has been extended to wage earners in the agricultural sector after having been originally restricted to workers in the industrial and trade sectors and to wage earners in the liberal professions.

Furthermore, the economic and social development plan for 1988 to 1992, which was formulated pursuant to the guide-lines laid down by His Majesty King Hassan II – may God glorify him – provides for several measures aiming at improving the social security system and extending its scope.

As for the improvement of working conditions and the workplace, Moroccan legislation comprises several texts guaranteeing the rights of the workers as regards hours of work, weekly rest and annual leave, and provides adequate protection in the field of occupational safety and health.

Our national legislation merely guarantees certain minimum standards, but it allows employers' and workers' organisations to establish supplementary benefits, particularly through collective agreements.

The Moroccan Constitution provides for a plurality of political, trade union and occupational organisations and guarantees freedom of association. The laws passed since independence pertaining to employers' and workers' organisations embody all the principles contained in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), to wit: the right to set up organisations, trade unions or trade union confederations, freely and without prior authorisation, as well as of the right to adhere to international occupational and trade union organisations.

Moreover, employers' and workers' organisations are represented in Parliament and participate in the formulation of national economic and social development plans. They express their viewpoints in all fields, either through Bills or amendments to Bills submitted by the Government, or by monitoring government action and commenting on the same orally or in writing. The democratic system adopted by our country is truly viable and in force.

As concerns employment, Morocco has ratified the Employment Policy Convention, 1964 (No. 122) and attaches great importance to this question, which is among the priorities of our plan of orientation, in

conformity with the guide-lines issued by His Majesty, King Hassan II.

Efforts are now being deployed to implement programmes aimed at improving the labour market by strengthening training in various sectors and at different levels, by encouraging investments in the various sectors, and by adopting legislation concerning assistance for young people in the creating of small and medium-sized enterprises or co-operatives.

In this connection I would point out that the private sector is expected to play a very important role in helping the Government to promote employment at the regional and local level.

The agenda of our session includes two important items which will be submitted to a second discussion. I am referring to safety and health in construction, and employment promotion and social security.

Last year I had already expressed the viewpoint of my country with respect to these two topics; I hope that the instruments which will be adopted will be sufficiently flexible to ensure the maximum number of ratifications.

As regards the promotion of rural employment and the general discussion of this question, we hope that the conclusions of the Conference will include practical measures to help the member States, and particularly developing countries, to promote employment in the rural environment and thereby to curb the exodus towards the urban areas.

The promotion of rural employment must be part of a development strategy aiming at absorbing surplus manpower by enhancing human resources through proper training and the use of new and appropriate technology.

The ILO must participate in the formulation and implementation of projects aiming particularly at collecting reliable information on that sector, and introducing technologies which can increase production while creating as many jobs as possible.

Morocco is primarily an agricultural country. Since its independence it has improved this vital sector by strengthening and diversifying agriculture, by modernising agricultural production and by building dams; through these measures, it has sought to be self-sufficient in foodstuffs and to promote rural employment.

Our country is quite ready to place its experience at the disposal of the other States Members of the ILO if they so request.

At a time when the entire world is celebrating the 40th anniversary of the Universal Declaration of Human Rights, the Arab workers and employers in the occupied Arab territories are still deprived of the rights provided for by the international charters and texts. The situation of these workers and employers has been seriously affected by the occupation and continues to deteriorate owing to new settlements, the confiscation of land, the demolition of houses and the expulsion of workers and employers.

The visit of the Director-General of the International Labour Organisation to the occupied Arab territories enabled him to see for himself the inhuman conditions experienced by these workers and employers, and the violations of which they are victims.

The Kingdom of Morocco energetically condemns the policies exercised by the occupation authorities in the occupied Arab territories and considers that the fundamental rights of the Arab workers and employ-

ers in these territories can be guaranteed only by the liberation of these territories.

While reaffirming its solidarity with the front-line countries, Morocco forcefully denounces the policy of discrimination and apartheid practised by the Pretoria regime against our African brothers in South Africa and Namibia. Morocco expresses the wish that our Organisation should pursue its efforts and increase its aid to the people of South Africa and Namibia, to ensure that they may enjoy their human rights and exercise their legitimate rights without any obstacle.

Before I conclude I should like to reiterate to you my congratulations and wish full success to our Conference.

(Mr. Tsujino takes the Chair.)

Interpretation from Japanese: Mr. NAKAMURA (Minister of Labour, Japan) – On behalf of the Government of Japan and on my own behalf, I should like, first of all, to join with the previous speakers in offering the President my warmest congratulations on his election to the Presidency of the 75th Session of the International Labour Conference. I am confident that under his leadership, and with this knowledge and experience, this Conference will produce fruitful results.

This year marks the 40th anniversary of the adoption of the Universal Declaration of Human Rights by the United Nations, an occasion that in every way deserves to be commemorated throughout the world.

The Universal Declaration of Human Rights is the fruit of the accumulated wisdom of mankind and a long process of endeavour to establish human rights as the fully enjoyed birthright of every man and woman, and is an important milestone on the road to the attainment of peace through the international guarantee of human rights.

It is for this reason that the Universal Declaration is justly called the “international Magna Carta of all mankind”.

During these 40 years, the International Covenants on Human Rights and the other international human rights conventions have been adopted by international organisations, with the Universal Declaration of Human Rights as the fundamental guideline and resolute efforts have been made by the people concerned to ensure that human rights are universally recognised and enjoyed as a “value common to all mankind”.

The ILO, as the specialised agency of the United Nations responsible for labour matters, has an important role to play in safeguarding the rights of workers all over the world. I believe that it is very timely for this session, where the representatives of the governments, employers and workers of the member States meet together in this year of the 40th anniversary of the adoption of the Universal Declaration of Human Rights to discuss how we may best ensure that human rights shall be a reality for each man and woman.

The Universal Declaration of Human Rights states in the first sentence of its preamble that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”. Although the countries of the world live under differing political and social systems, human

rights are inherent to all human beings, and we must use all our human wisdom in striving unceasingly to make those rights a reality, transcending the limits of all such institutional differences.

Regrettably, however, there still exist factors which pose the gravest possible threat to human rights, among them racial discrimination and regional conflicts.

Apartheid, in the Republic of South Africa, must not be tolerated. It must cease to exist. In that country, however, no substantial improvement can be seen, and the oppression of Black South Africans and the suppression of their liberation movements have been increasing, all of which cannot fail to sadden and cause grave concern to all people of goodwill.

Then, too, in countries where there is conflict, hunger, disease and poverty have resulted from the hostilities, and vast numbers of refugees have been forced to flee from the afflicted areas, creating very substantial problems for the neighbouring areas and countries.

All of these are important factors which undermine world peace. The withdrawal of the Soviet Union's armed forces from Afghanistan, recently begun thanks to the mediation of the United Nations, is greatly to be welcomed as marking the first step toward the solution of a long-festering problem and threat to peace. My country pays the highest tribute to the United Nations for the role it has played in the quest for a solution and ardently hopes that the momentum created will lead to a comprehensive settlement bringing peace and security to Afghanistan and its neighbours.

We hope that the international organisations concerned will continue to strive in their respective fields of competence for the earliest possible settlement of all such conflicts.

The ILO has an important responsibility for ensuring that human rights are protected and enjoyed by establishing and supervising the application of international labour standards and extending technical co-operation to developing countries.

In developing countries, which constitute the majority of the ILO member States, there is widespread unemployment and poverty, as a result of the stagnation in their economies and industries and the rapid growth of their populations that swallows up the gains from their development efforts.

What is absolutely essential in order to safeguard the human rights of the people of those countries is action to facilitate the gradual implementation of international labour standards and to create the economic and social infrastructures that will make such assimilation possible.

It is important therefore for the ILO, when setting new standards, to take full account of the actual situation prevailing in developing countries.

It is also essential for the ILO to continue to attach great importance to technical co-operation, one of the aims of which is to create a climate in the developing countries favourable to the implementation of the ILO standards, to strengthen those countries' administrative systems and develop their human resources with a view to making the application of the ILO standards really feasible and effective in such countries.

I would emphasise especially that the active promotion of technical co-operation geared to the stage

of economic and social development and the needs of each country will bring about steady, albeit not spectacular, progress in the application of international labour standards and in the stabilisation and improvement of the living standards of workers all over the world.

In this belief, my country has been actively co-operating with the ILO's multi-bilateral programme, its Asia and Pacific Skill Development Programme and other ILO programmes. My Government is determined to make yet greater efforts to expand such programmes.

Ensuring that the peoples of the world enjoy to the full their human rights cannot, as is pointed out in the Report of the Director-General, Mr. Blanchard, be achieved by the activities of the ILO alone. If that end is to be attained, the activities of the other United Nations agencies, and the autonomous efforts of the member States, are also necessary.

With the common understanding regarding human rights and awareness of a common responsibility for their protection and promotion, all of us must strive to enable all countries and all international organisations to carry out the missions entrusted to them.

Where international labour standards based on ILO Conventions are concerned, member States that have ratified Conventions must implement them adequately, and the supervisory machinery of the ILO must, through appropriate and stable application of the standards, gain the member States' yet greater confidence, which will enable the Organisation to carry out its supervisory activities still more effectively.

In concluding my statement, I would like to emphasise the very great importance of the role of the ILO is called upon to play in establishing social justice, and making lasting world peace a reality.

I hope most earnestly that there will be fruitful discussions in this Conference on the basis of the Report of the Director-General, Mr. Blanchard. I would also like to reiterate the position of my Government, which is that it will make renewed efforts to co-operate with the ILO as it carries out its important duties and will continue to support the ILO in the future as the Organisation working, as in the past, for sure and steady progress.

Mr. DRILON (*Secretary of Labour and Employment, Philippines*) – On behalf of the Philippine delegation, may I extend our congratulations to the President on his election to the presidency of this Conference. We are confident that, with his background and experience, he will lead this Conference to a very successful conclusion. I also wish to offer my compliments to the Director-General, a recent visitor to my country, for his comprehensive and in-depth Report on the human rights situation as it relates to the world of work.

As he pointed out, 1988 marks a series of human rights anniversaries and the moment of review presents itself to us today. We have to re-examine the state of human rights in our own backyards. Beyond the assessment of how we have fared, we now must determine how we should continue our efforts individually and collectively, in promoting and safeguarding the basic rights and freedoms of our people and our nations.

In my country, the issue of human rights has occupied the centre of the stage for quite a while. It is

fitting that two days from now my country will commemorate its independence. In the light of our recent history, 12 June will mark not only our independence from a foreign coloniser, but will bring into sharper focus our recent deliverance from the tyranny of a home-grown dictatorship.

The Filipino people's struggle for genuine independence and social justice has not ended. No one can deny that the 28-month old democratic Government of President Corazon Aquino has made considerable strides in improving the quality of life for Filipinos in many respects. Much remains to be done, however. Recognising that human rights really do no more than ensure the full realisation of a person's potential, we seize the occasion today to reaffirm the Philippine Government's commitment and adherence to the principles set forth in the Universal Declaration of Human Rights and to the objectives of the International Labour Organisation to promote social justice based on lasting peace.

Such declarations of national will and purpose must, however, be translated into concrete realities. Allow me therefore to mention briefly what my Government has done and is doing with respect to these commitments.

When President Aquino assumed office in February of 1986, she immediately took steps to dismantle the repressive features of the previous Administration. The right to *habeas corpus* was restored and an independent committee to investigate human rights abuses was set up. Over 1,000 political prisoners, including union leaders, were released.

Today, the primacy of human rights as a policy of the State is enshrined in our new Constitution which was overwhelmingly ratified by the citizenry in February 1987. A permanent and independent Commission on Human Rights has been created under this new charter and is now fully functioning. It has the following powers: the investigation of all forms of human rights violations involving civil and political rights; the provision of legal-aid services to underprivileged victims; the exercise of visiting rights with respect to detention facilities; the recommendation to our Legislature of effective measures for the further promotion of human rights; and the monitoring of government compliance with international treaty obligations in this respect.

As so aptly stated by the Director-General, the issue of industrial relations is inevitably intertwined with the larger issue of civil liberties. Whenever and wherever repression of basic human rights occurs, the working man is always affected, and always in an adverse manner. Philippine experience in the dark days of the dictatorship bears this out.

Our new Constitution has laid the framework for a system that recognises the right of workers to self-organisation, collective bargaining and peaceful concerted action, including the right to strike. But over and above the constitutional provisions, there is actually a palpable change in the labour relations picture in the Philippines today. In a manner of speaking, labour-management relations in my country are now taking the less-travelled path of maximum liberalisation rather than suppression of trade union rights, of voluntary and amicable resolution of industrial relations issues rather than compulsory arbitration by the State.

There is a resurgence of unionism in our country. Since 1986, there has been a 20 per cent increase in

the number of registered labour organisations. Likewise, the number of collective bargaining agreements has gone up by 33 per cent for the same period. More significantly, the right to unionise has been extended to the public sector, the very first time such a right has been extended to government workers outside the corporate sector.

There is a marked shift in our dispute settlement approaches. Instead of the compulsory arbitration methods of the past, voluntary modes of dispute settlement, such as conciliation and voluntary arbitration, are now being employed. A National Conciliation and Mediation Board has been established to stress preventive, rather than remedial, actions in labour-management relations.

We are actively encouraging the establishment of labour-management councils at the plant as well as at the provincial and regional levels. They will serve as a mechanism not only for settling industrial relations issues but, more importantly, for ensuring co-operative action on such common concerns as productivity and the sharing of productive gains. We have initiated a movement towards area- and enterprise-based social compacts, which are voluntary agreements between labour and management to help to bring about industrial peace and economic stability. The forging of such compacts is based on the principle of shared responsibility between labour and management in fostering industrial peace.

Representation of workers and employers in policy-making bodies of the Government continues to be encouraged. National, regional and industrial tripartite conferences and meetings are regularly called for consideration and adoption of voluntary codes of conduct designed to promote industrial peace or to align labour-management relations with established priorities in economic and social development. In November 1987, the President formed a Tripartite Review Committee, many of whose members are part of the Philippine delegation to this Conference. The Committee has the task of reviewing all existing labour laws and recommending the necessary amendments. I am pleased to report that it has presented an initial set of amendments relative to labour relations laws which now form part of a draft Bill certified by the President to the Legislature as urgent. A high-level council on labour and employment will shortly be constituted to provide advisory and consultancy services to the Government on matters concerning labour. This council will be composed of representatives from relevant government agencies, the management sector and the trade unions. With the establishment of this council, tripartism as a policy of the Government will have been institutionalised.

Thus, we can proudly say that we have gone beyond the realm of rhetoric in ensuring the basic rights of the workers in our country. I would like to think that the developments in the industrial relations picture in the Philippines reflect our desire to be transparent, accountable and consultative in our task of governing. In the final analysis, the positive developments on the Philippine labour front are one of the best manifestations of the primacy of human rights in my country today.

But the developments are not confined to a more liberal and egalitarian labour relations system. In fact, the lot of the working man can never be gauged solely on the basis of the state of relations between labour and management.

The overriding labour policy of our present Government was clearly enunciated by President Aquino during the last Labour Day celebration. That policy seeks to achieve for the Filipino working man the greatest possible freedom and equality of opportunity. It views the working man not just as a means of development. The improvement of his well-being is the end of development itself. The means to this end is the generation of well-paid and sustainable employment.

Consistent with this policy framework, our national development plan for 1987-92 embodies a development strategy over the medium term that is both employment-oriented and rural-based. This strategy has been translated into a number of policy measures and programmes intended to foster greater labour utilisation and improve the general welfare of the labour sector.

Among these policy reform measures are: the commitment to the use of labour-based, equipment-supported technology in government infrastructure projects; the encouragement of micro-cottage and small and medium-scale industries which by their very nature are labour-intensive; and the encouragement of more investments for sustained growth.

Alongside these policy initiatives, the Government has launched programmes to remedy poverty such as the emergency employment schemes intended for those sectors requiring the greatest assistance – the out-of-school youth, the landless rural workers, women and minors, and others similarly situated.

Livelihood programmes are likewise being strengthened and expended to create self-employment opportunities and supplement the income of workers. To this end, non-governmental organisations and the private sector are actively participating not only in the development of such projects but also in the channelling of credit for them.

At this point I would like to refer to the Director-General's Report on the measures that must be taken to give women their rightful place in social and economic life. In the Philippines the principle of equal opportunity and fair treatment of working women has gained headway under our new Constitution as well as our national development plan. Both documents explicitly recognise men and women as equal partners in nation-building and development and uphold the protection of women's welfare. Measures are also being taken to raise our women's consciousness of their rights, improve their self-perception and increase their self-respect in order to develop their full potentialities.

A Senate Bill has been introduced to strengthen the prohibition on discrimination against women in the workplace. It penalises acts of discrimination such as payment of a lower wage to a female employee than a male employee for work of equal value, and favouring a male over a female employee with respect to promotion, on account of their sexes.

Another group that is of major concern to my Government at present are our migrant workers. Last year alone over 400,000 of our workers left the country to take jobs abroad. The increasing outflow of our workers has, however, been matched by a rise in welfare problems. The alarming thing about this is that the problems are, to a large extent, concentrated in specific service occupations. In response to this situation, my Government has imposed a temporary ban on the deployment of certain skills, specifically

domestic helpers, until protective mechanisms to ensure their safety and welfare have been set up. This requires co-operative action by both the sending and receiving countries.

I would like to express our appreciation to host countries who give adequate attention to the economic as well as social needs of Filipino workers. It is much to the ILO's credit that we now find a forum for discussing improvements in standards for migrant workers, for easing the tensions between the sending and the receiving countries, and for facilitating the search for solutions aimed at securing the recognition of the rights of our migrant workers.

During the 74th (Maritime) Session of the Conference held last year, it was agreed that seafarers shall have the right to social security protection. I am happy to report that Filipino seafarers now enjoy full social security coverage. On the local front, the President has issued an Executive Order increasing the sickness and funeral benefits allowable under our country's employees' compensation programme.

We recently put into operation an occupational safety and health centre for our workers – the first of its kind in south-east Asia. It will serve as the nerve centre for all research and training requirements in the field of health and safety in the workplace. It will provide expert advice to the Government relative to the formulation of policies and standards, as well as assist employers and workers in implementing improvements at their workplaces.

In closing, I would like to express my Government's satisfaction and appreciation of the work that the ILO has undertaken over the years. Allow me also to reaffirm once more my Government's support of the Organisation's mission and programme that seek to better the quality of life for the working man.

Mr. GALEA (*Minister for Social Policy, Malta*) – May I congratulate the President on his appointment to preside over this session of our Conference.

The Director-General, Mr. Blanchard, this year chose as the theme of his balanced and exhaustive Report, the ILO's contribution and its commitment towards the attainment of internationally accepted common standards of human rights – implied as an objective of the Universal Declaration of Human Rights.

In my response, I will seek to focus on five aspects of the policy which the Maltese Government, in the one year that it has been in office, has sought to develop and which are related to the implementation of work-related human rights; these may be of some general interest.

These five aspects are: first, the implications of the right to work in terms of re-education and training of the unemployed; second, the rights of the non-paid workers – a subject to which I devoted the main part of my statement to the Conference last year, which I believe deserves mentioning again because of the non-monetarised sector of the world economy – given that the huge army of non-wage-earning and unsalaried workers is undoubtedly the most neglected segment of the human workforce. This is perhaps the field most open to innovative ILO action and the most flagrant gap in the spectrum of human rights provisions of the world of work. I shall mention a small step by my Government in the right direction, but I shall not develop upon the theme; however, I recommend that it be given pride of place in future

deliberations of our Organisation. Third, the institutionalisation in appropriately structured forms of the right of workers to a healthy industrial environment which respects the integrity and development of the worker. Fourth, the rights of the handicapped in the world of work. Fifth, the rights of the elderly in relation to work.

Permit me to say something about the new approach we have adopted with regard to the first point. In Malta we have a serious structural unemployment problem. A substantial number of unemployed persons register at the Employment Service and most of them receive unemployment benefit and assistance. Moreover, in the public and parastatal sectors, a sizeable portion of certain grades of the working population is underemployed. In many cases, workers had been engaged, in certain levels, over and above the operational requirements of public undertakings or companies over which the Government exercised effective control. No consideration at all was paid either to the real development of the workers themselves or to the negative implications for the country's economic development, which is in dire need of skilled and productive workers. But if this was a disguise rather than a solution of the problem of unemployment, we did not believe that making these workers redundant would be the right solution either.

We are committed to a programme of full employment. To try to come to grips with the problem of unemployment, we devised an "Auxiliary Workers and Training Scheme". This is a labour institution intended to benefit both unemployed workers and those underemployed in the public sector. On admission to the Scheme, auxiliary workers are first assessed in order to ascertain their skills. They are then assigned to projects with opportunities for work suitable to their skills and given opportunities for training under programmes devised to upgrade these skills. Thus, they are prepared for permanent jobs in the public or private sectors of the economy. The workers are in no case paid less than the national standard minimum wage.

The Scheme is designed to provide immediately for short-term manpower requirements, but is geared towards long-term growth. It is supplemented by a packet of incentives for investment and the creation of productive jobs. Structural unemployment is not solved by providing social security benefits. Nor is it solved by giving pseudo-jobs in the public sector. It can only be solved by training workers for productive employment. Short-term measures which do not envisage the long-term prospects of employment tend to be counter-productive. They tend to discourage initiative and fail to stimulate growth. The stimulation of personal initiative is a primary target aimed for by the management of the new Scheme introduced by the Government of Malta.

Its Board of Management is, in fact, tripartite. It includes representatives of the trade unions and of employers' associations, as well as of the public authorities. The composition of the Board helps to ensure the fullest co-operation between the Government, trade unions and employers in the running of the Scheme. Such co-operation is necessary to take account of three factors: the market forces of supply and demand; the need for smooth industrial relations; and the attraction of investment in economic projects with a potential for growth.

The primary emphasis of the Scheme will be on training. The training sets out, first, to raise the general education level of the worker; second, to increase his technical know-how; third, to enhance participative skills in the social life of the workplace. These three factors interact. I would like to stress that we intend to plan the training programmes in our "Auxiliary Workers and Training Scheme" in such a way as to provide not only the precise technical know-how corresponding to the changing demands of the labour market in this age of technological innovation, but also, first and foremost, to foster the development of the personality of the worker and his human potential. The right to work carries with it a moral responsibility on the part of the worker to respond in a reasonable manner to training and job opportunities offered to him.

In the second place, after the primary problem of unemployment, my Government has sought also to grant public recognition of the human rights of unpaid working people, which are far too often ignored. The world of work is not limited to the wage-earner. In my country, as in the rest of the world, many people work for no monetary reward. This year's budget took an important social policy measure to help unpaid family workers by introducing an allowance paid by the Department of Social Security to mothers who have a dependent child. This measure is at present restricted to mothers forming part of a household whose aggregate income falls within definite limits. It is hoped to expand this service so as to benefit more mothers with family responsibilities.

But even this is only scratching at the surface of a vast, deeply buried reality. Current statistics do not truly reveal the real features of the world of work. This is most patently obvious in their near total lack of information about unpaid workers and the non-monetarised sector of the economy.

This is also true in other fields. For instance, in Malta, at the end of March 1988, the unemployment rate, calculated on the basis of those registering for work at the Employment Service, was given as 4.6 per cent of the working population. It would seem that there is a growth of job opportunities as there was almost a 1 per cent increase in the number of gainfully occupied persons last year. However, these figures, which are used at the present as the basis for economic planning, are far from representing a complete or accurate picture of the employment situation. For one thing, the numerical calculation takes no account of the social and human implications of work. Second, the definition of "unemployed" and "gainfully occupied" is linked to the labour market concept and does not reflect situations of underemployment; still less does it recognise the massive reality of unpaid workers. The planning of labour policy on a truly realistic basis calls for an assessment of data regarding manpower skills and their deployment. My Ministry for Social Policy has been discussing with other ministries what measures might be taken to obtain the required information at the national level. I suggest that a vast programme on a world or regional scale could be fittingly undertaken by the ILO in this connection.

I now turn rapidly to my third topic. The respect of human rights and the quality of working life depends to a large extent not only on such conditions of employment as wages, but also on the working environment. In Malta the Factories Ordinance, and reg-

ulations issued thereunder, had already established minimum standards of health, safety and welfare at the place of work. But soon after taking office, my Government felt it necessary to set up a National Commission (on which trade unions and employers' associations were represented) to survey the existing services relating to occupational health and safety and to make proposals for their improvement. The Commission, which drew up a report within a short time, recommended the setting up of a Health and Safety Authority which could co-ordinate the functions at present carried out separately by the Department of Labour regarding occupational safety, and by the Department of Health in respect of occupational health. The new Authority, due to be set up shortly, will be provided with the necessary organisation to carry out its responsibilities, including qualified trained personnel and adequate equipment. The Ministry for Social Policy is giving a high priority to the matter, especially as safety legislation cannot be allowed, as during the past year, to fail to keep pace with the expansion of industry and technological change because of understaffing and lack of appropriate testing equipment. It is hoped that these shortcomings will be remedied within the shortest time possible.

A fourth major area in which my Government felt that human work-related rights called for more effective implementation was that of the disabled. My Government therefore decided to set up another national commission to draw up a plan dealing with the problems of disabled persons in Malta, improving all the services relating to such persons. The Disabled Persons (Employment) Act, 1969, made provisions for the vocational rehabilitation of disabled persons who register at the Department of Labour. It also obliged employers to take a quota of registered disabled persons offering them suitable employment in accordance with the advice of the disablement resettlement officer and of the placement medical officers. During the past years, institutional welfare services were somewhat stepped up there included the setting up of sheltered workshops for certain types of disabled persons. However, the field services, including labour inspection services and vocational guidance, failed to expand, mainly owing to the lack of personnel. These shortcomings are now being remedied. Most important of all, however, is the generation of a collective consciousness and its juridical expression which recognises the full, special, place of the disabled in the world of work.

Fifth and finally, on account of obvious demographic reasons erroneous popular ideas about the potential for valuable work of people who have attained a certain age, my Ministry is devoting much attention to the participation of older workers in economic activities. Malta has taken the initiative of hosting the United Nations Institute on Aging, inaugurated in Malta this year. The Parliamentary Secretariat for the Aged, which forms part of my Ministry, has worked very hard during the past year to improve the health service for the aged, including a community service which has started to operate. These services for the aged are expected to help prolong working life and delay retirement. It is heartening to observe in Malta that there is a demand from retired workers to carry out part-time jobs, voluntary activities, or consultancy services. These activities do not – as thought by some people –

deny jobs to younger workers; on the contrary, they supplement the activities of the working-age people by sharing with them the experience they have gained over a number of working years. My Ministry is seeing what can be done to encourage older workers to remain active for as long as their health permits, without suffering undue economic disincentives for prolonged services.

Having now highlighted the five areas to which my Ministry gave particular importance, I will conclude by recalling that in the most general way my Government is committed towards the protection of human rights everywhere, and especially in the sphere of work. In this respect, it has already taken steps towards the ratification of international instruments which guarantee such rights. My Ministry is looking towards the Application of Standards Branch of the ILO responsible for the application of ILO Conventions and Recommendations for guidance in this matter. As a step in this direction, I have already informed the Director-General that my Government has ratified a good number of Conventions following a period of almost 20 years in which not one single Convention was ratified by Malta. This gesture, together with the signature on 26 May this year of the European Social Charter to which we are now going to fully adhere, will no doubt be appreciated not only by this Organisation but also by the trade unions, employers' associations and persons in Malta intimately connected with the field of work. This gesture is also seen as a contribution by my Government to commemorate the 40th anniversary of the Universal Declaration of Human Rights of the United Nations, and of the approval of the ILO Freedom of Association and the Right to Organise Convention, 1948 (No. 87), to which the Director-General refers in his Report, as well as a modest expression of solidarity with the tripartite world-wide interests represented by this Organisation.

It is my Government's belief that only through open dialogue can the reconciliation of conflicting interests be resolved, not only in domestic matters but also in the international field. Unfortunately, there are many instances brought to our attention where there are allegations of breaches of human rights, as envisaged in the principles of the ILO. We should all be vigilant and never allow situations to reach such proportions as to merit international action or sanction.

The situation of the Palestinians in the occupied lands, as well as the victims of apartheid in South Africa, are two such instances. We urge all concerned to spare no effort to rectify matters. Through our diplomatic representatives at the United Nations and elsewhere during the past year, Malta has taken various initiatives for world peace and we strongly believe in the principle which animated the founding Members of the ILO that there cannot be genuine world peace without social justice.

Interpretation from Greek: Mr. GENNIMATAS (Minister of Labour, Greece) – On behalf of the Greek delegation and on my own behalf, may I begin by warmly congratulating the President on his election to his lofty post. I am convinced that with his vast experience, he will guide the work of this session to important conclusions. May I also congratulate the Vice-Presidents of the Workers' and Employers' groups on their election.

The Report of the Director-General of the International Labour Office is a hard-hitting document which raises a number of questions and which alludes to other important ones.

This Report, which is written in a simple and classical style, without lyricism or dramatisation of situations, is a democratic challenge to all of us.

We, politicians and social partners, have a duty to stop the rot. We cannot guarantee human rights, democracy – political democracy, economic and social democracy – by merely expressing wishes but only by rigorously acting, which we should all do together.

Democracy is not only a system of power but also a way of life and a means of organising work.

The International Labour Organisation has always constituted, and still constitutes, an oasis in our tormented world where human rights are more frequently violated than respected.

Military conflicts are more widespread than peaceful coexistence. Democratic regimes are much more rare than non-democratic regimes.

Greece, the birthplace of democracy, has suffered greatly from these evils.

I want to mention some symbolic dates that the Director-General recalled in his Report. International Labour Convention No. 87 was voted in 1948 when my country was torn apart by a civil war which was destroying what remained from the efforts of Nazism and Fascism.

The year 1968 was proclaimed the International Year for Human Rights, and we had a dictatorship in my country which had already lasted for several years, abolishing democracy and human rights. Our wounds have healed since then, thanks to the efforts of our people, the sacrifices of our workers and the assistance of certain international organisations.

We feel that the International Labour Organisation is one of the most appropriate organisations to contribute to the struggle for human rights.

Human rights and democracy are constantly violated in South Africa, in the occupied area of Cyprus, the occupied territories of Palestine and elsewhere in the world.

Condemnation is not sufficient. The International Labour Organisation must declare a crusade as of now.

We have lived through a time in which universal values have lost significance. Trade predominates over moral values.

Recently, however, a ray of hope has emerged. The Reagan-Gorbachov agreement opens up the path to peace. The time has come for both sides to stop confrontation in the political and military area, thus creating conflicts, and the parties should enter into socio-political competition to give a new impetus to development. Instead of trying to develop machines to exterminate mankind and the planet itself, the parties should try to find machinery to save mankind.

Thus, the trends should be reversed. We should not be pessimistic as regards the rate of world development.

Obviously we must define criteria and the scope of economic development. But above all, we should be aware of our responsibilities for all the values which promote development.

There is one question which is very important and we must answer it. *Development is for whom and hand-in-hand with whom?*

The first part of the question is certainly a matter of productive forces. The second part affects workers in industrial and post-industrial societies and it plagues the people of the Third World who, at the moment, are in a situation of poverty in which all the disadvantaged groups in the world pay most for the heavy burden of the continuing world economic crisis.

This is a dual question. It is easy to answer the question but it is much more difficult to translate these words into action.

Development must simultaneously have economic, social and cultural objectives.

The economic objectives respond to the question: For whom is development? The social and cultural objectives respond to the other part of the question.

Work is both a social right and the principal factor of production. Consequently, it is involved in the process of achieving the three objectives of development.

The fundamental principles which have created the need for the welfare state should not fade during periods of economic crisis and come to the fore only during periods of economic recovery.

On the contrary, the welfare state should be stressed during periods of crisis, when the society of solidarity appears, because it is then that the least advantaged sections of society pay dearly for the consequences of the crisis.

We must stress fundamental principles: remuneration according to the contribution to the process of production; social services according to need; adaptation of development to the natural and cultural environment of labour and adaptation of the environment to man.

It is not that man cannot adapt but what must exist are adaptable societies.

Work, as a factor of production, should meet the challenge of the year 2000.

A new era is being born. We have dramatic scenarios, as regards production, productivity, competitiveness. There are striking technical developments and there is a constant reduction in the value and volume of raw materials; there is a vast increase in the cost of knowledge, as compared with the cost of work; we have a boom in exchange rates and access to credit which dominates trade and production. And all this requires a new approach and a new strategy.

In a few years, the employers' dilemma, faced with the problems of flexibility and greater ease of action, or the problems of trade unions who wish to return to the well-known compromise of the social contract, will in fact become a false dilemma because of the developments I have mentioned.

The cost of knowledge which is continually increasing, and the need to master revolutionary new technology reverse the idea of mankind which we have formed as merely a link in the chain of production.

A century of social struggle has not helped to close the gap between manual and intellectual work, but new technology is closing it decisively. In the year 2000, workers will do their work with a spirit of discernment, perspicacity and imagination in any area of production where they find themselves.

Our epoch offers two requirements therefore: first, participation; secondly, education – in the sense of systematic transmission of knowledge at various levels and also in the area of vocational training and continuing education.

The so-called labour relations, or rather human relations, governing conflicts and contradictions between the factors of production, are based on a strategy which has two aspects: democratisation and modernisation.

A democratic dialogue must be established between the social partners, in which the State will play the role of catalyst rather than the determining element of the chemistry involved.

With democratisation, we are going to search out a synthesis of common points between diverging or converging interests, while in each case the desired social trajectory will emerge.

With modernisation which is based on contemporary thought and on continually changing reality, stress is laid upon the positive elements designed in such a way as to ensure a development-oriented strategy.

In Greece, in this context, we have recently ratified the Workers' Representatives Convention, 1971 (No. 135), emphasising the protection of staff representatives, but also setting up workers' committees in enterprises.

In accordance with the law, stress is placed on active participation of workers in the development of the enterprise, labour relations and co-operation with trade union organisations. We want to stress the fact that these measures were supported by all political forces, and trade union and employers' organisations.

The responsibility for respecting the law is incumbent upon all parties concerned without any intervention from the public authorities.

In the context I have just mentioned, we entirely agree with the arguments put forward in the Report and therefore we participate in the efforts of the Organisation and promote them with all our strength.

The activities decided upon at previous sessions of the International Labour Conference promoting equality between men and women, labour relationships, vocational training, employment, health and safety, the protection of the environment, as well as the aims and programmes of the Medium-Term Plan 1990-95, are in accordance with the needs of workers and the desired progress of development.

For the right to life, health, safety at work, in the factory, on the building site, is a subject of primary importance. It is primordial because human life is not a coin which can be exchanged against something else. It is not a renewable resource. There are some moral values we must always maintain but nothing is higher than man himself.

We try to defend the right to employment: first, by means of intervention during periods of acute unemployment; secondly, by restricting unemployment at the source; thirdly, through training and vocational guidance; fourthly, with occupational retraining and social integration of people with special needs; fifthly, by unemployment insurance to eliminate the inequalities created by unemployment.

As regards the right to remuneration, beyond the guaranteed basic wage we promote the defence against inflationist pressures by self-financing sys-

tems partly linking remuneration with productivity; productivity which improves all the factors of production, on the basis of an improvement of labour relations.

The choice, the way and the application of these remuneration schemes are the subject of sole concern to the two parties involved, and will be based on free collective bargaining between the partners.

In my country, we are already revising the institutional framework of collective relationships and negotiations.

We have already begun constructive dialogue with all trade union organisations of workers and employers.

Our guide-line in this endeavour is the adoption of a flexible framework which makes it possible for both parties freely to discuss all the subjects of concern to them.

As we emphasised in the Report, there is a gap between intentions and results, and to bridge this gap a permanent dialogue is being proposed by the Director-General. Dialogue, ideas and new methods require the invention of new values which would take account of economic pressures which the developing countries have to face and also the economic competition among developed countries.

The uniform application of international labour regulation in the area of labour relations is distorted by the secondary effects of unprincipled competition which is a characteristic feature of economic transactions.

The problem of poverty in a large part of the developing countries' population, particularly in the Third World, cannot be mechanically solved by applying general rules protecting workers.

Noting this reality should lead us to find new methods of enlarging the technical assistance provided by the International Labour Organisation capable of promoting economic development.

At the same time the ILO is the most competent institution to make the international community more aware of the problems, encouraging it to put forward new global proposals which will lead to a much better proportioned and fairer economic development for all the countries of the world.

We should send out from this Conference a message of hope. A message to all the young people of the world telling them that our struggle, our efforts, are aimed at a better world, less competition, more sensitivity to the everyday problems, difficulties and dead-ends which are often encountered by the younger generation in finding their first creative job in the world of work.

We must say to the disadvantaged groups that we are considering their problems and we consider them full members of society.

We should like to say to women that the struggle for equality is a common struggle of both sexes and that this equality will be achieved in a democratic society.

We should like to say to all workers that we shall stop the exploitation of men by men.

We should like to say to peoples struggling for independence that we are energetically on their side.

We should like to say to political leaders that they must safeguard peace.

Interpretation from French: Mr. BLEUX (representative of the World Confederation of Labour) – On

behalf of the World Confederation of Labour, first of all allow me to express our satisfaction with the Report of the Director-General. We would like to congratulate him on the contents of the document and the central theme he has chosen for discussion *Human rights – A common responsibility*.

The discussion of the Report is particularly important and gives us an opportunity to consider the state of human rights, as well as to seek ways and means to promote them at a time which is critical for social, economic and political development throughout the world.

As the Director-General states, in the introduction to Part I of his Report "The promotion and protection of human rights is a continuing process...The achievement of human rights is an integral part of efforts to secure man's material well-being and spiritual development, and in this sense economic development cannot be separated from social development." Despite the fact that most member States have acceded to the Universal Declaration of Human Rights and have adopted ILO Conventions dealing with fundamental human rights such as the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Abolition of Forced Labour Convention, 1957 (No. 105), Equal Remuneration Convention, 1951 (No. 100), and others, many do not actually apply them.

The ideas in all these instruments, which correspond to the aspirations of workers and their organisations, have been a source of encouragement to the trade union movement in its incessant struggle against injustices, inequalities and violations of freedom and human rights.

The number of abuses and infringements of human rights are still legion today in various regions of the world, regardless of the economic and political system. In many countries, they take the form of violent repression of any popular, especially trade union, actions resulting in dismissals, imprisonment, torture, disappearances and assassinations – not to mention the confiscation of trade union property and the dissolution of organisations.

One of the most flagrant forms of violation of human rights and racism has found its most odious expression in the racism apartheid regime in South Africa. The Black populations are deprived of the very right to legal existence in their own country. They are subjected to the arbitrary whims of the public authorities and white economies. The complicity of certain powers in pursuit of their material interests hampers the application of sanctions and the embargo decided upon by the United Nations to eliminate apartheid, while millions of Blacks are suffering from daily discrimination, exploitation, absence of freedom, restriction of trade union rights, violent repressive measures, internment and killings.

Furthermore, the policy of homogeny, absurd wars, arms expenditure, and genocide bring serious consequences for the workers and the people concerned in their wake. The atrocious example of the bombing of Kurdish towns, killing of millions of people, is as deplorable as the increasing violation of human rights in Iran. Finally, an end must be put to the inadmissible oppression of the Palestinian population in the occupied Arab territories and a valid

solution found which respects the rights of the Palestinian people.

In many countries, political, economic, social and cultural models and structures are imposed; austerity programmes are introduced and liberties and basic human rights are flouted, in the name of national security.

In general and throughout the world, massive abuses of human rights take the form of disregard for basic needs. It is superfluous to mention that underdevelopment in the social and economic spheres constitutes a major obstacle to the enjoyment of economic, social and cultural rights and affects large layers of populations who live in the poverty-stricken and destitute conditions.

In a great many Third World countries, basic human rights are not respected. Indeed, there are many populations who have no access to a minimum of food, medical care, education or income. Workers cannot organise themselves freely in order to defend their rights. The rural world, which after all is the immense majority in the Third World, lives under the burden of unbearable economic, social and cultural privation. In this respect, we can only commend the Conference for having included the discussion of rural employment in its agenda.

In accordance with its principles and objectives, the World Confederation of Labour (WCL) has made it a priority to defend human freedoms and rights against all forms of discrimination and exploitation, particularly racism and apartheid, and has come out against all forms of domination and political, economic, social and cultural exploitation. Seminars and various meetings held by the WCL on human rights and basic freedoms have demonstrated that its main concern is to safeguard human rights and the integrity and dignity of people and to uphold their organisations. Its actions have taken many forms: representations to international organisations; complaints to the ILO; co-operation with non-governmental organisations and other trade union organisations; information and protest campaigns; various aid to victims and their families; missions in the field to collect information and protect the people and organisations concerned, irrespective of the political system. The WCL has intervened in Poland, Turkey, Chile and many other countries.

Structures of economic and political domination, which set out to make a profit, give rise to situations of injustice and dictatorship. The policy and action of international finance organisations, such as the International Monetary Fund and the World Bank, are dangerous, in so far that they force the Government into debt and apply adjustment and austerity measures which are hard on the workers and favour national oligarchies. Trade union organisations, who represent those who are the main victims, should be consulted and participate in the framing of economic policies to ensure the respect of workers' rights.

We were pleased that a High-Level Meeting on Employment and Structural Adjustment was held last November; we hope that the conclusions will help towards reducing the serious imbalances in the world economy, promoting employment and alleviating poverty through the combined efforts of all international organisations. The ILO should be commended for having initiated this meeting because, in so doing, it has demonstrated its will to promote

economic and international policies which favour equality and social justice.

Freedom of association, the right to organise and the right to collective bargaining are essential for the representation and defence of workers' rights and interests, which are closely linked to development, requiring co-operation and solidarity on the part of all. This is the reason why the workers' representatives of organisations affiliated to our Confederation have submitted two resolutions to this Conference: one concerning the promotion of human rights and development, and the other concerning solidarity and co-operation between the affluent countries and countries of the Third World and the role of the ILO in social and economic development.

We are pleased to note that the resolutions concerning the promotion of human rights has been given high priority and ask that positive action be taken to defend better liberties and human rights throughout the world.

Whilst appreciating the activities of the ILO in the areas of studies, technical co-operation for development and attempts to reduce poverty and the examination of complaints and the application of ILO standards, we also feel that constant efforts should be made to improve the procedures and adopt new measures to ensure that abuses and injustices cease and human rights and freedoms are respected everywhere.

We should also like to say that, in its future activity programmes, the ILO should give even greater support to workers' own efforts and provide them with the necessary means to strengthen their trade union organisations, so that they might more effectively overcome economic and social problems.

As the Director-General has said "the creation of productive employment and the alleviation of poverty remains the most daunting challenge facing the ILO today". We hope that substantial resources will be increasingly granted in the area of employment promotion both in the poor as well as in the more advanced countries. Each and every one of us is responsible for promoting employment, fighting poverty and respecting human rights. These problems will become even more acute on the eve of the year 2000 if we fail to take concerted and equitable measures, which call for international solidarity.

The WCL is highly appreciative of any effort to stem the tide of human rights abuses and poverty. It remains a staunch partner of the ILO, true to its principles and objectives, and will continue to take an active part in any action aimed at establishing social justice and peace throughout the world.

Interpretation from Russian: Mr. DAGVADORJ (Government delegate, Mongolia) – May I begin by wholeheartedly congratulating the President on his unanimous election to this lofty post and express my conviction that his many years of rich experience, both in trade union organisations and in the State Secretariat for Labour and Wages of the German Democratic Republic, will assist him in successfully in coping with the responsible task of guiding the work of this session.

The present session of the Conference is taking place in conditions where we are seeing an opening up of new positive trends in the development of international relations.

Despite the complexity and contradictions of the modern world, the development of events in the international arena bear witness to the fact that a new kind of political thinking is making headway step-by-step.

The Government of the Mongolian People's Republic considers the results of the recently concluded Soviet-American summit meeting in Moscow to be an important contribution to the continuance of the political dialogue, and also as a strong impulse to the development of relationships between East and West.

Summit meetings between the USSR and the United States give an example of a successful joint creation and of mutual understanding in the name of recognising common human values and strengthening the spirit of new political thinking in international relations, and even more strengthening faith in the possibility of achieving the aims of creating a nuclear-free and non-violent world.

In this context the Mongolian People's Republic attaches great importance to the Third Special Session of the United Nations General Assembly devoted to disarmament which is currently being held in New York, and considers it to be a real opportunity for all States, both large and small, nuclear and non-nuclear, to determine together new tasks and new guide-lines in the process of disarmament and in the creation of a comprehensive system of international peace and security.

Today, when the question of the survival of mankind has acquired global and priority importance the role and responsibility of the United Nations and its specialised agencies, including the ILO, are continually on the increase.

One can only express satisfaction at the fact that discussion of human rights problems at this session is taking place in the year when we are observing the 40th anniversary of the Universal Declaration of Human Rights, the significance of which is becoming ever greater, and also, I might point out, in the year when we are observing the 40th anniversary of the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). This enables one to sum up what has been done by the ILO in the sphere of protecting workers' rights in the past and to determine what the Organisation should be doing in the future.

The significant contribution of the ILO in defending human rights and in promoting the observances of them is noted in the Director-General's Report. The Mongolian People's Republic supports the efforts of ILO against gross and large-scale violations of workers' rights and trade union freedoms wherever they occur. In the first place I have in mind the policy of discrimination and violation of human rights and fundamental freedoms in Palestine and the other occupied Arab territories, and also the policy being pursued by the racist regime of South Africa.

The continuing aggression and occupation by Israel of foreign territory in itself constitutes not only the grossest violation of the bases of international law but is also incompatible with the very concept of human rights and freedoms. The events now taking place in the Arab territories occupied by Israel are yet another demonstration of the fact that without a just political solution to the Palestinian problem one cannot reckon with the establishment of lasting peace in the Middle East. The only way of settling this

matter would be to convene an international conference on the Middle East under the aegis of the United Nations with the participation of all countries concerned, including the PLO. The Mongolian People's Republic firmly condemns the inhuman policy and practice of apartheid being perpetrated by the racist regime of South Africa and therefore declares itself in favour of the speedy and complete elimination of this policy.

The Director-General, in his Report, quite rightly points out the indivisibility of human rights, which were first proclaimed by the ILO and have on more than one occasion been confirmed by the United Nations General Assembly.

Indeed, one cannot talk about genuine freedom if people do not have guaranteed rights to life, work education, medical care, housing and social security.

We consider that the ILO has the overriding responsibility to take a lead in the general efforts within the United Nations system to protect and promote human rights, by increasing its contribution, within its terms of reference, to the struggle against unemployment, poverty, exploitation and discrimination and for the establishment of a new international economic order.

We entirely agree with the assessment of the Director-General in his Report to the effect that international co-operation and solidarity are vital factors in all efforts aimed at implementing human rights.

The Mongolian People's Republic has an integrated approach to the question of human rights. Thus, for example, in accordance with our Constitution, the citizens of our country have equal rights irrespective of sex, race, nationality, religion or social origin. The right to work and equal remuneration, the right to education and leisure, freedom of association, freedom of speech and freedom of the press are guaranteed by the whole legal, social and economic system. In our country, we have an integrated system of state control ensuring strict observance and implementation of all these rights. I would also like to point out that the Mongolian People's Republic has ratified the fundamental ILO standards covering human rights and provides for their strict observance. Furthermore, at the present time, we are preparing proposals for the ratification of two further ILO Conventions, the Minimum Age Convention, 1973 (No. 138), and the Paid Educational Leave Convention, 1974 (No. 140).

Our country, like the majority of ILO member countries, is in favour of further improving the standard-setting activities of the ILO and the revision of some outdated international labour standards.

On the basis of contemporary reality in the nations' socio-economic development, our delegation on the whole supports the proposals on key areas of ILO activity as outlined in the Medium-Term Plan for 1990-95. In view of the significance of the Organisation's technical co-operation activities we consider that the ILO, with its social vocation, should further increase resources for effective technical assistance to the developing countries. At the same time, it is essential that ILO activities in the area of technical co-operation should be closely co-ordinated with the activities of other United Nations organisations which afford technical assistance to developing countries.

At the present time, in our country we are actively developing a process of renewal and wide-ranging democratisation in all spheres of public life, first and foremost in the area of economic management and the social development of the country. Our Government is exerting great efforts to move as quickly as possible from an administrative and bureaucratic method of management towards a genuinely democratic system. We are changing not only the methods but also the forms and structures of management. During this process, we are significantly extending the rights, as well as the responsibilities, of primary labour collectives. All productive, agricultural and many other questions of the social development of collectives are now going to be decided not in ministerial offices but on the spot, with the active participation of the workers themselves.

The Government of my country is carrying out a policy of open support and comprehensive promotion of the individual and co-operative labour activities of our citizens as an important and flexible way of satisfying the ever-increasing and ever-changing desires of the population for various goods and services. Collective and subcontractual forms of organisation and remuneration for work are being widely introduced.

All these measures by our Government, aimed at eliminating the major shortcomings of our economic machinery, which in the past fettered creative initiative in individual citizens and the workers' collectives.

The broad democratisation of public life and expanding independence and self-management for labour collectives naturally leads to the need to improve and revise much previously accepted economic legislation, including labour relations laws. This process we are indeed carrying out. I should point out that as we improve and revise our internal legislation we will fully take into account the requirements of international labour standards.

In conclusion, I would like to express my thanks to the President for giving me the opportunity to speak at this session of the International Labour Conference and to wish him the greatest success in his work as President.

Mr. PERIQUET (*Employers' delegate, Philippines*) – Mr. President, congratulations on your election to the presidency of this session of the Conference, and to you, Mr. Tsujino, friendliest felicitations.

The Philippines Employers' delegation attaches special significance to our participation in this session because our country's President, Mrs. Corazón Aquino, is going to address it.

Our delegation admittedly comes to this session in a posture that is rather defensive. Around two years ago, our country was the toast of the world when we reclaimed political democracy through a peaceful revolution. The international media vividly narrated our triumph to the world. But since then our ratings from the international media have slipped. We are afraid that many of you are not just confused about what has been happening in the Philippines. Many of you may have formed conclusions about our country based on negatively slanted reports that have incomplete, if not outright shaky, premises.

We find our participation here to be a valuable opportunity to inform the world at first hand about

the meaningful accomplishments the Philippines has made in the past two years in her economy and in social justice. It is fitting to note that these accomplishments were made partly as a result of the restored respect for human rights in our country.

The Philippines' strong affinity with the ideals of the ILO concerning the labour of man, his rights, dignity and well-being, as well as the efficient use and equitable distribution of scarce resources, has no doubt been instrumental in her economic recovery.

But for kindling progress in the Philippines, much credit should go to the emergence of a genuine leader of the Filipino people. This leader's mission has been to champion human rights, democracy and the welfare of the Filipino people, and to resurrect the spirit of entrepreneurship and free enterprise, where before these ideals were manacled by political incursions. Our delegation is very honoured that this leader – President Aquino – will share with this session her views, experiences, and concerns on the Philippines' struggle for democracy and well-being, a struggle that is common to most developing countries.

So what has transpired in the Philippines since the revolution of February 1986?

First of all, the post-revolution Philippines we inherited was one that had shattered democratic institutions, a prostrate economy, and a divided, poor people. It was only a shining hope for a better future that held our country together, and this hope was evoked by the new leadership of our land.

Our immediate priorities in that initial stage of rebuilding our nation were political: these were to restore respect for human rights, including the freedom of belief, expression and association; and to revive our democratic institutions, such as our very popularly ratified Constitution, and the independence of our legislature and judiciary.

In less than two years, our democratic political restructuring was substantially achieved, and this record of sorts had its undesired, albeit amusing, effects. Our countrymen tended to have a greater propensity to exercise their newly regained freedoms. Multifarious views were openly expressed in the free market of ideas. Moreover, there was a sudden increase in the number of labour strikes. Soon enough, radical groups took to the streets with new causes to protest while the leftist insurgency intensified. Even within the Government, there was dissension. Once again, the Philippines was in ferment.

But there was no clamping down on freedoms. In fact, the Aquino Government has restored the political and civil rights of those who are now trying to undermine it. What the Government did was to pursue its compelling growth and development strategy. And all along, the private business sector was engrossed in servicing the burgeoning domestic consumer demand and repositioning itself for brisker activity. Pent-up consumer demand was so great that many firms quickly experienced shortfalls in capacity and thus had to expand.

What was noteworthy about the relationship of government and the private sector in our new democracy was the strong sense of partnership between the two. Whereas previously there was distrust, business and government became mutually supportive of each other. Government dismantled its inefficient business monopolies, committed itself to get out of business, and to stay within its policy

direction and provision of social goods. Private business flourished as government interference was reduced.

Economic indicators attest to the rapid strides of the Philippines ever since her democratic restructuring. In 1986, the contraction of the gross national product was stopped; in 1987 the GNP grew by 5.6 per cent. In the first quarter of 1988, it grew further by 7.6 per cent, surpassing even the rosier estimates of some of our prophets of boom.

As the pace of economic recovery improved, Filipinos became more absorbed with productive activities. The surge of consumer demand triggered expansion of our industrial sector and this produced higher employment. Those who could not get employment in the organised sectors of the economy started cottage and medium-scale entrepreneurial ventures which were commonly successful. Unemployment eased and the incidence of labour strikes fell dramatically. Wealth creation became more widely diffused.

The centrepiece achievement in all these was the emancipation from poverty of 1.5 million Filipino families – or one-fourth of our poor population – in the space of just two years. In the past, the ranks of our country's poor only kept growing. The exercise of human rights in our democracy is becoming more meaningful as economic progress adds to the dignity and well-being of the Filipino people.

Tripartism has been increasingly practised in national policy formulation, especially where labour relations are concerned. Both management and labour sectors have represented themselves ably in various tripartite forums. The clearest benefit derived from the practice of tripartism in the Philippines is the onset of industrial harmony: tripartism whittled down the confrontational relations of labour and management and then forged a stronger sense of partnership between them. Witness alone the dramatic 50 per cent decline in the number of workers involved in labour strikes from 1986 to 1987.

In an indirect but material way, tripartism enhanced national unity, because it built up consensus. Tripartism thereby helped our democracy increase its resilience against the many serious challenges, including armed challenges, that are posed against it.

But we cannot gloss over the stark reality that the Philippines is still a low-income developing country, with one-half of its population living below the poverty line. At the outset, the national strategy adopted to erase poverty was balanced agro-industrial development, with an emphasis on employment generation. We just could not optimise the gains from this strategy due to various constraints.

One of these constraints is our foreign debt servicing: this year, around 40 per cent of our Government's budget will go into debt repayment, when this amount could have bought the basic services for health and education, and built rural roads of which we are in such dire need. For so many years to come, debt servicing will limit our growth. Since the debt problem is common to developing countries and has a direct impact on employment opportunities and the welfare of workers, the ILO should strive to have a more effective interface with international financial institutions for the relationalisation of debt policy. Troubled debtor nationals should not be deprived of their very means of survival and repayment.

Another constraint is the lack of capital. Earlier, this problem was aggravated by the widespread per-

ception that the Philippines was an unsafe investment outlet due to labour unrest and the insurgency. By this time, industrial harmony is more evident in our country. And the insurgency is being gradually uprooted by the diffused benefits of economic growth as well as by a more forthright counter-insurgency strategy.

An upturn in the net inflow of foreign investments has been noted in the Philippines. It is quite significant that major multinational companies are responsible for a large extent of these inflows, as they are currently expanding or starting their Philippine operations.

At this juncture, allow me to cite an important development contribution of the ILO to the Philippines. This is the upgrading of our human resources via the "Improve your business" programme for small-and medium-scale Filipino entrepreneurs. We hope that this programme could be more fully integrated with the needs of the members of our informal and rural sectors in the upgrading of entrepreneurial and managerial skills. These people comprise no less than 60 per cent of our population and if they are provided with useful and adequate training, the personal and social profits that they stand to generate would be tremendous.

In conclusion, the Philippines in the past two years has embarked on the restoration of political democracy and the efficient market allocation of economic resources but without losing sight of distributive justice. The gains from this approach are very gratifying: whereas two years ago, there was stagnation, now there is fast economic growth; whereas before there was labour unrest, now there is more industrial harmony. The benefits of progress have been widely distributed such that poverty incidence has declined significantly, and the insurgency is thereby losing its reason for being. Many more serious obstacles to development confront the Philippines, but we learned to sail against the wind and prospects are bright that we shall win our war against poverty and underdevelopment sooner rather than later.

In closing the Philippine Employers' delegation expresses its deepest appreciation and gratitude to the ILO for its unremitting assistance. We were highly honoured when the Director-General, Mr. Francis Blanchard, personally went to the Philippines to convey the ILO's invitation for President Aquino to address this session. We look forward to greater and lasting co-operation between the ILO and our country, the Philippines.

Interpretation from Japanese: Mr. TANAKA (Workers' delegate, Japan) – On behalf of the Japanese workers, please allow me to congratulate the President, on his election to chair the Conference, and I appreciate his eminent way of presiding over the proceedings of the Conference. I also wish to extend my heartiest congratulation to the Vice-Presidents and to Mr. Tsujino on his election as Vice-President of the Conference representing the Employers' group. I am confident that he will perform his important tasks as Vice-President in an excellent manner.

It is timely and appropriate that the Report of the Director-General to this Conference has taken *Human rights – A common responsibility* as its main theme. It is timely not only for the reason that this

year marks the 40th anniversary of the adoption of the Universal Declaration of Human Rights by the United Nations General Assembly and also the 40th anniversary of the adoption of the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

Today, in the midst of worldwide economic instability and strain, many countries, particularly the developing countries, are confronted with various economic and social difficulties caused by ever-increasing unemployment, accelerating inflation, the accumulated foreign debt, and so forth. In order to overcome these economic and social difficulties, many governments and employers are applying arbitrary policies which often victimise workers by reducing their overall working conditions, including wages, and restricting of their rights. Therefore, the time is now appropriate to recognise once again the principles of the ILO. It is a challenge to the ILO today, for the ILO stands for the realisation of social justice through the improvement of working conditions and the guarantee of workers' rights.

The Declaration of Philadelphia adopted by the International Labour Conference in 1944 proclaims that the guarantee of basic human rights such as freedom of expression and of association are the foundation of the ILO's activities and the guiding principle for international standard-setting activities. As pointed out in the Report of the Director-General, "the ILO was the first to proclaim the indivisible character of human rights which encompass, without distinction, civil and political rights and economic, social and cultural rights." I think this is a principle of the greatest importance nowadays and that democracy based upon the guarantee of basic human rights is what is required in the world today.

We know that the ILO protects human rights through its standard-setting activities in the form of Conventions and Recommendations and through its supervision of their application. As the ILO Constitution clearly states in its Preamble, "the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries". These standards should be universally implemented as minimum standards and no country should be permitted to deviate from their application. In this context, we strongly oppose the arguments to set up so-called double standards or regional standards according to differences in political and economic systems or degrees of economic development in any country.

It is well known that the ILO has consistently warned against infringements of human rights and made recommendations for the redress of infringements of such fundamental human rights as freedom of association and other basic workers' rights in any country through its supervisory machinery. This supervisory machinery has also enabled the trade union organisations of Japan to make very substantial improvements in the security of the rights of the Japanese workers and their trade unions. In this sense, we have agreed upon and support the protection and strengthening of ILO supervisory procedures for the international instruments through the Committee on Freedom of Association as well as the Committee of Experts on the Application of Conventions and Recommendations, and we strongly oppose any attempt to weaken such procedures.

We share the Director-General's concern expressed in his Report over the slow process of ratification of ILO Conventions by many countries in recent years. Japan is no exception to this, since our Government has ratified only two Conventions during the past decade, and it has ratified only half of the major priority Conventions designated by the ILO. If our country is to make a commitment to co-operate with the ILO, Japan should first of all ratify as many essential Conventions as possible to make its domestic situation commensurate with its position as a developed country and set an example for other nations. In this respect, we are determined to spare no effort, and urge our Government to promote further ratification of the Conventions.

In coming years, it is essential to strengthen further and put into effect co-ordinated action among the countries of the world. In order to give full and concrete meaning to co-ordinated action, a tripartite consensus between the government, workers and employers is an essential prerequisite. In the process of formulating and implementing any policy, the opinions of the parties concerned who are most exposed to its influence must be expressed. Any policy would be hard to enforce without consensus among all the parties. In this sense, trade union participation is a prerequisite in the policy deliberation and formulation of any country. Tripartism is a pivotal principle for the existence of the ILO itself, and it should be protected and enhanced in every country. From this standpoint, ratification of the ILO Tripartite Consultation Convention, 1976 (No. 144) (International Labour Standards) by every country, naturally including Japan, is a pressing need, and we are determined to urge our Government to work for its ratification.

A prerequisite for tripartism is free and democratic trade unions, and freedom of association and trade union rights should be secured for trade unions. ILO Conventions Nos. 87 and 98, which guarantee trade union rights and freedoms, are of a crucial importance not only for trade unions but also for ILO tripartism. We should bear in mind that economic growth and social justice can be realised only on the basis of well-established tripartism with the help of free and democratic trade unions.

We cannot avoid the issue of peace and disarmament when we touch upon the theme of human rights. The Universal Declaration of Human Rights states that "disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind" and advocates the guarantee of human rights for everyone in the world as the foundation of the establishment of peace.

After the Second World War, Japan was able to create its national Constitution, which provides for basic human rights, freedom and democracy, and renunciation of war. It is not an exaggeration to say that the post-war economic of Japan has been successful only because it has upheld these principles. There is no doubt about one basic factor that has enabled the national economy to grow: that is, to let the nation minimise its military expenses and allocate the reserves of resources to investments in the private sector, to stabilise civil life, as well as improve the social infrastructure.

We welcome the world climate leading to global disarmament and peace through the ongoing dialogue between the heads of States of the United

States and the USSR. We would urge all nations to reduce their military budgets and utilise the resources thus saved for effective international co-operation and collaboration, with a view to halting the crises confronting the developing countries and promoting their development.

The Japanese workers are working for the establishment of freedom, peace, human rights, democracy and trade unions rights. In particular, we express our strong support to the people of South Africa who are struggling for the elimination of inhumane apartheid. Apartheid is a real crime against humanity and it must be abolished rather than mitigated or compromised with. I understand that at this Conference a discussion on updating the Declaration concerning the Policy of Apartheid in South Africa is taking place and I sincerely hope that a declaration with more concrete meaning and force will be adopted at this Conference and positively supported on a tripartite basis by the governments, workers and employers of all countries.

In this connection, the Japanese workers are gravely concerned over the increase of Japanese trade with South Africa. We unanimously recognise that global mandatory and comprehensive economic sanctions constitute the most effective weapon against the apartheid regime of South Africa, and we have been urging our Government to adopt and implement effective measures of sanctions against South Africa in compliance with the resolutions of the United Nations and the ILO. We have also called upon Japanese enterprises to exercise self-restraint in any economic dealing with that country. The Japanese workers are determined to promote strong and extensive campaigns at home and abroad, until we put an end to the regime of apartheid.

Now allow me to touch upon a domestic subject. The Japanese trade union movement has achieved unity among the overwhelming majority of trade unions in the private sector after a long history of division, and a new national centre called RENGO or Japanese Private Sector Trade Union Confederation was born in November last year. I am happy to report that it has been collectively affiliated with the International Confederation of Free Trade Unions. At present, we are moving rapidly towards creating one unified national trade union centre which would also include democratic trade unions in the public sector. We believe this unification movement in Japan will enable us to further our co-operation with the ILO in the future.

I shall conclude my address by expressing our commitment that our trade union movement will be directed fully towards achieving the noble principles of the ILO, and lastly by expressing my special gratitude to Mr. Francis Blanchard, the Director-General, for whom I have great respect, and to his excellent and friendly staff for their great efforts to ensure the smooth proceedings of this Conference.

Interpretation from French: Mr. DECOSTERD (Employers' delegate, Switzerland) – Again, this year, the Report of the Director-General has proved to be very useful for all of us. On the one hand, it enables us to realise the immense amount of work which is done in the various sectors of our Organisation and to learn certain lessons from it. On the other hand, the Report introduces some very well-developed thoughts on a topical theme.

In this connection I want to pay particular tribute to those activities of the ILO which seem to me to be the most important and at the same time the least recognised and most difficult. I want to talk about the practical activities of all the expert officials working in the field and trying to solve the most difficult problems on the spot and in direct contact with the interested parties. As in transnational companies, most of the work is not what is done at headquarters – and I apologise here to Geneva – but rather the work carried out in the various countries.

I am not one of those who feel that every year they have to come up to the rostrum and say something. However, after about 12 years' experience in this Conference, in the Governing Body and in certain areas of practical activity, I should like to share with you some ideas about human rights and then about the structural adaptation of our Organisation.

It is quite right that the Director-General has drawn our attention to the gap – I might even call it the abyss – which separates the formal statements from the reality. This gap is to some extent a legitimate one. It shows us the progress that has to be made in order to achieve the objective which is sought. However, when the objective itself is too ambitious, and when all the efforts to achieve it are in vain, then a feeling of frustration and discouragement, even a lack of interest, can develop that can produce an effect which is the opposite to that which is being sought. It would be worth while to think about this situation and look at the basic tenet of the Declaration of Philadelphia, which I quote: "All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity."

If I attempt to transpose this statement, which is an extremely ambitious one, magnificent in spirit and extensive in scope, into more specific and modest terms relating to the right of man at work, these then would be the main aspects of these rights as regards our Organisation.

Being able to choose a job and not having a job imposed upon one is a fundamental right. To be properly trained to do one's work and one's job is another right. To be directed with the respect due to one's own human personality is another right. Over a working lifetime to be able to improve one's qualifications and develop according to one's professional and general aptitudes and thereby to aspire to other jobs are also important aspects of this right. To know the ins and outs of the work one is doing, to be able to express one's views about one's work and to be consulted before any decision having a direct bearing on the job is taken, and also to know the activities, the financial situation and basic principles of one's firm are also specific rights which should be highlighted. Finally to benefit in one way or another from the fruits of one's work and to enjoy a retirement which is free from monetary anxiety as far as the basic essentials of family life are concerned are other equally important aspects of man's rights in work.

There is no need necessarily to have international standards and laws for these rights be respected. It is part of the duties of the State, the enterprise, the management and the workers themselves. But oddly enough, in our world rights are continually being claimed but no one ever talks about the duties.

Rights and duties are complementary; the one cannot exist without the other. It is what John Fitzgerald Kennedy said when he became President of the United States: "Ask not what your country can do for you; ask what you can do for your country."

One has acquired the habit of classifying countries on the basis of per capita Gross National Product. But why not try to classify them in a way that might be more enlightening as regards the reality of human rights. Every year OECD awards good and bad marks according to the economic performance of its member countries. Could we not do the same thing with human rights at work, following a similar procedure? That would certainly encourage countries which are making progress and would put more tangible pressure on those which still have a lot to do in that area, but which nevertheless are inclined to want to give lessons to others.

I now come to the structural adaptation of our Organisation.

Crises always have an invigorating effect on people and on enterprises when they try to adapt to new circumstances as rapidly as possible in order to survive. States and public administration take longer to react. However, we may observe that in many countries there is a will and there are achievements showing that the necessary lessons have been drawn. As regards international organisations, they suffer from what we call the "oil tanker syndrome"; that is, they doggedly maintain their course without recognising or wanting to recognise that the world has moved in a different direction.

Our Organisation, to judge by the recent discussions about the Medium-Term Plan by the Governing Body, wants to continue to do everything. But the fact is, if you want to do everything you end up doing nothing. Since our resources are getting scarcer, I consider it indispensable to concentrate our efforts on some of the essential, high-priority aspects of our work aimed at promoting in real, practical ways the dignity of men and women at work.

Such an adaptation cannot come about unless we adopt an innovative spirit in the Governing Body to begin with, and then in the top management of the ILO. Thus it would be appropriate to prepare and assist the staff who are to be in charge of carrying out this adaptation, through an adequate policy of personnel training and development. Only subsequently could we embark on adapting the structure of the Organisation, and the International Labour Office too, with a view to concentrating the available resources along the line defined by the strategy worked out.

Let me take one example: our annual International Labour Conference or the regional conferences or even other similar meetings organised during the year. Over a period of 22 days, here we all are in situations dominated either by ritual or by some operational or emotional situation. If we look closely at the comparative weight of these three factors, we note with regret that ritual to a large extent dominates over the operational and the emotional. When I say ritual, I am not only thinking about the rules of procedure or how the Conference progresses, but, above all, about the substance of hundreds of statements in plenary or in the committees. Wherever ritual predominates, effectiveness suffers. We should think about this and go all out for a structural adoption.

All this will be a long and difficult job. Let us be honest; I know that as well as you do. But let us not forget: the only time a man does something great in his life is when he feels nothing is impossible:

Interpretation from Arabic: Mr. KHOURY (Government delegate, Lebanon) – I should like to congratulate the President most sincerely on my behalf and on behalf of my Government on the unanimous confidence with which he has been elected to the presidency of this Conference. We are sure that he merits this trust as, in his country and internationally, he is one of the persons principally responsible for labour relations. We are sure that, under his guidance, this Conference will reach resolutions, recommendations and guide-lines capable of assuring a better future of peace and security.

The Director-General has given us a historic opportunity to ensure that the Conference this year will differ from previous Conference by presenting to us his Report, *Human rights – A common responsibility*, so that we can establish a special role for the International Labour Organisation representing the culmination of the roles it has played from 1919 to our day.

This is why I would like to say quite frankly that, as a human being and a Lebanese national, I felt disquieted and ashamed when I read the Report of the Director-General, and even a little fearful. The Director-General, no doubt, felt the same when he wrote that human rights, far from being more widely respected, are being flouted.

I would like to make this point even more clearly by reminding the 151 States participating in this Conference to affirm human rights that the war of man against man, which started with Cain and Abel, is unhappily not yet over. Every epoch has its apostles of good will, in every epoch the need to respect human rights is proclaimed, but in every epoch, too, there are unfortunately more Cains and Abels.

The concerns and anxieties of the Director-General are entirely justified, for we have lived through bitter times and we have seen that the adoption of the Universal Declaration of Human Rights by the United Nations in 1948 was immediately followed by the establishment of a racist Zionist State in Palestine. The religious fanaticism of this State is such that it believes that its people are God's chosen people, although God created all human beings and has no wish to be the God of one people to the exclusion of all other human beings, of whatever race and country.

In this same context, 20 years later, more specifically on the occasion of the proclamation of 1968 as the Year of Human Rights designed to promote international recognition and protection of human rights, we saw another racist power in South Africa deny the rightful inhabitants of that country their basic rights and subject them to the most abject forms of discrimination and oppression, dashing all their hopes and dreams.

Today, we live in a world where human rights are violated. But even more serious crimes are being committed. Ours is an age of genocide. Land is being stolen, geography is being falsified and efforts are being made to make us believe that what is false is true and what is true is false. History is being twisted and reason cast aside. The world's conscience is being buried by those who wish to be the rulers of the twenty-first century, to rule alone and have others

merely be slaves or, better yet, robots who do nothing but obey, even though they are living beings.

You know what happened in 1948 at the United Nations. You know that a Charter was unanimously proclaimed confirming the importance of human rights, without distinction based on colour, ethnic group or creed.

You know this: However, I should like to add that the person who was the rapporteur of the Human Rights Commission, who played a major role in its work and who helped to draft the Universal Declaration of Human Rights was a Lebanese national. He did not merely represent Lebanon at the United Nations; he represented all human aspirations everywhere for equality among people, and for their right to life dignity and security, without discrimination. His contribution was Lebanon's contribution to the Universal Declaration of Human Rights, the United Nations' gift to all those who suffer and who are oppressed in the world.

What happened after that? Lebanon, a member of the United Nations, conscientiously implemented all international instruments, especially those adopted by the ILO.

Lebanon, which was a haven of peaceful co-existence for three religions and 17 sects.

Lebanon, which was the refuge of peace-loving and freedom-loving persons who fled dictatorships.

Lebanon, which was the cradle of civilisation.

Lebanon, which was the enshrinement of freedom of thought and of expression, through its books, its newspapers, literacy circles and media.

This Lebanon, whose representative had proclaimed the Declaration of Human Rights on behalf of all nations, became the victim of its own ideas and principles, and the prey of the Israeli State which seeks by all means not only to deprive us of our land and destroy our homes, but to rob us of the hope of living in dignity and freedom, and to sacrifice our rights in the name of a divine right they claim as exclusively their own, flouting human laws and the laws of God himself.

Please excuse me for baring my suffering and that of my countrymen. I am an injured citizen of an injured country, a neighbour of those who have violated Palestine and dispersed its legitimate population, and who today seek to murder the survivors of these populations – old men, women, and children – for the simple reason that they have picked up stones to defend themselves from the most savage armed campaign on earth. The same is true in South Lebanon, where the national resistance brings to all peace-loving people the message of freedom, written with the sweat of workers, the blood of martyrs, and the tears of widows and orphans.

They are also engaged in a defamatory campaign against Syria, which is acquiring the means to counteract force and intimidation in the battle between the rights of Arabs and the vanity of Israel. Today they threaten the Kingdom of Saudi Arabia. They seek to prevent people from defending themselves from living a safe life, and even from dreaming of peace.

Lebanon is one of the first States to have joined the ILO, shortly after its independence. Evidencing

its faith in the Organisation, it set up its Ministry of Labour, in accordance with its laws, practices and customs. It granted to trade union organisations the right to exercise their activities without restriction; it established equality of remuneration between men and women; it promoted equality of opportunity as regards employment; it espoused the concept of full and productive employment in fair and meaningful conditions; it created conditions tending to promote national solidarity with a view to instituting social security; and in order to enable the country to develop its own special legislation, it endowed its economy with free enterprise in commerce, industry and services, to such an extent that Lebanon was known as the "Switzerland of the East".

But, as I have already said, this all proved in vain because Lebanon fell victim to Israel aggression and its armed invasion, deceit and trickery. The Israel aggressors were not satisfied merely to burn our farms, destroy our homes and ruin our industry; with the aid of their accomplices they fostered a situation which has made Lebanon the target of accusations of international terrorism. Everyone knows that Lebanon, a humble, welcoming and peaceful country, is itself the victim of international conspiracy and terrorism.

But in spite of this, Lebanon is not dead; it is not finished. Like the phoenix, it will rise from its ashes, seeking once again to become the land of peace; a model of human rights, a fortress of freedom and a sanctuary for free men.

With my last words from this rostrum before the 3,000 delegates attending this Conference, I wish to pay homage to our friends throughout the world, to our Arab brothers who have helped us and especially to Lebanon's twin sister, the Syrian Arab Republic, the Syrian people, the Syrian army, and President Hafez El-Assad who, in view of the conspiracy against neighbours struggling for a decent life, undertook with typical Arab courage to save Lebanon and, in particular, three of the most important Lebanese positions, for Syria returned to Lebanese loyal to Lebanon Tripoli, before allowing it to disappear, Beirut, before allowing it to burn, and South Beirut, before it could be added to the long list of massacres.

The Syrian experience in Lebanon shows the way for those who would apply the International Bill of Human Rights, not through slogans, speeches and publications, but through the practical and sincere protection of human rights, whether those of a brother or of a stranger.

I am very grateful to have this opportunity to express our gratitude to have the opportunity to express our gratitude to our Syrian brothers; we know that their security is the key to our own, and their national economic wealth the door through which will flow fresh air to restore our health and vigour. Last but not least, the Israeli conspiracy will falter and fade as our relations with Syria develop and strengthen.

May the forces of good meet with victory. Death to the forces of evil. May peace be with you.

(The Conference adjourned at 1 p.m.)

Seventeenth sitting

Friday, 10 June 1988, 3 p.m.

Presidents: Mr. Beyreuther, Mr. Adiko

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – We shall continue this afternoon with our discussion of the Reports of the Governing Body and of the Director-General.

Interpretation from Spanish: Mr. GUTIERREZ VEGARA (*Workers' delegate, Spain*) – First of all, I should like, on behalf of the Spanish workers, to congratulate the President on his election and to wish him every success in his work.

The ILO's activities, in its dual role of setting standards through Conventions and Recommendations and providing co-operation and assistance to ensure the application and observance of its rules and principles, is increasingly appreciated and valued.

As rightfully pointed out in the Director-General's Report, the defence and promotion of human rights is inextricably linked with employment promotion, the constant improvement of working conditions and the maintenance and strengthening of welfare and social security.

However, this approach does not seem to be reflected either in the imbalances in the world economic situation or in the social and economic policies of employers and governments of countries which, such as ours, are not moving in this direction.

The foreign debt is a prime example of the contradictions in international relations between the industrialised and the developing countries; the foreign debt, which rose from \$376 billion in 1985 to \$409 billion in 1987 in the main debtor countries in Latin America, and the failure of the Baker Plan, hang like the Sword of Damocles over the heads of the international financial system and prove that the debt is impossible to service.

To overcome these serious problems, which are causing untold misery for millions of workers and people in the world, we have to go further than moratoriums, renegotiations or mere "pay-offs" of the debt. We have to look into its causes rather than merely cope with its effects. In the final analysis, it is vital to change relations between south and north. The longer we put off this task, the greater will be the imbalances in international relations and the uncertainty in the world economic situation.

As the fundamental texts of the ILO point out, peace and social justice constitute an essential basis for the exercise of human rights. Also in this context, it is very sad to see that in the world today there are

many areas in which war and social injustice are basically self-perpetuating.

We should like to make special mention of the brutal, systematic and unjustified aggression of the State of Israel against the workers and civilian population of the occupied Arab territories, and of the misery and injustice to which the Palestinians in refugee camps are condemned. Equally, we wish to denounce the apartheid imposed by the Pretoria regime and the criminal repression with which it hopes to stifle the just aspirations of the South African workers. However, the Spanish Government, beyond occasional statements, does not implement in practice the measures that might be required from any democratic State against the Pretoria regime.

Our country maintains a considerable volume of trade with the government of that country. Thousands of Spanish enterprises in almost all sectors of production, from firearms to manufactured goods, have been exporting to the Republic of South Africa from 1976 up to the present with the agreement of the Ministry of Economy and Finance for their requests for export licences. Spain imported to a value of 38,850 million pesetas from South Africa, with an unfavourable balance for our country of 26,756 million pesetas. The Republic of South Africa has singled out Spain with as the main country to which coal and uranium is supplied. But this also meant that the United Nations included Spain on the list of the main trading partners of the racist regime of South Africa.

In this situation, with the desire for peace of the peoples of Central America and the inalienable rights of peoples such as the people of Nicaragua to follow the road that they have freely chosen, or Palestine to its self-determination as a free State, it is not sufficient to have good will and hopes. It is essential to have the active and decisive solidarity of workers throughout the world who really are in favour of freedom, social justice and progress. It is therefore essential to help put a rapid end to the dictatorships from which the workers in Chile, Paraguay and other countries are suffering.

Important steps have been taken in the field of disarmament, but as yet there is no end to the arms race, with the quantity of resources it absorbs, which should be devoted to productive free employment. The arms race is not only the greatest danger to peace but it is also the most anti-economic and anti-social phase in the development of international relationships. To put an end to this state of militarisation would be to advance towards the elimination of blocs, not only in the political and military fields but also in the economic field. In this process, the EEC

and the non-aligned countries have an important and decisive role to play.

In our country we are not yet moving towards promoting employment, improving labour conditions or consolidating the public system of social welfare.

Economic authorities present the development of the Spanish economy as if this were "a new economic miracle". No doubt in Spain there has been a considerable increase of business profits and an increase in GDP, higher than in most of the OECD countries. However, it is economic growth that has not been properly used as far as job creation is concerned. Unfortunately, Spain not only stands out because of its increased GDP but also because it is the OECD country that still has the highest rate of unemployment (20.6 per cent of the working population, according to the Ministry of Labour itself) and one of the lowest levels of unemployment benefits: only 26 out of each 100 people unemployed receive any type of benefit. Within the EEC, it is also the country that in the past two years has distributed its national income in the most unfair manner, since the share of net profits exceeds earnings and income from work considered as a whole. It can therefore be said that our country's economic growth contains within it the seeds of even greater social inequality.

In addition, there has been significant foreign investment which is basically directed at financial speculation and the purchase of enterprises previously brought back to health at a high cost in lay-offs.

In addition to speculation, there has been a process of renewing capital equipment, but more than half such equipment is imported. Our administration presents this as industrial modernisation, but it is a growth so greatly dependent that it will be difficult to sustain in the medium term. Once again, Spanish capital is up to its century-old tricks: it is dependent on the capital and technology of the great powers. If this policy continues, the so-called process of modernisation will involve an even greater social and territorial imbalance, a typical feature of under development.

The erosion of investments, which have gone into less productive activities, together with the industrial dismantling caused by the so-called process of reconversion and increasing technological and economic dependency, have had very adverse effects on employment.

Unemployment has increased from 1,872,500 at the end of 1982 to some 3 million today. This represents an average of 630 unemployed per day in the past five years. But besides the progressive increase of unemployment in absolute terms, the two most outstanding recent features of the Spanish labour market have been the excessive and widespread use of short-term temporary labour contracts and the extension of the black economy. According to official information, temporary employment went up from 15.6 per cent at the beginning of 1987 to 21.1 per cent at the end of that year, and it represents 98 per cent of total contracts signed in that period. According to the annual report of the Association of Human Rights in Spain, the number of people who have been dismissed or had their contracts terminated by decision of the undertaking was 1,670,000 in the past five years.

As to working conditions, suffice it to say that in the past five years mortal industrial accidents have increased by 23 per cent. It is very revealing that at

the same time the budget of the National Institute of Health and Safety at Work has gone down from 7,200 million pesetas in 1983 to 4,100 million in 1987.

All this shows that the labour rights granted to workers in Spanish legislation under collective agreements or ILO Conventions are either not applied at all or only partially. The very precarious nature of employment brutally reflects the flexibility of the labour market in Spain and is the cause of a whole range of arbitrary actions and breaches of regulations.

Unemployment affects the whole of the working population in Spain. It affects people over 25, young people and women. This makes it hard to put forward proposals to improve the position of individual sectors: we need a social and economic policy that really gives priority to the struggle against unemployment as a whole.

Long-term unemployment is very damaging to many older workers, because once their redundancy benefit is used up, they remain unemployed with no possibility of finding a new job.

The rate of unemployment among women is 25.5 per cent. According to data from the Ministry of Economic Affairs itself, 42 per cent of the women who work do so in the black economy, and about 60 per cent of them earn less than 50,000 pesetas.

The rate of unemployment among young people is 49 per cent, three times the figure in OECD countries. The solution being juggled with in official circles is a so-called "youth employment plan" which has already been totally rejected by all the trade unions, and has only obtained the blessing of the employers. The proposal would deny young workers the right to collective bargaining and the right to contribute in order to receive social security benefits such as disability and old-age pensions, and it would also introduce wage discrimination not on the basis of work done but of age. It would therefore be incompatible with ILO Convention No. 111 and other international texts which prohibit such discrimination.

The policy of the Spanish Government and employers since 1983 places us in a state of economic dependency and uncertainty, and is socially very unfair. The line adopted has led to the impoverishment of the public social security service, in a country like ours which was never a social welfare State. Neo-liberal theories have resulted in much greater social disequilibrium than in more developed countries.

Social security expenditure is practically at a standstill, at 12 per cent of GDP. Social security pension increases have declined from 4.5 per cent in 1982 to only 0.36 per cent in 1987. The greatest drop has been since the introduction of the 1985 Act reducing pensions, which led to a great deal of social conflict. Almost 77 per cent of pensions are below the minimum inter-occupational wage, which in Spain is not much more than 40,000 pesetas.

To sum up, the situation in Spain leads us in the trade union movement to call for far-reaching changes in economic policy, which should be more socially oriented. In the light of the texts of the ILO and Convention No. 122, it is inadmissible to formulate and implement a policy in which business profits are made at the expense of mass unemployment, a disintegrating labour market and lack of social welfare.

Our trade unions have always been open to negotiation and social dialogue to find the right solutions to every one of the serious economic and social problems of our country. But previous agreements have been systematically ignored, and now the social and economic authorities are adopting ambiguous attitudes towards social dialogue. Despite the fact that the Spanish Prime Minister in the past few days has made statements about dialogue, great obstacles are put in its way in practice. Budget policy has been tailored to the employers' demands even before the annual period of collective bargaining has started. Day by day, there is a policy of putting job creation and social equity last, and trying to make the trade unions responsible for it.

Our employers and the Government are actually thinking more in terms of an apparent negotiation, which can be manipulated for short-term political ends, than genuine bargaining involving specific commitments, efforts and resources to improve conditions of work and life.

In the past few months we, the representative trade unions, have again been the ones to offer a broad agenda for negotiation to both employers and the Government. The response so far has either been an evident lack of interest in the questions proposed or, as in the case of the employers, continued demands for greater deregulation of the labour market.

The commitments undertaken by the Government, through the Prime Minister, at numerous meetings with trade union leaders, to hold talks on some specific issues, are mainly due to the perseverance of and pressure exerted by the representative unions. It is now up to the Government to show that it is really willing to negotiate, and to consider the claims and alternatives shared and defended by the unions for many years.

Our country is one of the member States that has ratified the greatest number of Conventions. It is also one of the States that has most frequently failed to respect them. The rules and prescriptions in international instruments have not yet been accepted as normal pattern of conduct, either in economic and employment policies or in other fields. In spite of the resolutions repeatedly adopted in the Committee on Freedom of Association, it is often the practice of the Administration to compel minimum services to be provided when there is a strike in the public services – which more often than not are maximum services – and nearly always without giving the unions calling the strike a previous hearing or agreeing with them on the scope and form of the strike.

In Spain, despite the ratification of Convention No. 151, the Government has shown unwillingness to negotiate labour conditions and to respect the right to strike as an indispensable part of trade union freedom. Recently, the Government has penalised the exercise of these rights by educational workers, cancelling negotiations to settle the conflict and increasing the number of working days in the academic year, thus imposing a *de facto* economic sanction for a legal strike. During the same period, the Government has abolished privileges in a discriminatory manner and has started proceedings against various union leaders in the public service, including the Secretary-General of the Workers' Committee in that area.

What progress has been made has been in non-official areas. As regards the unions, through full

respect for the freedom and independence of each body, we are moving forward to the essential and long-awaited goal of unity. We owe to this the fact that we have been able, for the second year in succession, to improve slightly the purchasing power of wages – exceeding, by a great effort on the part of the unions, the limits established by the General State Budget and the guide-lines set by the employers association – to improve working conditions and social protection of the unions, as well as to broaden and extend trade union rights to the most deprived communities, and to groups, such as public employees, who are still denied the right of collective bargaining.

Trade union unity, within the internal diversity of the working class, is essential to meet the new challenges of unemployment, the technological revolution, the new production processes and regional imbalances, etc. To achieve this, we are in favour of developing trade unionism throughout Europe, and strengthening the role and functions of the European Trade Union Confederation, whose resolutions adopted at the Fourth Congress recently held in Stockholm, are a contribution of the first importance for building a socially and economically united Europe.

We shall be dedicating our efforts and focusing our work in the immediate future on the attainment of these objectives and the realisation of a more equitable and fraternal world.

Mr. MWILA (*Minister of Labour and Social Services, Zambia*) – I wish to join other distinguished delegates who have spoken before me on congratulating Mr. Beyreuther, with the Vice-Presidents, on his deserving election to the chairmanship of this august Conference. I wish also to take this opportunity to thank the Director-General and his supporting staff for producing a comprehensive and thought-provoking report to this Conference, covering real issues which confront mankind today. The ILO stands for social justice and fair play and, as such, every effort must be made to enable its work programmes to continue smoothly as planned. It is unfortunate that for this biennium, the Organisation is facing financial problems arising out of wide fluctuations in exchange rates and the late payment by member States of their assessed contributions. These problems could be solved in a number of ways, but one that immediately comes to mind is that of administrative adjustment, within the available resources and without prejudice to the important areas of ILO regular activities. I will, on my part, urge my Government to pay whatever is due to the ILO in form of contributions on time.

We are this year celebrating the 40th anniversary of the Universal Declaration of Human Rights. This Declaration must be upheld by us all, as it is a panacea to peace and security in the world. Human rights can only be safeguarded through the implementation of the international standards in our respective legislations and national practices. Human rights and international labour standards are respected and enforced in my country. Our labour policies and legislation are based on principles of social justice for workers. The Constitution of the Republic of Zambia clearly spells out those principles and safeguards which guarantee freedom of association and

the right to organise. Zambians are free to exercise those rights as guided by policy and legislation.

Full and productive employment is indeed the challenge of our time. Governments throughout the world are preoccupied with finding ways and means to redress this sad situation, particularly as it affects young people. In Zambia efforts are being made to solve this vexing problem through institutional arrangements such as youth camps where young people are taught basic skills, especially in agriculture. The idea is to make these young people self-reliant. Other institutions such as the Village Industry Service (VIS), Small Industries Development Organisation (SIDO) and the Small Enterprise Programmes (SEP) are all intended to create employment for unemployed persons. Additionally, it is the policy of my Government that, whenever possible, enterprises should endeavour to use local raw materials in their production processes; and also utilise labour-intensive technology in order to generate employment opportunities.

The informal sector, which hitherto was neglected in our policy implementation, is now receiving urgent attention through the enabling legislation and institutions which I referred to earlier. There is great potential of employment generation and opportunities in the informal sector. Peasant farming and producer co-operatives are unique institutions in the rural areas of my country while, in the urban areas, small industries producing basic household requirements are also encouraged and supported through the Small Industries Development Organisation (SIDO). All these institutions work within policy guide-lines of government ministries and departments.

In the field of industrial relations, my country encourages and promotes tripartite consultations. It is my Government's declared policy that representatives of Government, employers and workers should hold regular consultations on labour issues including the introduction of new labour legislation. We cherish these tripartite consultations on matters of mutual interest because in this way, areas of possible conflict of interest are thus pre-empted.

Rural employment is an area of concern to us and, for a start, the development of the agricultural sector is our first priority. Each year, my Government offers attractive incentives to farmers through producer prices of agricultural produce. It is my Government's intention to continue to offer incentives to farmers in order to create linkages between agriculture and industries that rely on agricultural produce for their primary inputs in their production processes.

The Factories Inspectorate within my Ministry of Labour and Social Services carries out regular inspections at all working places in Zambia and advises employers and workers on legal requirements as regards health and safety at the workplace; in that way, safety and health regulations are observed.

On the question of social security and employment, I wish to say that my Government is still considering the establishment of a comprehensive social security scheme which will cover, not only workers in the formal employment sector, but also those in the informal sector in both rural and urban areas. In 1981, a commission of inquiry was appointed by His Excellency the President of the Republic of Zambia, Dr. Kenneth David Kaunda. One of the terms of reference of that commission of inquiry was to examine the establishment of one social security

scheme which would incorporate all existing social security schemes in Zambia. That commission of inquiry has since submitted its report to the Government for consideration. When the Government has finally approved the report on the social security scheme, it is hoped that Zambians will be properly catered for in this regard. I do hope that the Conference Committee on Employment and Social Security will come up with concrete ideas in which some of the ILO member States which are still grappling with the problems associated with employment and social security will find useful guide-lines in formulating national policies on such issues.

I wish to congratulate the ILO for paying great attention to human rights. This is evidenced by the holding, under the auspices of the ILO, of a conference in Harare, Zimbabwe, early last month to deal specifically with the abominable system of apartheid and formulate a draft proposal for updating the 1981 International Labour Organisation Declaration on Action Against Apartheid. Apartheid is an insult to humanity. The system should be denounced as the greatest disgrace to civilisation. Apartheid is a clear example of flagrant violation of human rights which the International Labour Organisation and the entire international community are unanimous in condemning.

It has been observed lately that, in desperation, the apartheid regime in South Africa has become more oppressive than ever before. There is a state of emergency in that country and there are restrictions on trade union rights and suppression of all anti-apartheid groups. This is how the apartheid regime of South Africa unashamedly suppresses human rights. Trade union rights, freedom of the press, and freedom of the people's movements are violated through state legislative powers.

The apartheid regime in South Africa has also continued with impunity to destabilise the neighbouring independent States even to the extent of raiding and bombing and killing innocent citizens under the guise of pursuing freedom fighters. The regime is simply sick and it is our considered view that apartheid cannot be reformed. Apartheid *must* be eliminated altogether in order to bring about peace in our southern region of Africa. The elimination of apartheid is a common responsibility of the international community and we can individually and severally do so effectively by supporting the liberation movements in South Africa and Namibia. Yes, we can express our solidarity with the struggling masses of South Africa, but expression of solidarity and giving moral support to them is not enough; only concerted action by all of us, workers, employers and governments, can bring that evil system of apartheid to its knees. We have the opportunity at this Conference of making a comprehensive review of all aspects of action against apartheid. Let us, therefore, support the draft proposal on updating the 1981 International Labour Organisation Declaration on Action Against Apartheid.

The problems affecting the world today cannot be solved single-handedly by one country or a grouping of countries with a common interest or ideology. We live in a world of interdependence where small and big nations need each other more than ever before. Let us therefore work together in harmony and brotherhood for progress, social justice and fair play

in the world through the instruments available to us, such as the International Labour Organisation.

Mr. RAMAMURTHY (*Workers' delegate, India*) – On behalf of the Workers' group from the Indian Republic and on my own behalf, I congratulate the President on being vested with the onerous responsibility of presiding over the deliberations of this 75th Session of the International Labour Conference.

I also take this opportunity to compliment the Director-General of the ILO for the exhaustive and lucid presentation of his Report, covering a wide range of issues of very crucial importance, with the major thrust on human rights and the ILO. It was four decades ago that the United Nations General Assembly adopted the Universal Declaration of Human Rights, the preamble of which had underscored the imperative need for "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family" as "the foundation of freedom, justice and peace in the world". It was again in 1948 that the tripartite International Labour Organisation, whose Constitution, written nearly three decades before the UN Declaration, began with the recognition that "universal and lasting peace can be established only if it is based upon social justice", adopted the Freedom of Association and Protection of the Right to Organise Convention (No. 87). Twenty years later, this august Conference had gone into a reappraisal of the ILO's activities from the human rights angle on the occasion of the International Year for Human Rights. I therefore laud the Director-General's choice of human rights and international labour standards for occupying the prime position in his Report by very aptly pointing out that all ILO activities are related in one way or the other to human rights "because the achievement of human rights is an integral part of efforts to secure man's material well-being and spiritual development, and in this sense economic development cannot be separated from social development". There can, therefore, be no compromise on the issue of protecting and promoting human rights.

Our all-pervasive leader Mahatma Gandhi had said: "There are eternal principles which admit no compromise and one must be prepared to lay down one's own life in the practice of them". The objectives of the United Nations Declaration of Human Rights and ILO Convention No. 87 are eternal principles which give no room for any compromise. The trade union organisations in India, and particularly the one to which I owe my allegiance, the Indian National Trade Union Congress founded on the Gandhian tenets of trade unionism, will defend to the last the workers' freedom of association and their right to organise themselves.

I am making such an assertion as one representing the working class of a member State which does not deem it necessary to ratify the two ILO Conventions Nos 87 and 98 concerning the eternal principles referred to above. Ratifications of these two conventions would be of no significance when their prime objectives are enshrined in the very Constitution of the country. Freedom of association is a fundamental right guaranteed to Indian citizens under the country's Constitution and hence there has arisen no compunction in the failure to ratify the convention. Like-

wise, the objectives of Convention No. 98 of 1949 are in full play as amply reflected in the multiplicity system in the functioning of our democracy – the world's biggest – and in the multiple national and regional trade union centres operating as the frontal organisations of the political parties in the trade union fields.

As regards this, there are countries that have been with audacity trampling over human rights and dignity with utter disregard to its condemnation on a global scale. It is indeed an indelible blot on the entire civilised world that the racist White minority regime in South Africa is being allowed to pursue with its most despicable apartheid policy to deny to the majority of the population the basic human rights and freedom. It is all the more appalling that affluent member States of this tripartite Organisation, who are the votaries to these two covenants and who are unduly loud in their claims to be the crusaders for freedom and human rights, continue to maintain economic, trade and even military links with the racist regime in defiance of world opinion. These affluent nations have been consistent in their resistance to any move for the imposition of mandatory sanctions against the pernicious White minority regime, which has let loose a reign of unabashed violence on the indigenous South Africans, who constitute the vast majority. Leaders of freedom-loving South African people, like Mr. Nelson Mandela and others, have been mercilessly incarcerated by the barbaric racist regime, disregarding all moral and ethical norms. And yet, the affluent nations have no qualms to continue to thwart any attempt to get mandatory sanctions against the brutal South African regime adopted by the United Nations Security Council.

It is a historical fact that it was the twentieth-century apostle of truth and non-violence, Mahatma Gandhi, who was the first to raise his voice of protest against racial discrimination in South Africa. India has all along been consistent in playing a leading role in the fight against the most uncivilised apartheid policy. The barbaric South African regime is now trying to retaliate against the front-line nations in Africa. The non-aligned countries have instituted an AFRICA Fund to insulate the front-line countries from any retaliatory and aggressive actions by South Africa. India has contributed substantially to this fund and is one of the leading States in mobilising more funds also.

Regardless of their ratification or non-ratification, the principles and objectives of all the Conventions on basic rights and tripartism, referred to in the Director-General's Report, are in operation in the country that I am representing here today. There are national laws like the Trade Unions Act, the Industrial Disputes Act to govern industrial relations; the Industrial Employment (Standing Orders) Act, the Equal Remuneration Act, the Bonded Labour (Abolition) Act, the Child Labour (Prohibition and Regulation) Act, and so on. In fact, there is no dearth of legislation protecting the interests of the workers. Tripartism is being fully practised. Tripartite consultations precede the formulation of policies, planning and enactments. The problem, however, is in the effective implementation of the well-intentioned policies and enforcement of the laws due to an outmoded enforcement system and machinery. There is yet another problem to be coped with and that is the

collusion between the vested interests and a powerful section of the bureaucracy, which is, perhaps, a phenomenon to be reckoned with in any rapidly developing country after centuries of colonial subjugation and exploitation. I am also to concede that the trade union movement is too weak to combat these negative factors because of its fragmentation on party lines.

As the Director-General has rightly pointed out, interdependence of human rights is evident not only in measures and policies within nations but also in their effects beyond international boundaries.

The lofty dream of universal enjoyment of human rights can materialise only through a drastic reduction in the disparities between nations and within nations. There has to be a growing realisation of the mutuality of interests and interdependence between nations. It is the need to give concrete shape to this realisation that particular thrust is being given on ushering in a new international economic order so as to ensure a balanced development of the world as such.

Unfortunately, the world economy is passing through a crisis. Stagnation in economic growth has taken hold of many countries so as to cause a serious setback to economic and social progress. The negative impact of this crisis on the developing world is having its effect on the developed countries, who are facing uneven and slow growth with a marked increase in the unemployment level. Increasing adherence to protectionist and distortive measures and policies followed by the industrialised market economy countries is resulting in the collapse of commodity prices and the deterioration of terms of trade so as to deprive the developing countries of badly needed export earnings. Barriers are being set up in the path of developing countries' exports which impede the structural adjustment necessary for expansion of exports from the developing countries. The debt burden has forced many developing countries to sacrifice their development efforts. The result has been a disproportionate transfer of resources from the developing to the developed countries and no less a person than the President of the World Bank has voiced concern over this trend. Added to these are the attempts on the part of the trade union centres of some developed countries to get international trade and financial agreements linked to the strict observance of international labour standards on the plea of safeguarding against violation of freedom of association and other trade union rights. It is most disconcerting that all these are taking place at a time when global economic co-operation on the basis of equity, interdependence and shared responsibility are of prime importance.

I had earlier referred to the Director-General's observation that the achievement of human rights is an integral part of efforts to secure man's material well-being and spiritual development and in this sense economic development cannot be separated from social development. True to its Declaration of Philadelphia, the International Labour Organisation has started attaching greater importance to the world of work. During recent years, greater importance is being attached to technical co-operation programmes designed for the socio-economic advancement of the developing countries. It is heartening to note that the World Employment Programme accounts for nearly 36 per cent of the ILO's technical co-operation activ-

ities mainly in the fields of special public work programmes, manpower and employment planning, labour market information systems, appropriate technology, rural development, women workers, refugees and population. The *World Labour Reports*, brought out by the ILO in 1984, 1985 and 1987, have spotlighted the trends relating to real incomes, the employment situation, wages, industrial relations, social security, productivity and participative management. A large number of member nations feel that the ILO should lay added emphasis on poverty alleviation and promotion of rural workers' organisation in developing countries.

This aspect was very forcefully projected by our Prime Minister, Mr. Rajiv Gandhi, in his address to a special session of this Conference in 1985 by drawing attention to the vast millions spread over the countryside who worked as landless labour at very low income levels, as also to those who found no work or were grossly underemployed. What more could the ILO do to make these segments of labour a major force of its activities, he asked, and he hoped that the ILO would further enlarge the work it had initiated for the weak, the unemployed and the unorganised.

The subsequent session of the International Labour Conference saw the Director-General responding to our Prime Minister's appeal, while presenting his Report highlighting three basic issues – concern over the phenomenal twin problems of unemployment and poverty, new dimensions in labour relations including the organisation of unprotected workers and certain issues in the formal sector and trends and issues related to the future of social protection in both developed and developing countries.

It is gratifying that rural employment has been included in the agenda of this session, though for a general discussion. India has implemented six five-year plans for socio-economic development and is in the midst of implementing the seventh plan; as a consequence of which it has earned a fairly high position amongst the most industrialised nations in the world.

According to the seventh five-year plan document, 206.79 million of the total labour force of 269.81 million are rural. By 1990 the total labour population is expected to go up to 306 million with 228.61 million concentrated in the rural sector. Removal of poverty and unemployment are the crucial components of the strategy for growth with equity. These are the objectives of India's planned development. According to the quinquennial surveys of poverty by the National Sample Survey Organisation, 40.4 per cent of the rural population are still below the poverty line.

With the objective of alleviating rural poverty, the union government and the state governments had initiated a number of rural development programmes like the small farmers development programme, and so on. But according to a study of ARTEP, these well-meaning programmes have not been found fruitful since the benefits had not reached the targeted groups.

It is need to be conceded that there is presently a growing consciousness, and the Government has taken some significant steps, the latest being the appointment of a National Commission on Rural Labour, primarily to study in depth the causes and consequences of the present conditions of rural unor-

ganised labour and recommend a policy framework and an action plan for the future.

Yet another radical measure that the Government of India has very recently initiated is the promulgation of an ordinance against Benami Holdings in urban and rural areas. This measure, besides bringing absentee landlordism to an end and thus providing land to the actual tillers, will strengthen the implementation of the progressive land ceiling measures.

Kindly permit me to conclude my speech by quoting the resounding words of the nineteenth-century Indian monk, Swami Vivekananda, who gave an altogether revolutionary and socialist content to spiritual pursuit. He said as far back as 1900: "Let New India arise. Let her arise out of the peasant's cottage, grasping the plough; out of the huts of the fisherman, the cobbler, and the sweeper. Let her spring from the grocer's shop, from beside the oven of the fritter-seller. Let her emanate from the factory, from marts, and from markets. Let her emerge from groves and forests, from hills and mountains. These common people have suffered oppression for thousands of years – suffered it without murmur, and as a result have got wonderful fortitude. They have suffered eternal misery, which has given them unflinching vitality. Living on a handful of grain, they convulse the world; give them only half a piece of bread, and the whole world will not be big enough to contain their energy; they are endowed with the inexhaustible vitality of *Raktabija*. And, besides, they have got the wonderful strength that comes of a pure and moral life, which is not to be found anywhere else in the world. Such peacefulness, such contentment, such love, such power of silent and incessant work, and such manifestation of lion's strength in times of action – where else will you find these? You will hear the inaugural shout of Renaissance India, ringing with the voice of a million thunders and reverberating throughout the universe, "wah guru ki fateh" – victory to the Guru."

FIRST REPORT OF THE CREDENTIALS COMMITTEE: SUBMISSION AND NOTING

Interpretation from German: The PRESIDENT – Before we continue our discussion, I now like to call on Mr. Nakamura, Government delegate, Japan, Chairman of the Credentials Committee, to present the Committee's first report.

Mr. NAKAMURA (*Government delegate, Japan; Chairman of the Credentials Committee*) – I have the honour to present the first report of the Credentials Committee.

The report sets out the position with regard to the composition of the Conference as it was on 3 June 1988 when the Committee adopted this report. In the meantime, of course, a number of additional delegates and advisers have been accredited and registered, and these changes are being taken into consideration.

You may have noticed that in the annexed table of the English text of the first report in *Provisional Record* No. 9 there is a printing error. The heading of the table should read: "List of Registered Delegates and Advisers".

In the brief report of the Chairman of the Governing Body, the quorum was calculated on the basis of the number of delegates accredited on the eve of the Conference in keeping with established practice based on previous Conference decisions. The Credentials Committee fixes the quorum on the basis of the number of delegates who have actually registered at the Conference.

Since the signing of the first report, the number of member States present at the Conference has increased, bringing the total number of States present to 141 with the addition of the delegations of Sao Tome and Principe, Sierra Leone and Solomon Islands.

The report also sets out the position with regard to incomplete delegations and the results as regards the right to vote. The delegations of two countries were exclusively governmental. I am happy to say that one of the countries, namely Dominican Republic, has now nominated a tripartite delegation.

One country, Zaire, had not accredited an Employer's delegate, but it has since done so. At present one country, Sao Tome, has not appointed an Employers' delegate and another, Lesotho, has not appointed a Workers' delegate.

The position with respect to incomplete delegations is slightly better this year than it has been in the recent past. Nevertheless, the Committee cannot regard the accreditation of incomplete delegations, however few, as being satisfactory. The Committee reaffirms the necessity of governments complying with the requirements of article 3 of the Constitution that a complete tripartite delegation be sent to the Conference.

The Committee also noted that there is some imbalance between the numbers of advisers to the delegates of each group, and in particular between the number of Employers' and Workers' advisers. Once again, it urges governments, when nominating delegations, to have due regard for the proportion in the composition of the Conference as envisaged in paragraphs 1 and 2 of article 3 of the Constitution.

The Committee further repeats the request contained in the resolution concerning the strengthening of tripartism in the overall activities of the ILO, adopted by the Conference at its 56th Session in 1971, and expresses the hope that governments will accord equal treatment to each of the three groups when appointing advisers to their country's delegations to the International Labour Conference.

In this connection, the Committee attaches great importance to the obligation of member States under article 13, paragraph 2(a), of the Constitution to pay the travelling and subsistence expenses of their delegates and advisers, and it trusts that this obligation will be respected for the whole duration of the session of the Conference.

I should like to draw your attention to the information contained in paragraph 7 of the report concerning the number of women delegates and advisers accredited to the Conference, which has been included in the Committee's report again this year in order to take into account the resolution concerning the participation of women in ILO meetings, adopted by the Conference at its 67th Session in 1981.

The Committee wishes to stress that its work and that of the Conference would be greatly facilitated if the credentials reached the Office within the time-limit stipulated in article 26, paragraph 1, of the

Standing Orders and if all governments used the suggested form of credentials of delegates appended to the Memorandum communicated to the governments every year prior to the session of the Conference. It would be particularly helpful if governments would provide exact information on the employers' and workers' organisations consulted in nominating Employers' and Workers' delegates and advisers, as well as on the organisations which have agreed to such nominations.

Since this report was adopted unanimously by the Credentials Committee, the Conference is required only to take note of it.

Interpretation from German: The PRESIDENT – I invite the Conference to take note of the first report of the Credentials Committee.

(The report is noted.)

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL (*cont.*)

Interpretation from German: The PRESIDENT – We now resume the discussion of the reports of the Governing Body and of the Director-General.

Interpretation from Portuguese: Mr. PINTO CARDOSO (*Employers' delegate, Portugal*) – First of all, I should like to congratulate the President on his election to such a high position, and to wish him the greatest success in the conduct and exercise of his functions.

The Reports submitted by the Director-General to previous sessions of the International Labour Conference have always been devoted to subjects of the highest importance; this year, once again, I am very satisfied to see the topical nature and the remarkable interest of the subject chosen by the Report of the Director-General.

The Director-General is quite right when he declares that the application of human rights depends greatly on international co-operation and that the International Labour Organisation has a privileged position to promote and enforce these rights.

The importance of the implementation of such an objective by the ILO is all the more urgent, as no one can deny, and the Report itself points out, that although in certain countries, human dignity is given the highest value, in many other States, however, there are constant violations of the most basic human rights and in some cases these violations reach alarming proportions.

It is therefore imperative to relaunch, on the international level, a movement aimed at improving more and more each time everything which concerns the recognition and protection of human rights in all its aspects, that is civil, political, economic, social and cultural rights.

Moreover, international co-operation in this field has already demonstrated its effectiveness; as Mr. Blanchard pointed out there has been a significant increase in the number of ratifications of ILO Conventions, implemented after the International Year of Human Rights: it amounted to 3,338 ratifications at the beginning of 1968 compared to 5,311 on 1 January 1988. These figures are conclusive and do not require any explanation.

Portugal is without any doubt one of the member States of the ILO in which human rights have been applied with the greatest rigour and the greatest firmness. For example, the majority of ILO Conventions most directly concerning human rights have already been ratified by Portugal.

In fact, freedom of trade unions, the right to collective bargaining, the right to satisfactory working conditions, the right to equitable pay, the right to social security, the right to equal opportunity in employment, these are all questions which have been resolved in a very satisfactory and sometimes even an exemplary manner.

However, it is obvious that, in all countries, the different aspects of the rights to satisfactory working conditions, to social security, or to equitable pay for workers, depend to a large degree, inevitable, on the economic and financial growth of the country concerned.

In this regard, Portuguese employers have been very critical of successive governments in Portugal, including the current Government. Although the restructuring of the Portuguese economy must take into account tax and financial factors, it should also be the object of a thorough and rational revision of provisions regarding labour legislation.

The latest economic analyses of the OECD concerning Portugal during the years 1987-88 clearly shows the unfavourable impact of the rigidity of labour legislation on the productivity of enterprises.

In fact, the main principles of the Portuguese labour legislation have remained the same for the past 12 years or more, and were imposed at a time when revolutionary ideas of a Marxist type ignored all economic requirements and realities. Thus, the laws currently enforced are imposing extreme rigidity on realities which are in the midst of change or which have sometimes disappeared already.

For example, let us point out that in contrast to other countries in the European Community, in which labour legislation has become progressively more flexible over the past few years in order to face up to the obvious imperatives of competitiveness, and to reduce unemployment, Portugal has until now made little progress in this domain. Labour legislation is much too restrictive and there is a widening gap between Portugal and the other European community members in this regard.

However, following the electoral promises to adapt the Portuguese labour legislation to what is already applied in other member countries of the EEC, we should note that the current Government has recently submitted a draft to revise the legislation concerning the termination of labour contracts, fixed-term labour contracts and lay-offs.

This project, although it is insufficient, does, however, represent an evolution towards the hoped-for harmonisation of labour legislation in Portugal with that of its Community partners.

This draft legislation has, however, had a turbulent existence. Three versions have been drawn up, one after the other, in order to satisfy certain trade union claims, with the net result that the initial trend towards uniformity in the European Community has partly disappeared.

Finally, the Constitutional Tribunal has felt that the current version was unconstitutional. There is now some cause for concern as to what will actually happen, because the Portuguese Constitution still

contains a number of revolutionary anachronisms, outmoded politically and historically, but which are still officially in force in spite of everything and remain effective in a discriminatory and paralysing way.

On the other hand, the law concerning strikes still does not deal with the legal concept of a strike and this is why strikes are still used to defend interests which have nothing to do with the socio-professional interests of workers.

The abusive use of the right to strike, which has had serious repercussions on the economic situation in Portugal, and in particular for certain enterprises, can only lead to prosecutions under legislation covering unjustifiable absences.

But although the right to strike is accepted completely, the right to lock-out under any form continues to be forbidden, and can be punished by a prison sentence of up to two years, even in cases of defensive lock-outs or of types of temporary factory closure resulting from technical problems or in order to protect plant or equipment against possible damage.

We should also proceed to a revision of the legislation and a reduction of working hours.

Indeed, in today's world of constantly fluctuating economic realities, in which enterprises have to adjust and adapt to market requirements all the time, Portugal's legislation on the reduction of working hours dates back to 1971 and its obsolescence prevents enterprises from taking full advantage of their productive capacity.

Moreover, we should point out that in 1983 the only modification introduced regarding the law on overtime has in no way improved the law. On the contrary, it has increased rigidity and made it more difficult to use overtime, and this goes against market requirement and the needs of enterprises.

In summary, it is becoming increasingly urgent to revise Portuguese labour legislation, as this will open up the possibility of reducing the unemployment rate and encouraging investment, and to move more quickly towards the full application of human rights in our country.

Among these rights, the rights of equality of opportunity and of free enterprises cannot be denied to Portuguese employers, who at present work in unjust and unfavourable conditions compared with their competitors in the European Community and elsewhere.

We hope that the ILO will be able to contribute, as Mr. Blanchard said in his Report, to the extension of human rights as a common ideal for ILO member States.

Interpretation from Russian: Mr. BULGAK (Workers' delegate, Byelorussian SSR) – First of all, may I be associated with the congratulations in connection with the election of comrade Beyreuther to the lofty post of President of the present session of the International Labour Conference and wish him and his Vice-Presidents success in their work.

The Report of the Director-General, presented for our consideration, is an acceptable basis for discussion, above all because it makes an attempt analyse the state of affairs in this field. We note with satisfaction that the problem of human rights is being considered in the light of the 40th anniversary of the Universal Declaration of Human Rights, the provisions of the International Covenants on Human

Rights and other Conventions and Recommendations of the ILO.

The resolution adopted last year on the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), is relevant in the sense that the International Labour Organisation now urgently needs measures which would contribute to increasing the number of union members. The difficulties for trade unions of giving workers practical help in the face of the crises in the economy and legislative actions limiting the rights of trade unions are the basic reasons for the decrease in union membership in many countries.

It is also important to support the provisions of the Report of the Director-General where he represents the sphere of human rights as being interdependent with such social and economic problems as unemployment, poverty, foreign debt in the developing countries and other problems.

The Report of the Director-General concerning the activities of the ILO in 1987 emphasises the importance of the conclusions of the High-Level Meeting on Employment and Structural Adjustment. In considering employment problems, the resolutions on development, international debt and social problems adopted at the 72nd Session of the International Labour Conference in June 1986 are all, of course, important.

But it is clear from the Report, and also from the statements of a number of delegates, that contemporary realities in many countries of the world make it impossible to count on the elimination of massive unemployment, inflation, social and national differentiation in living standards and economic crisis before the end of the twentieth century.

Moreover, as the Report points out with some disappointment, "massive unemployment represents a tragic waste of [human] resources and a wasted opportunity for development and social progress" (English text p. 38).

In this connection, an important contribution by the ILO to the protection of workers' rights and needs could in our view, be such actions as the revision of the World Employment Programme, the formulation and adoption by the ILO of appropriate standards to work out and implement a national and international policy on limiting unemployment, increasing employment opportunities and guaranteeing the right to work.

The World Employment Programme must definitely be adopted primarily to the needs of the present time, when the conditions dictated by new technologies have become particularly relevant, when the problems of unemployment are so acute and when trade unions need a lot of assistance.

In speaking of what the ILO could do in order to achieve positive changes in the sphere of labour and union activity, we take the Constitution and functions of the ILO as our starting-point. That is why the main trends of ILO activities should include measures to increase employment levels and eliminate poverty and destitution, using for this purpose the resources released by disarmament and the reconversion of military production; the improvement of working conditions; the participation of workers and their unions in social and economic decision-making at all levels; assistance in increasing the role of the unions and international co-operation of unions of

every kind; and assistance in increasing the role of the unions and international co-operation of unions of every kind; and assistance in developing social security systems. Taken together, all these activities of the ILO should determine and complement its standard-setting activities, which are a most important aspect of its terms of reference.

It is worth pointing out that the ILO tripartite principle is expressed in a fully balanced way only if the trade unions are given a major role in the development of social and economic policy. ILO activity should also be tied more closely to the national plans of member States.

The Report rightly points out the link between human rights and the problems of the maintenance of peace and stability; but at the same time, we cannot disregard the fact that the problem of peace and the social and economic aspects of disarmament have not been given due attention in the Report, in spite of the fact that an appropriate resolution has been adopted within the framework of the ILO.

At the very beginning of next year, it will be 70 years since the establishment of the Byelorussian Soviet Socialist Republic. For us, this is an important landmark, from which we can clearly see the results and the lessons of the distance we have travelled, as well as the tasks facing us at the present highly important stage in the development of our society.

The policy of the restructuring and further democratisation of our life has opened up new prospects and presented new tasks to the workers of the Republic and our trade unions.

In taking an active part in the attainment of a strategic policy for the acceleration of the socioeconomic development of the country and the qualitative transformation of all aspects of life in Byelorussian society, the unions, which are the largest organisations in the country with a membership of over 5 million view the protection of the human rights and legitimate interests of the workers as the most important elements of their work.

Combining the modern achievements of scientific and technical progress with the planned economy, we are making full use of the possibilities of socialism. Our unions are participating extensively in the solution of questions dealing with the further development of the material and technical base, the profound reconstruction of the national economy on the basis of scientific and technical progress, and changes in structural and investment policy.

It goes without saying that the measures being carried out in our country will not bring sizeable returns straightaway. However, there are already genuine, practical results. In 1987, the national economy of the Republic, according to the basic indicators, greatly accelerated the pace of its development. The growth of industrial production was the highest for ten years. Qualitative changes are taking shape in the agrarian sector.

Intensive management methods require new approaches to the management of labour resources as well.

Formerly, the needs of the national economy in terms of labour requirements were met through the greatest possible enlistment of the able-bodied population in social production, whereas now the prime concern is to free and redistribute the workforce.

The entry into force of the law on enterprises, the adoption of total self-accounting and self-financing,

the intensification in the tempo of technical re-equipment and the growth in the productivity of labour are all increasing the scale of such liberation.

Clearly, many new questions arise connected with the solution of this problem, but the principal feature is that we are totally convinced that we have the necessary resources for resolving these questions. First of all, there will be an increase in the need for skilled workers in the service sector and other sectors of the social infrastructure.

Under these conditions, the trade unions of Byelorussia, together with the managerial and state organs, are implementing a whole range of organisational, social, economic and legal measures to improve the utilisation of labour resources, the establishment of a comprehensive placement service and the training and occupational training of the population. Our trade unions' central concern is for the people. The managers of enterprises, organisations and other establishments are, together with trade union committees, looking into all cases of staff reductions and the possibilities of their re-employment and retraining in new professions and occupations. Existing benefits and compensations in such cases are fully applied.

Much is also being done by our unions to implement comprehensive plans to improve working conditions, job protection and health care. We consider that the principal purpose of our efforts is to increase significantly the role of the trade unions as guarantors of maintaining workers' rights and talking full account of their personal and social interests.

Next year, the International Labour Organisation will be marking the 70th anniversary of its inception. In this connection we wish to express the hope that, together with the useful work which the Organisation carries out in working out international standards on social and labour questions, the ILO might provide decisive support to the just and difficult struggle of the workers against unemployment and for a reduction in working hours and safeguarding the interests of the workers and the rights of their organisations.

We trust that the ILO will play a greater role in the implementation of the adopted decisions to eliminate flagrant and massive violations of human rights in the Arab territories occupied by Israel, in southern Africa, in Chile and in other countries with dictatorial regimes.

On the whole, in our view, the International Labour Organisation could play a more active role in the process of implementing all the economic and social human rights and union freedoms and thereby add its substantial contribution to the solution of existing problems in the sphere of labour.

Interpretation from German: Mr. LINDNER (Employers' delegate, Federal Republic of Germany) – The first part of this year's Report from the Director-General centres on human rights and the ways and means by which the ILO might contribute to the protection and promotion of these rights.

I should like to comment on several aspects of the Report. However, first of all, I would like to thank the Director-General for the excellency of his work and congratulate him; it is balanced, objective and realistic. As I have already frequently criticised the Reports at this forum, I particularly wish to stress now my positive impression of this document.

My first comment is addressed to the remarks in the Report on the relationship between human rights and the economic background. They imply that economic difficulties have a direct impact on the capacity of individual countries to guarantee and promote human rights. I see some contradiction in this. On the one hand, we keep speaking of the indivisibility of civil, political, economic, social and cultural human rights and, on the other hand, we are told that unfavourable economic factors make it difficult for some countries to grant human rights. I cannot accept that, in particular, the guaranteeing of civil and political human rights could depend on the state of economic development, or indeed be an excuse for their violation. In my opinion, there are sufficient examples of countries with high per capita incomes, in which political, human rights, such as freedom of movement and freedom of expression, are flouted; and there are others, with poor economic backgrounds, which are exemplary in this respect. I agree with the statement of the Secretary-General of the United Nations quoted in the Report, to the effect that human rights violations do not occur in a vacuum but are the natural consequence of systems and consciously pursued policies. I greatly regret the discrepancy mentioned in the Report between the commitment of all States to respect human rights and the situation actually prevailing: on the one hand, the right of the inviolability of the individual and of freedom of movement are enshrined in the Universal Declaration of Human Rights and the Final Act of Helsinki; on the other hand, we have to face reality: barbed wire fences and a wall with watch-towers run through Germany and shots are still fired at those who seek freedom. These are realities, in spite of the fair words we hear or read.

Among the international organisations, it is the main task of the International Labour Organisation to contribute towards creating conditions to ensure full implementation of economic and social human rights. In so doing, the ILO and its member States must always remain aware of the fact that justice and better conditions of life and work must be founded on a healthy and sure economic basis. One can only distribute what has been produced; that, too, is a reality in our world. If we want to make a big cake and cut it into slices, we must have the corresponding ingredients. It is therefore necessary to create favourable conditions for the economy and for the enterprise or to improve them; in other words for those who can create well-being and lay the foundations for distribution. This requires a policy to promote growth without inflation, which is the best means to increase employment and cut unemployment.

In his Report, the Director-General mentions on two occasions the danger of a split in the active population. I share his concern; in my country, as well, we can witness two categories emerging in the active population. There are those who have a job, an annual increment and often reduced working hours; then there are the others who have no job and, on account of high and ever-rising labour costs, have fewer and fewer chances on the labour market, especially when they have little or no professional skills. We must find ways and means to stop this trend; and I appeal to the trade unions to recognise at last the close link between labour costs and employment.

In his chapter on the right to full, productive and freely chosen employment, the Director-General also refers to the aspirations of reform in the socialist countries. We are following with great attention and sympathy present developments in the political and economic fields in the Communist countries. Many of these countries are apparently coming to the conclusion that centrally planned economies are not effective economically and finding it increasingly difficult to face the problems of a modern, increasingly technological economy. Anyone who is not ideologically prejudiced is fully aware that an economy steered by a large number of civil servants and administrators produces at far greater expense than one that is steered by market prices. Furthermore, the socialist economies are, to a great extent, unflexible, slow and unwieldy in reacting to changes in economic trends, such as the advent of technology. Policy adjustments in such countries are always directly linked to the prestige of the State and its civil servants, because the respective Communist Party is responsible for policy and cannot, supposedly, make any mistakes. We must, of course, welcome any attempts to introduce market economy elements in the social economy, but I feel that they may only be of limited help; the cornerstones of a market economy – private property and the regulation of all markets through free prices and free investment decisions – are lacking. I am therefore doubtful about success, but it will be interesting to follow future developments.

A further sign that realities are being forced is that the socialist countries are speaking about inadequate productivity, unprofitable enterprises and unemployment in official statements. In the old days, only the Capitalists had unemployment. This new trend confirms our earlier suspicions that alongside official unemployment, there was at least as much invisible unemployment.

The Director-General, in his chapter on equal opportunity and treatment, speaks of the apartheid policy of South Africa. The German employers have always condemned this policy as a grave violation of human rights and demanded that it be dismantled. There can be no denying that this inhuman racist policy must be brought to an end as quickly as possible. However, the question remains: what measures can be taken to attain this goal and how will these measures affect the people who suffer under apartheid? I need not stress the fact that these must be peaceful measures. But peaceful measures must not have an adverse effect on those they are supposed to help. We are worried that the economic sanctions demanded on all sides, such as disinvestment, will not affect so much the White but the Black population of South Africa, because many jobs disappear; and these are precisely the modern, well-paid jobs in enterprises where apartheid was dismantled long ago and where the training and further training of Black workers represent an investment for the future. We therefore consider these measures inappropriate. Furthermore, the programme of action against apartheid that was recently supplemented at Harare requires employers' organisations to make sure that their members should have no trade, economic or financial relations with South Africa. We cannot subscribe to this because we are not competent to do so. We are similarly unable to influence investment decisions in enterprises who are among our members.

For this reason, we have reservations regarding this part of the action programme.

Mr. SUNMONU (*representative of the Organisation of African Trade Union Unity*) – Please permit me, on behalf of all African workers united under the umbrella of the Organisation of African Trade Union Unity, to congratulate the President and his colleagues on their election. We are confident that under his wise guidance, this historic 75th Session of the International Labour Conference will come to a successful end.

I also congratulate the Director-General, Mr. Francis Blanchard, for the high quality of his Report and the excellent work done by the International Labour Office, under his able leadership, since the last session of the Conference.

This session is taking place during the 40th anniversary of the Universal Declaration of Human Rights and that of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). We congratulate the ILO for its efforts in the protection of human rights, especially in the areas of freedom of association, the fight against forced labour and all forms of discrimination, and in equality of opportunity. In spite of these efforts, however, human rights are violated with impunity in many areas of the world.

It is astonishing to note that both human and trade union rights are more frequently violated in times of economic depression than in times of economic boom. When the economy goes bad, the workers become the whipping boys of governments and employers. It is then that we hear them say that workers are lazy and overpaid, that workers are the ones who should make all the sacrifices and accept wage and benefit cuts, retrenchment, leave without pay, wage freezes, etc. Benefits that are won through the front door of collective bargaining are lost through the back door of structural adjustment. The welfare of human beings has given way to greed and profits.

May I refer to the debt problem in the Third World, particularly in Africa, and the economic, social, political and environmental consequences of debt on the whole world? The magnitude of the problem is such that if it is not well handled, it may plunge the world into catastrophe. It is in consideration of the seriousness of the debt problem in Africa that the OATUU organised jointly with the World Federation of Trade Unions an "African Trade Union Conference on Africa's Debt and Debt-Servicing" in Addis Ababa from 8 to 10 December 1987.

Africa's debt as at the end of 1987 was US\$228 billion; US\$27 billion were spent in servicing this debt (according to International Monetary Fund estimates). Africa, like the rest of the indebted Third World countries, is now the exporter of capital to the industrialised countries. The structural adjustment programmes imposed by the International Monetary Fund and the World Bank on African countries on account of facilities they granted these countries to service their debts have led to massive retrenchment of workers, unemployment, massive capital flight, excessive and uneconomic devaluation of national currencies, deterioration of social services like education, health, housing, water supply, and to high crime rates, political instability, etc., leading a former African Head of State to refer to these IMF-

inspired structural adjustment programmes as "adjustment without human face".

The world-wide economic recession that we are witnessing today is a direct consequence of the Third World's debt. We consider as unjust, selfish and insensitive most of the solutions being suggested by governments and agencies of the creditor countries. We totally reject debt-equity swaps, on the ground that they will lead to economic slavery of the debtor countries.

We also reject the IMF and World Bank solutions on the grounds that they will perpetuate the submission of African economies and stifle their genuine development.

I would like to remind this august assembly of the African proverb that says, "If your neighbour has a cough and you don't help him to cure it, then his incessant coughing at night will disturb your sleep." It is, therefore, my considered opinion that some sort of Marshall Plan of the type devised for post-war Europe, that will not only lead to the cancellation of the Third World's debt, but also stimulate productive investments in them, remains the only solution to the problem.

I dwell at length on the debt problem because in its solution lies the key to most of the concerns of the ILO, such as development, employment, basic needs, etc.

One of the major topics of this Conference – rural employment promotion – is also an area that can guarantee employment, food self-sufficiency, industrialisation and faster development of most developing countries. In our view, the following suggestions should be considered to ensure its success: agrarian reform; mass literacy programmes that will include vocational, health and agricultural education; provision of infrastructure, like small- and medium-sized dams and irrigation systems, roads, water supplies, electricity, schools, health facilities; food preservation and processing; assisting the rural communities in the formation of different types of co-operatives.

Environmental protection is a potential area of massive job creation. Desertification and erosion can be controlled through the planting of trees, shrubs and grass. Pollution-control measures are another area of employment creation. I should be failing in my duty if I do not condemn the attempts of certain companies in the industrialised countries to dump toxic and atomic waste in developing countries by taking advantage of the poverty of these countries. These acts are criminal and inhuman and should be punished.

On behalf of the African workers, I congratulate the Governing Body, the Director-General, the Assistant Director-General for Africa and all the ILO officials and staff for the successful conclusions of the Harare Conference on Action against Apartheid. The proposed Declaration concerning Action against Apartheid in South Africa and Namibia, which the Harare Conference adopted, is the minimum that the three constituents of the ILO can do to bring apartheid to a speedy end.

Recent developments in South Africa, where the apartheid regime has been repressing democratic organisations and passing fascist trade union laws, should be condemned by all decent and freedom-loving people of the world. The arrogant aggression of the Pretoria regime against the front-line States and its illegal occupation of Namibia should also be

sanctioned. I therefore call for mandatory economic sanctions against the racist regime and the unconditional independence of Namibia this year. We also call for massive financial and economic assistance to the front-line States, the unconditional release of all political and trade union detainees and the financial and material support of the trade unions and liberation movements of South Africa and Namibia, for the early achievement of peace, freedom, majority rule and independence of South Africa and Namibia.

I fully agree with the Director-General who, speaking in his Report of the situation of workers of the occupied Arab territories, said that "it is universally agreed that the status quo cannot last". The Director-General is correct because any policy that is based on robbery, injustice, inhumanity and brutality cannot last. The killing, maiming and jailing of the Palestinian people by the Israeli authorities during the current uprising in the occupied Arab territories should be condemned by all decent people. I would like to assure out Palestinian brothers and sisters of the unflinching support of the African workers in their just struggle. The Organisation of African Trade Union Unity supports the convening of an international conference on the Middle East where all parties to the dispute, including the Palestinian Liberation Organisation, as the sole representative of the Palestinian people, will fully participate. There can be no peace in the Middle East until the Palestinians' rights to freedom, independence and homeland are granted. There can be no peace without social justice.

Interpretation from Russian: Mr. CHILO (*Employers' delegate, Ukrainian SSR*) – First of all I should like to associate myself with the congratulations on the election of the President to his responsible and lofty post and to wish success to the officers of the Conference.

The present session of the Conference is taking place in conditions of a definite warming in the international climate, favourable prerequisites for which were created by the first genuine achievements in the sphere of nuclear disarmament. They turned out to be a fruitful result of the constructive Soviet-American dialogue at the summit meeting as well as of persistent efforts on the part of the world community.

The further intensification and deepening of this process, the universal affirmation of the new political thinking in international affairs will assist in the strengthening of peace and security of peoples and the development of broad international co-operation, and this will also include the sphere of social and labour relations.

In our view, an important role in the achievement of these noble aims can and must be played within the framework of its own competence by the International Labour Organisation inasmuch as it is only in conditions of peace, disarmament and political stability that it is possible to have economic and social progress in countries, increase employment and improve working conditions and workers' welfare.

In this connection, we support the work started in the ILO to study the socio-economic consequences of disarmament. It is important that this activity by the Organisation should continue to expand as much as possible and be supported by all member States.

At present the entire national economy of the Ukrainian SSR is in the grip of a deep and large-scale restructuring. The special aims of the reform boil down to, first of all, to subordinating the whole of production to the achievement of socially significant results; second, to overcoming the situation of scarcity and directing management towards raising efficiency and quality, and turning the scientific and technical process into the principal factor of economic growth; and third, increasing the interest of workers in the results of their labour and providing scope for the development of initiative.

The most powerful driving force in accelerating the socio-economic and scientific and technical process is guaranteeing a person work and the position of being the real master of his own workplace, both in the collective and in society as a whole.

The most important feature of 1988 has been the entry into force on 1 January of the law on state enterprises (associations). The law radically alters the place of the enterprise (association) in the national economy, giving it an entirely new status in planning, material and technical provision, financing of credit relations and relations with ministries and local bodies, other enterprises and scientific organisations. The main feature is that enterprises are being given extensive rights, and their actual independence and responsibility is guaranteed on the basis of full economic accounting. The enterprise now works out and approves its own production and marketing plan. The guide-lines for it are the scheduled figures which are not of a mandatory nature – they rather serve as a particular form of "information" about social requirements and the criteria for their fulfilment.

The interests of society will be guaranteed through the allocation, under favourable conditions and on a competitive basis, of State orders which involve only a certain proportion of the production of the enterprise, the remainder being produced to orders placed directly by the consumer.

The law also provides for the extension of the limits of independence of workers' collectives. With the introduction of this law, in fact, a new ideology of economic management has been established, based on the principles of socialist democracy and self-management. The new conditions of management give workers' collectives the right to make their own decisions in the most important areas of economic activity and to monitor their implementation, to elect the managers on a competitive basis, starting with the brigade leaders and going right up to the director himself, in strict observance of unified management in administration.

Of great importance among the measures being taken to restructure the economic mechanism is intensification of the social aspects of management. In this area organising and providing a stimulus for work, employment and employment and providing a social and cultural service for workers are the questions that come to the fore.

As the director of a major production association, I should like to tell you how in the new conditions, some of these matters are being dealt with at one of the plants in the association – the Tochelektropribor plant in Kiev.

One of the important social problems calling for the speediest solution is that of housing. That is why the appropriate party and government directives re-

quire us to provide each Soviet family with its own individual apartment by the year 2000.

Guided by these directives, as well as by the housing needs of the workers in our plant, and using the new rights guaranteed by the law, we have, jointly with the trade union organisation and the Soviet of the labour collective, and in an appropriate manner, corrected the plan for the formation of expenditure for the social development of the plant for the five-year period 1986-90. That plan in its present form provides for a sharp increase from 1988 in resources earmarked for housing construction. Using those resources means that we will be able to solve the housing problem at our plant by the year 1990.

Our plan for spending resources of the plant social development fund also takes account of the need for developing the construction and upkeep of establishments of a social and cultural kind – kindergartens, schools, clubs, dispensaries and other establishments. It should be pointed out that today we have no shortage of places in kindergartens, dispensaries and rest homes.

With the accelerated tempo of scientific and technical progress, the introduction of new progressive technologies, the operation of the new economic mechanism, the scale on which workers are being freed and made available for other work has increased. Such people are offered work by being transferred to staff new enterprises and establishments, including the socio-cultural service for workers of our plant and of the association as a whole, and to organise multishift work and work on reconstructing production. Workers who have been transferred to other work and their families are guaranteed the necessary housing and social conditions.

Faced with the need to master a new profession, the workers, having concluded their appropriate labour agreement, can undergo further training by taking time off from work or while continuing with their work.

Those workers for whom we are not in a position to provide appropriate work are placed in jobs by local labour organs. Special attention is given to ensuring that the interests of this category of persons are not adversely affected.

In conclusion, I should like to say that like other directors of enterprises in the socialist countries, I am interested in the development of a constructive dialogue within the framework of the Employers' group as this would contribute to the strengthening in the ILO of mutually profitable co-operation in seeking solutions to social and labour problems.

Interpretation from Spanish: Mr. REYES (*Workers' delegate, Bolivia*) – First of all I should like to congratulate the President, Mr. Beyreuther, on his election, wishing him much success in the conduct of this important meeting. I should also like to address to the Vice-Presidents who work with him, my warmest congratulations on their election.

On behalf of the Bolivian Workers' Trade Union I would like to highlight the importance of this meeting's agenda. Each of the items before us deserves the greatest attention; but there are two main aspects that we particularly look forward to discussing in the respective committees. I am referring to the question of employment promotion and social security as well as the revision of the Indigenous and Tribal

Populations Convention, 1957 (No. 107). Furthermore, we would like to express our total support for the need to put an end to the policy of apartheid in South Africa.

The main theme of the Director-General's Report deserves to be highlighted. Human rights are everyone's responsibility. Let us not forget that we, the workers, are the main victims of the absence of these rights, including the lack of work and its serious social consequences.

For many years now our meetings in this forum take place in the context of a profound international economic crisis whose most serious repercussions affect the living and working conditions of people in the Third World.

It is not necessary to give extensive details regarding these implications. Various works of the ILO have highlighted the severe nature of these problems and the misleading way in which solutions to the crisis are portrayed, particularly regarding the questions of employment and wages. Unemployment is increasing in developed capitalist economies, but to a much lesser extent than in Latin American countries, where there are no social mechanisms to protect the unemployed. On the other hand, real wages have decreased significantly during this decade.

The ILO will soon celebrate its 70th anniversary. We can say that much progress has been made in the definition of standards concerning worker-employer relations. However, much remains to be done to achieve the aims of this institution. Need I remind you that many governments ignore existing standards or brush them aside in order to defend the interests of employers?

In this framework of non-compliance and omissions, many governments apply a set of policies designed to maintain the supremacy of the private financial sector over and above the need to solve the problems of full employment to protect the national interests of the Third World countries.

The ILO and its regional representation in Latin America (PREALC) have provided us with a host of studies whose conclusions we can only agree with. However, in many countries there are forces which oppose the implementation of the corresponding recommendations.

We also note with great concern that in many instances the ILO advocates approaches and policies which later are not taken into account by ILO advisers and consultants, who instead act according to the governments' requirements. A case in point is advice furnished to the Bolivian Government regarding social security and labour legislation, where ILO experts have acted without taking into account the interests of the workers.

Having discussed these questions, I would like to refer to some general topics, to deal later on with the main problems of the Bolivian worker movement.

I would particularly wish to mention the foreign debt problem, whose utmost importance is recognised by all who know anything about the international situation.

In this regard, I would like to make it quite clear that we, the Bolivian workers, do not have a simplistic appreciation of the problems. However, aware of all the problems which are linked to this question, we do not think that the solutions and approaches proposed by private banks, financial organisations and the governments of the creditor countries contribute

to solving the dilemma which exists between the interests of the international financial system and the requirements of the Third World countries.

In his recent visit to Bolivia, Pope John-Paul II pointed out that one of the sources of instability in the world today is the extreme weight of the foreign debt. The lack of equilibrium between the debt and the ability to repay it, and the difference between the amounts granted to the borrowers and the profits expected by the creditors are causing great harm to poor countries.

Faced with these obvious facts, it is necessary to recognise that this is a political problem which cannot be settled solely by financial negotiations between debtor governments and creditor banks with guarantees from the IMF. On the contrary, what is needed is a joint position of debtor countries faced with an unpayable debt.

I must remind you that over a decade ago the United Nations approved a Programme of Action for the Establishment of a New International Economic Order to remedy injustice in international trade, to put a halt to the protectionism of the developed capitalist countries, and to guarantee the sovereignty of poor countries over their natural resources. All these aspects were linked also to the struggle for peace and disarmament.

Except for the recent progress made in disarmament negotiations between the USSR and the United States, not much progress has been made in creating conditions of international security, and almost nothing has been achieved regarding the freeing of resources for the development and reorganisation of the world economy in favour of the Third World countries.

This is all the more alarming when we observe the situation which prevails in Latin America. Indeed, after a long cycle of dictatorship imposed by the North American imperialism and the local oligarchies, since the end of the last decade we have witnessed a re-emergence of democratic and constitutional guarantees in many countries that were previously oppressed by terrible military dictatorships.

Except in the case of Chile and Paraguay, with whose people's struggles to restore democracy the Bolivian worker movement has not ceased to express its militant solidarity, minimal democratic conditions have been restored in the other South American countries.

However, servicing the foreign debt and meeting the requirements of the IMF and the World Bank, which are now working together in the establishment of conditions which are unfavourable to our interests, imperil the continuing existence of democratic rights and conquests because the governments which inflexibly apply these formulas resort more and more to authoritarian and repressive means to impose them.

Indeed, can democracy prevail if unemployment is acute and if there is a systematic deterioration of real wages?

I cannot help mentioning in this context the two-fold effects which the financial manipulation and the policies of industrialised capitalist countries have on the Bolivian people. The major international financial speculation has, among other things, caused the fall of international tin prices, tin being the main export of our country.

The same thing occurred with the price of oil and petroleum products, which also are of interest to Bolivia.

All this brings us to the observation that the productive forces which are developing in the current framework of international economic relations and the policies applied by the governments subject to international constraints are not essentially aimed at solving the problems of the peoples, whose employment, health, nutrition and social security have seriously deteriorated throughout this decade.

I must say, on the other hand, that the re-emergence of democracy in Bolivia after more than a decade of repression of workers' rights, was attained thanks to the struggle of the people and their representative organisations. However, this brief flowering of democracy has not greatly improved the situation of the workers.

In the final part of my presentation I would like to refer to the serious conditions in which the Bolivian economy is developing, under a model called the New Economic Policy, whose essence is a most rigid social cruelty affecting particularly the workers, the farmers and the middle class.

Our problems are many and of great intensity, but the worst is unemployment. More than 20 per cent of the labour force is out of work, and therefore has no means of supporting their families. It is therefore not surprising that under these conditions there is a state of anguish, particularly among the young people, whose future is full of uncertainty; they have no prospects. The Government has made the situation worse by the laying off of over 20,000 state miners and oil workers. All under the name of "relocalisation". In turn, the private mining and manufacturing undertakings, basing themselves on Decree No 21060 which established "free contracting", have proceeded to lay off thousands of workers and continue to do so. I must say that in the past days the industrialists have announced the closing down of more factories.

As a consequence of the tremendous extension of poverty, there also has been a re-emergence of endemic diseases and an alarming expansion of malnutrition in children. All this seriously compromises the future of the next generation.

Malnutrition and poverty are twin brothers; even in this age of tremendous technological progress, they still afflict the peoples whose governments put the interests of financial speculators before the interests of the population.

In accordance with official studies, in 1975 four-fifths of the Bolivian population had an income which allowed it to acquire only 70 per cent of essential food and services, which means that thousands of Bolivian workers were already living in poverty.

If the situation was serious in 1975, it has now become even more acute due to the economic policy which has lowered the national minimum wage to a level of \$30, whereas the cost of living is similar to international prices. While in any case it is unacceptable that the crisis be solved at the cost of the wage earners, it is even more inhuman to reduce wages, as requested by the IMF, and as the present Government is doing, when wages are already under subsistence levels.

The recent national hunger strike in which 10,000 participated to demand a fair wage, and make other claims such as the defence of public education and health, is proof of the social anxiety caused by the

New Economic Policy. However, the Government has not shown any inclination to honour the requests of the workers.

The IMF and the World Bank are experimenting with this new policy in my country, in spite of the fact that it has failed in other countries. There is much talk of an "economic miracle" in Bolivia aimed at swaying public opinion. There isn't such a miracle. We are witnessing the worst social and economic crisis, and if the system has not crumbled yet, it is thanks to the millions of dollars which are earned from the illegal activities of drug-traffickers.

I am not going to go into specifics, but since 1985 my country is virtually occupied by advisory organisations which have usurped national sovereignty in the definition of economic and social policies and obstructed self-determination in all fields.

Whether under the pretext of combating the drug traffic or that of redeeming the private foreign debt in Bolivia, policies are imposed which are consistent only with dictatorial regimes.

It is obvious that in our country we have restored constitutional freedoms and guarantees. However, the Government has used different means to limit trade union activities and the legitimate mass movements in the country, as occurred in March in a strike of oil workers when the military intervened in the workplaces and oil worker leaders were illegally imprisoned. The COB brought a complaint before the ILO, but the Government's reply was completely unacceptable for the workers.

We must also mention that tens of thousands of civil servants are forbidden to organise, in flagrant violation of the Labour Relations (Public Service) Convention, 1978 (No. 151).

Finally, I am sure that our Government delegate will try to justify the situation before this Conference, or deny our claims. However, we are ready to give the necessary proof regarding each and every one of our claims.

Interpretation from Arabic: Mr. BEL HADJ AMMAR (*Employers' delegate, Tunisia*) – On my own behalf, and on behalf of Tunisian employers, I am pleased to congratulate the President on his election, and to express the hope that his efforts will be crowned with success.

I am also pleased to thank the Director-General for his judicious choice of the themes of the reports he has submitted to the Conference, especially that concerning the activities of the ILO, which highlights the scope and importance of the work carried out by our Organisation, and the difficulties it has encountered in working towards its objectives.

I would also take this opportunity to pay homage to the Bureau for Employer's Activities, and to thank it for the assistance it unfailingly provides to employers' organisations with a view to promoting the participation of small and medium-sized enterprises, which represent the most effective means for creating jobs, promoting development and improving the conditions of life.

I am especially proud to speak before the Conference inasmuch as Tunisia entered a new era on 7 November last, under the Presidency of Mr. Zein El-Abébine Ben Ali, who oversaw the transition at the Head of State, fully respecting constitutional provisions. This transition has reinforced the rule of law

and strengthened our democratic institutions, which are based on the people's sovereignty, and on the recognition of political pluralism and the right of national organisations to manage their own affairs and reinforce their structures.

A new Act was promulgated in the first few weeks of the new regime, concerning preventive detention and the strengthening of individual freedoms. That was the first of a number of decisions bolstering the political and civil rights of citizens; moreover, amnesty was granted to several thousands of persons, and measures were adopted to suppress special courts and other institutions which posed a threat to the rights and freedoms of Tunisian citizens.

The new regime immediately turned its attention to social and economic problems; within the first few days it approved across-the-board tax reductions with a view to alleviating the economic crisis in which enterprises found themselves and the negative consequences of the crisis on employment. Several measures were taken to facilitate the activities of employers, and to reassure investors from friendly countries, in order that we might give concrete expression to our major national objectives, especially in the areas of employment, export and international co-operation.

The new regime has approved assistance to lower income groups and increased the guaranteed minimum wage in industry and agriculture with a view to maintaining the purchasing power of citizens. For these reasons we are optimistic that the new regime will enhance our country's stability, progress and development.

Industrial progress and the use of modern technology in all Tunisian sectors have contributed to an increase in occupational accidents and diseases; this situation called for the formulation of new legislation aimed at improving conditions of work and hygiene at the workplace. Measures taken in this connection have helped to improve relations between workers and employers.

We have assigned a high priority to safety in construction; this sector accounts for a large proportion of the trade union movement, and its workers are exposed to a variety of risks, owing to the conditions and nature of their work. The construction sector, moreover, is considered as one of the most important sectors; it employs a labour force which is generally ill-informed as to the risks arising from the failure to use suitable protective equipment.

The Tunisian Employers' Organisation has always complied with national regulations and laws, as well as international recommendations, concerning safety in construction. The principle activities undertaken by our organisation in this area include its participation in the implementation of instruments and legislation concerning occupational safety and health, the publicity given to new safety and health legislation, and efforts to ensure the compliance of employers with these regulations. Moreover, the Federation of Industry and Commerce participates actively in the revision and amendment of this legislation, since it considers that occupational safety is the responsibility of all parties concerned, and that an integrated approach must be taken in the face of these risks.

The Government of Tunisia has paid particular attention also to agriculture and employment in rural areas. The policy we are now pursuing seeks to create adequate conditions to encourage ongoing

economic growth in the rural sector with a view to economic and social transformations.

The priority accorded to agriculture in the Seven-Year Plan has begun to take shape in a series of measures seeking to improve the general environment and also to give more flexibility to regulations governing production and to strengthen and increase productivity so that all expectations may be met in this sphere.

Special concessions have been made to encourage investment aimed at self-sufficiency in food production, at improved agricultural techniques, at the employment of more of the poorest people, and at the employment of young technicians in agriculture. The Government has therefore given particular attention to agriculture and to permit our agriculture to become self-sufficient.

I would like to conclude by expressing the hope that the ILO should make further efforts in all areas of its competence in order to promote human rights, to help share the fruits of economic growth and to reduce disparities among the member States. No global strategy, be it international or regional, could succeed if there are still oppressed peoples, such as the Palestinian people and some peoples of Africa, living under the oppression of Zionism or racial discrimination.

The present session is taking place at the same time as the heroic rising in the occupied Palestine territories, which has met with Israeli repression, which defies moral values and international law and Conventions.

This terrible repression can only increase tension in the Palestinian occupied territories. We appeal to all freedom-loving forces in the world to denounce and condemn these criminal acts.

(Mr. Adiko takes the Chair.)

Interpretation from French: Mr. FREY (*representative of the International Confederation of Executive Staff*) – On behalf of the member Organisations of the International Confederation of Executive Staff (CIC) and on my own behalf, I have great pleasure in congratulating the President and the Officers of the Conference upon their brilliant election. Their exceptional competence and great experience auger well for the success of this 75th Session of the International Labour Conference.

May I be allowed to recall for the benefit of the new participants at this present session of the Conference that the CIC groups together the national confederations of executive staffs of the principal countries of Europe as well as the international federations of executive staffs of the major economic sectors of these countries: metallurgy, mines, chemistry, transport.

After having read the Reports of Mr. Francis Blanchard, the members of the Office of the CIC and myself, would like to congratulate the Director-General of the ILO and his colleagues on the quality of their analysis and profound thoughts concerning *Human rights – A common responsibility* and the activities of the ILO during 1987.

The problem of employment and especially its negative image, unemployment, cannot fail to be of serious concern to any responsible person.

Urgent action must indeed be taken for the men, women and whole families who are without work and

therefore without resources, without social coverage and frequently without anywhere to live. They are hundreds of millions in Africa, Asia and Latin America making up the “Fourth World”, to whom we must add, unfortunately, the “new poor” of the industrialised countries. In the space of a few years, unemployment has turned them into the forgotten ones of the system; they are no longer able to fulfil their basic human destiny because they are deprived of the most elementary of necessities. Only remunerated activity will restore their dignity as human beings to them.

There is a way that might lead to success. It is based upon the search for a balance, admittedly fragile, between supply and demand in goods and services.

Demand can be stimulated by just remuneration of the workers, accompanied by tax relief. The profits achieved through such a policy can be invested totally in consumption, which must be avoided, or constitute, at least in part, savings if suitable taxation laws encourage this.

Savings thus generated would be poured into the production process, thereby facilitating its modernisation and international competitiveness. Enterprises could then meet their domestic demand and open themselves up to export. If a balance is struck between income tax and investment incentives, it should be possible to find high growth without which there is unfortunately no remedy to the sorry problem of unemployment.

The implementation of an “agreed economy” between the social partners might contribute to the success of such a policy. By establishing through dialogue the bases for the just sharing of the fruits of production, a way would be found to ensure a solvent demand and motivate all wage earners, who constitute the prime movers of the enterprise. This is one of the aspects of participation which is in conformity with the socio-economic doctrine of the International Confederation of Executive Staffs.

Employment promotion and unemployment compensation can, of course, be realised to a certain extent through social security; but in many countries, this entity appears to have reached the limit of its possibilities. The seriousness of the situation leads us to hope that at the end of the work of the 75th Session of the Conference, it might be possible to adopt the proposed Conventions and Recommendations concerning employment promotion and social security.

Now is not the moment, given the great needs of the world, to decide whether full employment should be an essential goal; we should rather determine the ways of achieving this. Indeed, we must do everything in our power to put an end to this enormous wastage of resources and of unfulfilled social progress, as has been so clearly pointed out by the Director-General, Mr. Francis Blanchard.

It is this situation which has led the ILO to convene the High-Level Meeting on Employment and Structural Adjustment held in November 1987 in Geneva.

This action is greatly welcomed by our Confederation which sees in it a possibility of dialogue between high-level economic and political decision-makers.

At the meeting, it was pointed out that adjustment policies cannot be dissociated from their social reper-

cussions. Employment promotion, as we have already stressed, depends upon sufficient, stable and non-inflationary growth. Certain measures should also not be tackled indiscriminately: for instance, the reduction of working time and the lowering of the retirement age have not reduced unemployment but have turned out to be costly and have incurred wastages in regard to competence and experience.

Training appears to be an excellent means of ensuring protection of employment, recycling and mobility. It must be regarded as a genuine service which maintains the knowledge and competence of each worker. As such it should be incorporated in working time.

We must train today to ensure work for tomorrow; this is the point. But here again, we must train "in a useful way", in other words to meet the demands of enterprises through clearly defined specialisations.

It should not be forgotten that in a period of unemployment, certain jobs remain unfilled because of a lack of qualified and trained candidates; this is the case of plastics technicians, robot experts, biotechnicians, construction work specialists and those working in public works.

Emphasis should also be placed upon the need to train trainers; this is a field where preretirement or retirement personnel could make a useful contribution.

Before concluding my statement on the difficult problem of world-wide unemployment, we wish to pay tribute to the ILO technical co-operation in Africa during 1986-87: \$55 million, representing an increase of 23 per cent compared with the previous year, have been devoted to the rural population, to women and to the refugees. This assistance was essentially directed at training, employment and development.

Finally, when two-thirds of the world's population are suffering from famine, under-nourishment, or malnutrition, it is not possible to accept the concept of food surpluses. There are urgent needs to be met. The new project for a Marshall Plan in favour of the Third World launched by François Guillaume, ex-Minister of Agriculture of France, should be taken up in its entirety to establish a just economic order.

There is another fortunate development we should point out: the ratification by the USSR of an agreement involving the establishment of a common stabilisation fund for commodities, to which some 90 countries have already given their support. This will make it possible to afford a better management of approximately 18 easily stored commodities. For many developing countries, this will represent a means of sustaining their economies.

Still in connection with the activities of the ILO in 1987, we wish to emphasise the co-operation of the ILO in the programme of the International Year of Shelter for the Homeless. By promoting programmes for the improvement of the housing of the poorest and the most destitute, the ILO is at the same time developing employment in the building sector.

Turning to conditions at the workplace, the CIC considers it a praiseworthy decision to place on the agenda of the 76th Session of 1989 of the Conference, the item entitled "Safety in the use of chemical substances at work" as well as the question of night work, including that of women.

Within the context of the International Programme for the Improvement of Working Conditions

and Environment (PIACT), we have noted the existence of a new bulletin entitled *Safety and health at work* which supplies extensive information on safety at work in relation to chemical substances, carcinogenic products, smoking, stress and AIDS.

We consider it appropriate to reaffirm our fundamental attachment to the right to social security for all and the universality of its protection based upon the principle of solidarity.

Solidarity must of course be exercised between people from different professional sectors, wage earners and liberal professions, young and old alike. However, if in regard to old-age pensions you wish to avoid conflict between one generation and another, it is desirable nevertheless to rethink measures which would lead to shortening people's working life unduly.

Also, the CIC supports the concept of a guaranteed minimum wage for all by the year 2000. Such a practice would also provide for unemployed people who had reached the end of their qualifying period for benefits and other people who are excluded from full medical protection, which should not be refused to any human being. Poverty as such is already a heavy burden, let us not add to this the weight of physical suffering.

As regards the developing countries the concept of national solidarity may seem illusory in the context of their extreme poverty. International solidarity should be brought into action, to give financial help to social security schemes by reducing such things as certain armaments budgets.

The CIC is concerned about labour mobility and supports the principle of an international system for the preservation of rights in regard to social security as provided for in the Equality of Treatment (Social Security) Convention, 1962 (No. 118), and the Maintenance of Social Security Rights Convention, 1982 (No. 157), and Recommendation No. 167.

Forty years after their adoption by the General Assembly of the United Nations the Universal Declaration of Human Rights and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), are as ever a tribute to their authors. The gaps which remain in their application are proof of the paramount obligation for the ILO to intensify its effort of persuasion and to continue its mission of supervision in order to promote equality of opportunity between human beings and ensure their material and spiritual welfare. It is on this basis that it will be possible to achieve peace with authentic human development.

Interpretation from Portuguese: Mr. SEQUEIRA (Workers' delegate, Portugal) – As a delegate of the Portuguese workers, I would like to congratulate the President on his election to preside over our work, and to express the hope that this Conference, at the end of its labours, will approve results that will make a positive contribution to the improvement of the conditions of work and life of the workers in all the member States of the ILO in the context of economic and social development.

I would also like to congratulate the Director-General of the ILO for the important contribution he has made through his Report, which enables us to examine in depth the remarkably interesting topics we are considering in this Conference.

As a representative of the Portuguese workers, I welcome the fact that this Conference is concerned with the problem of human rights in its myriad facets. Just as the participation of workers without freedom of association or the existence of trade unions in a context of political intervention and the absence of freedom of expression have no meaning because they are powerless, political freedoms are fictional when they are not accompanied by guarantees of social protection and access to the economic means necessary for a dignified existence and life.

Forty years have passed since the Universal Declaration of Human Rights was proclaimed, and the time has come to make an assessment that will enable us to determine the direction that should be taken by the activities of the ILO, of the governments and the trade unions in order to achieve the effective and generalised application of the lofty principles embodied in the Declaration.

The problem of human rights in the area of intervention of the ILO is assuming increasing importance because the most basic rights of the workers and freedom of association are violated daily in many areas of the globe.

As a result of these violations, millions of men and women are cruelly exploited and are subject to deplorable working and living conditions. In this way artificial competitive advantages are created which the violators of human rights and the transnationals take advantage of. This type of competition is invoked to justify attacks on the rights of workers in other countries. It has also given rise to the neo-liberal and dehumanising ideas that are being put forward today, in contravention of the most basic values of solidarity and social justice.

In this context the expression of the ILO's belief that "universal and lasting peace can be established only if it is based upon social justice" is increasingly valid today.

This statement is expanded upon in the Universal Declaration of Human Rights, which proclaims that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world".

We are living at a time of radical economic, technological and structural changes accompanied by a crisis that has painful social consequences for workers and particularly for the weakest and most defenceless members of the human family. As if men and women were things, as if human society could exist in stability and freedom without social cohesion, what is now being advocated is uncontrolled deregulation and the abolition of the welfare state, even where this is still in its infancy. It is not surprising that, as the Report of the Director-General points out, the rate of ratification of Conventions has slowed down in the past few years.

This overall picture shows how necessary it is to increase the effectiveness of the activities of the ILO so that social regression is no longer possible, so that the general public and governments can be brought to understand that social progress must be regarded as a condition for and not merely as a possible consequence of economic progress.

Portuguese workers, too, are faced with plans based on these concepts, which sanctify the market and threaten the right to work and the dignity of the workers. On 28 March 1988, the Portuguese workers

held a general strike against a plan to liberalise dismissals which would represent a serious social reversal if it were to come into force because, in addition, it violates the Constitution of the Portuguese Republic.

The strike of 28 March was the greatest ever held in our country. It was a signal that should be clearly interpreted because it will be propitious for the renewal of tripartite dialogue and the discovery of consensus solutions which, while serving the interests of the enterprises, will not violate the legitimate rights of workers.

The unsuitability of this plan to Portuguese conditions is all the more obvious in that the workings of labour justice are extremely slow and access to justice is impeded by the increase in legal costs and the inefficiency of labour inspection, that a high rate of unemployment still exists which is underestimated by official statistics, and that there is a high proportion of long-term unemployment has been accentuated by fixed-term contracts which apply to 19 per cent of the wage earners, and by the increase in temporary work. The Government is preparing to facilitate the establishment of private employment agencies on a profit basis. The unemployment benefits are inadequate, and only one out of every five unemployed persons receives them. The social security and health systems are also inadequate and the State has reduced its contributions to the health budget, strangling it financially. Despite the fact that wages have increased in the last three years, income distribution is extremely unbalanced to the detriment of the workers, and the tax system penalises the workers immorally. There are serious shortages as regards housing, transport and other parts of the social infrastructure.

The crisis is not fatal; it is not unavoidable; it can be overcome without causing social regression. An effort must unquestionably be made to bring about sustained growth so as to enable us to create better jobs and to ensure that everyone has access to a real improvement in the quality of life and level of living. The enforcement of the principle of equality of opportunity must be assured, and gradual but steady progress must be made towards the goal of full employment.

The fight against inflation must not be pursued blindly as the top priority, but endeavours must be made to reach the objectives of full employment, shorter working hours and an improved quality of life and level of living through the realisation of rights, adequate wages and equitable income distribution.

It is incumbent on us to affirm that solidarity must not be an empty word, whether within a country, among different countries, between North and South, or between the richest and the poorest and most deprived.

In our country, in the last few years, it has become obvious that, as long as dialogue and consultation are respected and complied with, a consensus can be generated that promotes transformation and social and economic progress.

This is an observation which encourages us to view the future with a measure of optimism. It is also apparent from this that conflict must be met by dialogue and negotiation. Self-interest must be countered by solidarity; intolerance and the violation of human rights denounced, and the primacy of the

human person and his dignity affirmed. This presupposes respect for the defence of freedom and the promotion of economic and social democracy.

In the turbulent world in which free men are forced to coexist with the negation of freedoms and democracy, where warlike confrontations continue to break out, the situation of the apartheid regime in force in southern Africa is particularly serious.

My trade union organisation has been visited by representatives both from the trade union movement and from movements representative of the South African people to whom it has unequivocally demonstrated its solidarity in the struggle which they are waging to put an end to apartheid.

It is increasingly clear to us therefore that we can legitimately call upon the international community to bring effective pressure to bear on the apartheid regime in order to liberate the people it is oppressing, to demand the immediate and unconditional release of all political prisoners in South Africa and to put an end to South African military incursions in Mozambique and Angola.

I am sure that important contributions will be made by this 75th Session of the Conference of the International Labour Organisation to peace, economic development, social progress and the achievement of justice.

Mr. LOFBLAD (*representative of the International Federation of Building and Woodworkers*) – First of all let me associate myself with all previous speakers who have congratulated the President upon his unanimous election to his lofty post at this Conference. He certainly has all the qualifications for leading this Conference. I would also like to thank him for giving me the opportunity to speak to the Conference. I shall try to be brief.

First of all, I wish to congratulate the Director-General for his excellent Report. We are used to having excellent Reports from the Director-General, and this year's Report is no exception. It is produced in the good traditions of the Director-General, the International Labour Office and the International Labour Organisation. The Director-General's Report is always a very important document for the workers of the world and it gives us both advice and information about the past and experiences from the difficult work of the ILO.

Part I of the Director-General's Report is devoted to the question of human rights. I want to stress the importance of this part of the Report. Unfortunately, human rights, as they have been spelled out in the Declarations from the United Nations and in the Conventions of the ILO, are not respected as they should be in the world. In reality, a lot of people, workers, politicians, even employers are deprived of their right to speak freely and give their opinion about their situation. They are also deprived of the right freely to create organisations in order to represent them. A lot has been said over the years about this problem. I think, however, it has to be said over and over again. We must be grateful that we have an organisation in the world like the ILO, in which it is possible for us all to speak our mind, to declare the opinion of the people we represent and ask for the right for all people to do so on every occasion. We also have reason to be grateful that this Organisation tirelessly works to safeguard this right and to get the relevant Conventions more and more respected in

the world. Unfortunately, there may be a long way to go before all people are free to live in peace and freedom enjoying full human rights. But the goal has been set and the struggle must continue, and we have to look to the future with the hope that with our determination and struggle we shall be able to change the world, to improve it, to make it a better and freer place to live for all people.

On behalf of my organisation, the International Federation of Building and Woodworkers, I want to thank the ILO for what it is doing, not only in the field of human rights, but also in the field of industrial problems like safety and health, vocational training and other problems or questions related to the situation of the working people. If we look back over the years, there have been setbacks, but there has also been progress, and we shall not forget this. We ought not to be too discouraged because from the base that we now have, it is quite possible to continue with vigour and hope for the future.

I would also like to take this opportunity to thank the ILO for the attention it is paying to the problems relating to construction workers. For four years now, questions relating to the construction workers have been placed on the agenda of the International Labour Conference. In 1985 and 1986, we had on the agenda the question of safety in the handling of asbestos and at the 1986 Conference we were able to reach agreement about a Convention concerning that serious health problem. During 1987, the subject of safety and health in construction was included in the agenda of the International Labour Conference, for the first time, and we are now following it up for the second time. Let me say, on behalf of the organisation that I represent, and on behalf of all building workers and their unions in the world, that we hope that it will be possible to reach an agreement about a revised Convention on this particular problem. As we know, the previous Convention has been in effect for no less than 50 years and there is certainly a need for it to be revised. And we are working very hard on it. I also express the hope that the new Convention will not be too general or diluted. We really need some specific regulations regarding safety and health in construction, because construction workers are exposed to a great many health and safety problems which I need not list here. But to be a construction worker means that you have to agree to be exposed to hard physical work and quite numerous medical problems, such as handling dangerous materials and also difficult working conditions; and there are many health hazards involved. None of these problems can be avoided because of the nature of the work of erecting a building, or maybe even more when taking down a building. Building work will continue to be a hazardous occupation and we all have to keep this in mind; therefore, it is even more important that from the outset we are aware of this and that we do all we can in order to prevent accidents and restrict health hazards to the minimum.

It ought to be stressed that health and safety in any occupation is a tripartite responsibility, and health and safety should always be dealt with in good faith by all the parties involved. Not only are accidents and bad health conditions as such costly to the workers who are unhappy enough to be the victims of such circumstances, but it is also costly for an employer to have accidents at a building site. It is costly to have workers who get sick or die because they have been

exposed to dangerous substances, materials and conditions. It must be in the interest of all three parties – governments, employers and workers – to follow the directives of an ILO Convention and the regulations that are in force in any given country. Sloppy health and hazard control, if analysed, proves to be a very costly affair for everybody. It is a challenge to all of us to work for a safer workplace and to respect stricter regulations about health and safety in construction and on all workplaces.

As a representative of these workers, I wish to take this opportunity to say that we accept and stress that it is also the responsibility of the worker to co-operate in this field, and to find ways and means of avoiding accidents and minimising health hazards. The worker himself is a very important element in this task, because he is closest to the place of hazard and, therefore, he can do a lot himself, especially if he or she is a skilled worker, and I think it is very important in order to avoid accidents if he is aware of the risks, tries to avoid them and to respect regulations. A careless worker is a risk not only to himself but also to his colleagues at the workplace. By setting a good example, the worker himself can be very helpful in convincing the employers about the necessity of a good health and safety programme. I am quite sure that it is not only the Convention that we hope will come out of this session about health and safety in construction that will be useful. I think that the exchange of views that has taken place in the Committee between governments, employers and workers has also been very useful, because the participants will go home remembering what has been said by friends from other countries, by opponents, and so on. The workers will remember what the employers said and the employers will remember what the workers said. And I think this activity of the ILO is more useful in the long run than we often appreciate. If we did not have this machinery, it might be very difficult for us to make any progress at the world level. Where new technology is applied under very different social and economic conditions, it is particularly important that we get directive, advice and co-operation to solve the problems.

Since I have the floor, I also take this opportunity to condemn the shameful apartheid regime in the Republic of South Africa, and I want to stress the importance of the ILO's having a special session on South Africa every year, because, in the name of humanity, I feel it is necessary that we keep on pushing this question even if it does not seem to lead to success as readily as we wish, until the system of apartheid is finally gone.

I thank the ILO for the efforts being made in this particular area. At the same time, I should like to thank the ILO for what it is doing in the field of technical and other assistance to the people in the poor countries in the world. I should like to remind the countries of the industrialised part of the world about their responsibility in the field of assistance to the countries that are on the road to development, to continue and increase this assistance. It has certainly become overdue for us to make a more determined effort in order to solve the problem of poverty in the world. Last year was declared by the United Nations as the International Year of Shelter for the Homeless. I should like to take this opportunity to stress that this was not a one-year programme. We then only made a manifestation that we will continue with

this programme. We shall continue over the decades to come to work for the improvement of the situation of the poor. If we only spent a part of what we spend on armaments, we would be able to solve the problem of poverty in the world. It is a disgrace that we do not really try to change the world situation and produce fewer weapons, and instead produce more housing, more schools, better food, better health care for all people. A real democracy, a real freedom, will never come to people if they are deprived of a decent life. It is impossible for people to understand the value of the word "democracy" if they are starving, if they have no schooling, if they are dying of hunger.

I thank the ILO and the Director-General, Mr. Blanchard, personally, for the extremely good co-operation that is given to international trade secretariats like ours. We congratulate the ILO on this year's session and we wish you every success in your future work for a better, peaceful, world.

Mr. BHAGIRUTTY (*Workers' delegate, Mauritius*) – I wish to extend my warmest congratulations and those of the Mauritius Labour Congress to Mr. Beyreuther on his election as President of the 75th Session of the International Labour Conference. I am sure that his long experience in labour matters will enable him to discharge his responsibilities smoothly, and to the satisfaction of all delegates present.

I would like to congratulate the Director-General of the ILO for the presentation of his comprehensive Report: Part I of which deals with human rights and the ILO, a subject of special significance in 1988 – 40 years after the adoption of the Freedom of Association and the Protection of the Right to Organise Convention, 1948 (No. 87) and the adoption of the Universal Declaration of Human Rights by the United Nations General Assembly; Part II contains an account of the activities of the Organisation during last year.

The 40th anniversary of the adoption of the Universal Declaration and of one of the ILO's key human rights Conventions – is a golden opportunity for the Conference to take stock of the action taken by the ILO and its member States to promote and protect the enforcement of human rights.

It is very sad to note that in many countries, basic human rights are denied to workers. Many trade unionists have been assassinated and others put in jail because of their trade union activities. Many countries have not ratified Convention No. 87 which, together with the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), constitute the basic instruments concerning freedom of association adopted by the International Labour Conference. My country, Mauritius, has only ratified Convention No. 87. We consider that the Government has a moral obligation towards the ILO and that it should therefore ratify this important basic Convention.

We, in Mauritius, are celebrating this year the 50th anniversary of the trade union movement and the establishment of the Labour Department. We were fortunate to receive in Mauritius in this anniversary year the visit of two eminent personalities from the ILO: Mr. Cesar Poloni, chief of the ILO Workers' Education Branch in January; and Mr. Bertil Bolin, Deputy Director-General of the ILO

last month. During his stay in Mauritius, Mr. Poloni visited the MLC Workers' Education Centre. On that occasion, he expressed the wish of seeing the emergence of a strong and united trade union movement. His wish served as a source of inspiration to the leaders of the Mauritius Labour Congress to succeed in consolidating the movement. I am glad to inform you that two important trade unions in the public service, namely the Government Servants' Association and the Government Teachers' Union, representing 60 per cent of organised labour force in the civil service, affiliated to the Mauritius Labour Congress recently. Hence my organisation is the largest trade union federation in Mauritius, representing nearly 50 per cent of the organised labour force covering all sectors of the economy.

Since the establishment of the Labour Department 50 years ago, important changes have taken place in our society. We have also witnessed significant improvements in the wages and conditions of employment of Mauritian workers. With the introduction of new technology in several industries, the attitudes and aspirations of workers have also evolved.

Unfortunately, there has not been adequate change in the structure and personnel of the Labour Department to respond to the needs of the increasing number of enterprises and workers. The number of labour officers has not increased accordingly. Proper facilities in terms of transport, offices and equipment are not being provided to them as it should be. A village that has 25,000 inhabitants cannot be deprived of a labour office. We note with concern the absence of a pragmatic vision of what the Labour Department should be in the year 2000. The annual report of the Ministry of Labour and Industrial Relations has not been published for the past six years. We believe that, whatever improvements in legislation, awards and remuneration orders to protect the workers, it would be impossible to enforce them without well-equipped and trained personnel in the labour inspectorate branch. Otherwise, this legislation will remain a dead letter.

As regards Part II of the Report on the activities of the ILO in 1987, we have noted with satisfaction the considerable work being carried out in the fields of human rights, international labour standards, labour relations, labour administration, workers' activities, social security, training, etc.

We welcome the inclusion in the agenda of this Conference of the important items of safety and health in construction (second discussion), and employment promotion and social security (second discussion).

In this period of rapid industrialisation, in my country, the issue of health and safety of workers is of paramount importance. In our country, Health, Safety and Welfare Regulations have been in existence since 1980, but they do not have adequate provisions to cover the workers in all sectors of the economy.

We are aware that the ILO has sent an expert to advise the Government on the elaboration of comprehensive new legislation to deal with all aspects of health and safety, which will be introduced to Parliament very soon.

We hope that this new Act will cover all the workers in Mauritius, including the public sector, with particular emphasis on the construction industry where risks of accidents are greater.

In 1982 alone, 11,014 occupational injuries, of which 11 were fatal, were registered. Owing to the unavailability of genuine information, I cannot provide other figures.

As regards employment promotion and social security, we note that on 31 December 1987 there were 531 firms operating in the export processing zone, employing some 87,900 workers. However, we consider that economic development should go along with social development. We are not satisfied with the way the national wealth is being distributed at the moment. For example, the daily wage of a factory workers in the export processing zone is slightly above £1, whereas the same category of worker in Hong Kong earns approximately £4.

It should be recalled that the Export Processing Zones Act dates back to 1970. After 18 years, this Law has, we understand, become irrelevant. We have made representations to the Government to make important amendments to this Act, but up to now the Government has not revised the law. It is appropriate at this stage to point out that the conditions of work in the EPZ are still not fair enough; for example the compulsory nature of overtime, night work for female employees, no severance pay until three years of continuous service have been completed and the double-cut system, whereby a worker who absents himself on the day following a Sunday or a public holiday forfeits two days' wages.

Legislation is never static; it should respond to changes in the society. The trade unions cannot function under a coercive and outdated legislative framework.

The Industrial Relations Act of 1973 imposes a number of constraints on the normal activities of trade unions.

In a statement made in a newspaper, *Mauritius Today*, of 29 April 1988, the Minister of Labour and Industrial Relations said: "The Industrial Relations Act will be neither abrogated nor amended". Major amendments would be required to restore the right to strike and the promotion of free collective bargaining, especially when the Government is launching a three-year national workers' education project, with the assistance of the ILO and the UNDP.

We hope that the intention of the Minister of Labour and Industrial Relations to reactivate the National Workers' Education Advisory Committee and the Labour Advisory Committee will materialise soon. We hope that Government will involve the trade unions fully in the implementation of this project.

The report of the Committee of Experts on the Application of Convention and Recommendations has again mentioned the case of Mauritius with much concern in paragraph 123, page 40, and in Report III (Part 4), page 408.

I hope that the Government of Mauritius will submit all the instruments to Parliament very soon.

Before I finish, I reiterate my organisation's unflinching support for our sisters and brothers in South Africa, who are still struggling for their basic human rights under the inhuman system of apartheid. We condemn the racist regime of South Africa and ask for the release of Comrade Nelson Mandela and all other trade unionists arrested and imprisoned for performing their trade union duties in the service of progress and the advancement of the interests of the working class.

Interpretation from French: Mr. BENEDEN (*representative of the World Confederation of Teachers*) – May I, first of all, congratulate Mr. Beyreuther on his election to the Presidency of the International Labour Conference, and also congratulate all the members of the Office.

On behalf of the World Confederation of Teachers, affiliated to the World Confederation of Labour, which I have honour to represent in this forum, I wish the Conference every success. The brave courageous Report by the Director-General of the ILO and human rights is most welcome to the WCT particularly its stress on the special responsibility of the ILO as regards its terms of reference, its tripartite structure and its many activities and programmes dealing with human rights. As shown by the title of the Director-General's Report, human rights are our *common* responsibility. From the birth of this Organisation, all ILO activities have been concerned with every kind of human rights, which revealingly reflect the content of this responsibility and the ideals to be pursued in future years.

The WCT associates itself still more with the Director-General's assertion of the indivisible character of human rights, which encompass without distinction, civil and political rights and economic, social and cultural rights. The great debate on human rights, East-West, North-South, reminds us that this indivisible character is not without tensions and indeed can give rise to conflicts. The coexistence of two separate international covenants (on civil and political rights, on the one hand, and economic, social and cultural rights on the other) and the divergent interests they create strengthens us in our conviction that this indivisible character is always far from being fully realised and integrated. Above all, international law on economic, social and cultural rights, so important for the ILO and us all, is still weak, still unfinished, by contrast with international law on civil and political rights. There is no point in reminding you that human rights can divide us, as they divide the American President Reagan and General Secretary Gorbachev; but only the indivisible character of all human rights can unite us.

The WCT associates itself fully with the ethical concepts that the Director-General puts before us as the only values that can guarantee this indivisible character of human rights: human dignity, tolerance and solidarity. These values, referring back to the Universal Declaration of Human Rights do more than merely link civil and political rights with economic, social and cultural rights. They link the cause of human rights with the challenge of peace, and international law with the fundamental aspirations of men and nations to live together and survive so many conflicts and tensions.

Indeed, it is not enough to define human rights; this has already been almost done since the end of the world wars. What matters now is to make sure that they are put into practice, to take the necessary steps to ensure their implementation by providing the co-operation and services without which the finest definitions are useless.

The major task is still before us, particularly as concerns Third World countries. This task is for the ILO, but also for other international organisations, for governments, but also for non-governmental organisations.

The WCT associates itself fully with the importance the Director-General attaches to the economic context and its social impact. This importance derives directly from the indivisible character and the interdependence of human rights. At the same time, this implies that the economic context is the basis of all human rights and that there are few human rights in the realities of underdevelopment and undernourishment. The interest felt by the WCT for our colleagues in the Third World underlines the urgent and primordial nature of these realities. Great respect for human rights is not compatible with the misery which still dominates half our globe. The indivisibility of human rights is not compatible with the ever-growing gap between the rich and the poor, the industrialised countries and the developing ones. For the WCT the problem of development is itself a problem of human rights, as the African Charter of Human and People's Rights of 1981 stresses.

There is no point in stressing the importance the WCT attaches to freedom of association. As we are reminded by the Director-General, quoting the Declaration of Philadelphia, freedom of expression and of association are essential to sustained progress, while free discussion is essential for political, social and economic democracy. To achieve respect for freedom of association and the guarantee of that right for all the teachers of the world is one of the driving forces of the WCT. It is the social and trade union version of human dignity, tolerance and solidarity.

The same is true of equality of opportunity and treatment, the right to full and freely chosen employment, the right to just and favourable remuneration, the right to just and favourable conditions of work and the right to social security. This so close to ILO activities and so dear to human rights that the WCT associates itself with it with full trade union commitment and all the passion of teaching and education generally.

While human rights are a common responsibility, they are the particular responsibility of teachers and educators. In the spirit of the Preamble to the Universal Declaration of Human Rights, the WCT, through teaching and education, seeks to develop respect for these rights and freedoms among the young who may be able to translate these into their behaviour as adults. But at the same time – it is the same struggle – the WCT aims to defend the rights and freedoms of teachers and their confederations and unions. For the WCT there can be no hiatus between respect for human rights as such and the rights and freedoms of teachers, the more so since teachers are in the front line of awakening respect for human rights among the young and developing a way of teaching of human rights encompassing the whole of society.

This point of view leads the WCT to stress particularly freedom of association on both the national and the regional and international level. For us this freedom implies autonomy of action and association, vis-à-vis both the public authorities and private organisations, free discussion and open dialogue for the whole of teaching and education. Guided by freely agreed tolerance and solidarity, this freedom of association is at the heart of the teaching world, the driving force to guarantee its full prosperity and the happiness of nations. It is very revealing to note that the teachers are the first to see their interests slighted

whenever a government is attacking workers' rights. The example of South Africa is typical. The latest reports from the Committee on Freedom of Association of our Organisation describe others.

A second point of special importance for the WCT concerning human rights, directly linked with freedom of association, is the freedom to teach. This freedom does not affect the primary responsibility of States and the public authorities as regards teaching, but to this it adds the co-responsibility of everybody and at the same time links teaching to education. Concrete forms of the freedom to teach reflect the various national and regional conditions, without in any way affecting their central idea of respect for the rights and freedoms of all, including freedom of association and free discussion in teaching and education. This freedom, so dear to teaching and to spiritual development does not exclude equality. In human rights, liberty and equality find their place in fraternity and solidarity and join one another in tolerance and human dignity. The WCT wishes to be the spokesman of this fundamental bipolarity of human rights. In stressing freedom, it does so only to ensure equality in the constraints of the whole community, and to link it with the solidarity which is the only foundation of teaching and education.

In view of this, the WCT cannot separate the hiring of teachers from the hiring of all workers and employees, particularly in the public services.

Geared to rights and freedoms for all and guided by brotherhood and solidarity at all levels, our Confederation subscribes to the tenets of the World Confederation of Labour and seeks dialogue with other international teaching institutions and with the whole international trade union movement.

This dialogue will not smother the identity and objectives specific to our Confederation. On the contrary, it strengthens them. At the same time it prevents them from severance and segregation, which are incompatible with human rights and cannot be reconciled with the open nature of a changing world.

Last but not least, we seek to promote the rights of children, particularly in teaching and education. They remain the weakest among human rights. All efforts to draw up a Convention on children's rights have fallen on strong ground after the adoption of the Declaration of the Rights of the Child in 1959.

As a trade union movement of teachers, the Confederation wishes to re-open the debate, convinced that the rights of children cannot be opposed to the rights of teachers but rather complete them.

It is not without importance that our Confederation is organising a pan-African workshop in Lomé next July in which the prime role of teachers in the development of the continent and its children will be studied.

We cannot help but note that the activities of the ILO concerning the situation of education personnel are still too restrictive to be able to meet our expectations and legitimate aspirations.

In view of the importance of our sector for the future in achieving human rights, we consider that the ILO should take more initiatives in the field of the rights and conditions of service of workers in education.

We are pleased that the High-Level Meeting on Employment and Structural Adjustment last November insisted, in its conclusions, on the fact that the ILO could intensify its action for the development of

training and retraining programmes so as to give qualifications, particularly to the young people who are entering or re-entering the employment market. In doing that the Committee stressed the important part played by teachers and educators in general in the struggle which is to be carried out to deal with the great challenges of our time in terms, among other things, of employment and economic and technological development.

The ILO and UNESCO have been carrying out and will continue to carry out their work relating to the Recommendation concerning the Status of Teachers (1966).

We are pleased that the fifth session of the joint ILO/UNESCO committee on the implementation of this Recommendation will be taking place next October.

Our Confederation will communicate to that joint committee our positions and will send information on the subject. We have every trust in the competence of the independent experts in that committee, but we deeply regret that neither the teachers themselves, who were at the centre of the discussions, nor their representative international organisations were invited to participate in the work of the committee. That is all the more important in view of the fact that implementation of the Recommendation is being jeopardised by restrictive budgetary policies in an increasing number of countries both developed and developing. Working conditions are deteriorating because of the increase in benefit times and standards, restrictions on teachers' incomes, and the extension of their tasks and responsibilities.

We have contributed to a preliminary study to work out a possible ILO Convention concerning the trade union rights of teachers and their working conditions. We are prepared to pursue this co-operation in order to arrive at a valid international instrument which might be such as to improve, through its very existence, the situation of teachers and hence the situation of education systems and therefore the future of our children.

The demand regularly made from this rostrum by the common front of public services (PTTI, PSI, IFFTU, INFEDOP and the WCT) to set up a permanent joint committee for teaching personnel; similar to the Joint Committee on the Public Service and the Joint Committee for Postal and Telecommunications Services, has not yet been met. Some think that this committee would be superfluous and redundant since there is a joint UNESCO/ILO committee. We completely disagree with this interpretation. No professional category would accept that the ILO should confer supervision of their rights and interests merely to independent experts. That would be profoundly contradictory to the procedures and rules which are the basis of ILO's activities.

Teachers wish to co-operate in order to arrive at a situation in which all may enjoy full rights as guaranteed by the declarations, conventions and recommendations of United Nations agencies.

They are counting on the ILO to provide them with the best opportunities for achieving that end.

Mr. FORD (*Representative of the International Textile, Garment and Leather Workers' Federation*) – The Director-General's Report on human rights cites several authoritative sources in support of fair labour

standards in international trade: the Charter of the International Trade Organisation; the ILO World Employment Conference; and the Brandt Commission. But the Governing Body's Report to Conference, in its chapter on relations with international organisations; does not mention relations with the GATT, despite the common concern of both organisations for fair labour standards in international trade. The tripartite technical meeting in December 1987 for the clothing industry called for a dialogue between the ILO and the GATT on fair labour standards in international trade.

The Director-General's Report shows ways in which exploitative employment practices or government action to restrict trade unions so as to gain competitive advantage in exports may be subject to ILO scrutiny by the Committee on Freedom of Association. But there are many countries that fail to follow ILO standards as is shown in the Director-General's Report.

Previously, when countries with low wages and weak unions refused to remedy the situation, only the countries concerned suffered, but rapid industrialisation and export expansion, especially in the newly industrialising countries (NICs), has transformed the international economy. The NICs in South-East Asia and Latin America will soon be joined by others capable of producing a very wide range of industrial products. Thus the situation will be quite different from that faced by the ILO in its early days. The question is whether new methods and new machineries are now necessary?

The policy of the ICFTU and its international trade secretariats is for the inclusion in the GATT of a social clause to be drawn up by an advisory committee established by the ILO and the GATT. Such a social clause should include the right to form and join unions; the right to collective bargaining; a minimum age for children to work; and acceptable working conditions and health and safety standards.

A social clause in the GATT will ensure that social progress in developing countries will accelerate in tandem with growth and exports. It will also help to prevent social regression in the importing countries brought about by competitive devaluation, not only of currencies but also of human values and of social standards acquired through historical struggles of the trade union movement and its political allies.

The social clause will facilitate the further expansion of international trade since it will tend to equalise the conditions of international trade so as to promote real comparative advantage based upon natural resources, geographical location, the innovative talents and productive energies of peoples rather than production cost-reducing measures such as subsidies, wage controls and putting trade union leaders in jail. Unless we raise more rapidly the living and working conditions in developing countries then through international trade such conditions in advanced industrialised countries will be undermined. This was recently confirmed in an article published by the ILO which said that "if the Europeans did not succeed in renewing their products technologically, then the level of their wages and salaries would fall to those of the NICs". Yet the United States, the most advanced country in technology, also has the biggest balance of payments deficit, despite the fall in the value of the dollar. Such balance of payments deficits in a number of countries are often an alibi to put

downward pressure on wages and salaries in order to maintain international competitiveness. The Director-General's Report shows that in many developing countries real wages were reduced by one-third to one-half in a few years so that purchasing power was reduced by as much as a half.

It is often said by employers that foreign competitors pay lower wages and therefore have lower unit costs. This argument is often used to keep wages down even in developing countries where wages are typically only about 8 or 10 per cent of total production costs. The argument that domestic competitors have an advantage because of lower wages can be combated by raising wages in the companies concerned through trade union action. It is more difficult to raise wages in competing firms abroad, where in many developing countries unions are very weak because governments impose wage stops. For instance, many industries in Africa have not had wage increases since the early 1980s because some governments see low wages as means of attracting and/or retaining foreign investment.

Frequently, a ruthless holding down of wages is imposed by the IMF as part of a poisonous package of economic redressment that also includes an open-door policy for imports. Such an open-door trade policy often results in shut doors in the countries' factories as a result of sudden increases in domestic and foreign competition. I was recently in Senegal where they told me about the closing of the Bata shoe factory as a result of savage imports and a sudden flow of competition from abroad and even domestically.

Is this inevitable? Is there no alternative? The ILO should be consulted by the IMF and governments concerned to seek to avoid mass lay-offs as a result of IMF prescriptions on the lines of the ILO teams that wrote reports on Kenya and the Philippines about a decade ago.

The effort to keep in business to meet foreign competition based on unfair conditions of employment increasingly results in the adoption of similar conditions in importing countries – for instance, clandestine labour to avoid social security payments and minimum wage laws, home-working and a return to pre-industrial production systems, such as for instance, in Latin America where the Bata company is encouraging shoe workers to stay at home and do the production there. This takes us back to the eighteenth century not just to the nineteenth century.

Some researchers find that job losses in the official sector, because of transfers to clandestine home work, even exceed those from imports. For instance, I would quote *Common fate, common bond* by Swasti Mitter, published in 1986. The author quotes the Greenwich homeworkers project in the United Kingdom: "The invisible workforce provides the lampshades we buy from the stores in the high street – dresses, blouses, electrical goods, toys, zips and many other goods".

In the United Kingdom, the fire service inspects factories only where over 20 people are employed, and the accidents in these sweat-shops and home-working therefore mainly affect poor immigrant women. I quote from *The Times*: "The five women who died in a clothing factory fire in east London on Wednesday worked in premises that had not been visited by fire-prevention officers or factory inspectors".

Similar conditions prevail in New York. I quote from a university study: "There is growing awareness in the industry – that is the clothing industry – that wages in New York are increasingly competitive with those in the garment industry in South-East Asia because of the unlicensed and clandestine workshops". Europe has a similar experience. The ILO should give the problem of home work urgent attention. It is now clear not only that workers' standards in the last developed countries fail to improve to reflect greater productivity and exports but standards in importing countries are being undermined by efforts to undercut imports through return to sweatshop and home-work production and the dispersal of production in, for instance, South Africa to the so-called "homelands" where lower wages are paid. This is currently mainly in the clothing industry but threatens to spread to many other industries as international trade expands. There are some governments that vigorously advocate a free market economy while carefully ensuring that the domestic labour market is rigged by keeping wages and social benefits down. The only way in which some governments can be persuaded is through measures that oblige them to adopt human rights such as are embodied in the Universal Declaration of Human Rights, which unambiguously lays down the right to organise in trade unions and to a decent wage, as well as the principal ILO instruments.

When the GATT was established, trade in manufactured products was principally between developed countries with relatively high standards of living. Now the developing countries have secured about 12 per cent of world trade in manufactured products and in some industries it is as much as 50 per cent in the clothing industry.

The Multi-Fibre Arrangement (MFA) has in some measure modified the speed with which textiles and clothing exports expand. We cannot foresee whether a new MFA will be necessary when the present one expires. One thing is clear: a return to the GATT rules without a social clause will simultaneously condemn workers in many exporting developing countries to see a vast new expansion in the amount of textiles and clothing they produce while failing to secure a better life, which they have yearned for decades, because they are not permitted to share adequately in productivity increases and the consequent high profits – and I speak, of course, of a relatively few countries. Moreover, the number of jobs in the developed countries will decline even more rapidly.

The Government of the United States has proposed the establishment of a working party on the relation between workers' rights and international trade. Apparently, this has been opposed by certain leading exporters. The free trade union movement, on the other hand, fully supports the establishment of such a committee. It is to be hoped that countries opposing this will change their minds since it could lead to co-ordinated international measures to help developing countries achieve more rapid economic expansion linked with measures to secure more rapid

social progress. International, financial, economic and social measures must be increasingly co-ordinated by organisations such as the World Bank, the IMF, the GATT and the ILO, so as to make it less likely that international financial measures will lead to increased social, and hence political, problems. It appears that there is an increasing awareness in the IMF, under its new Director, Mr. Camdessus, of the social impact of its economic prescriptions.

We should try to build on this and increase appreciation of the fact that the rigid separation between the financial, economic and social aspects of society often prevent solutions being found.

I should like to conclude at this rather late hour by reiterating our admiration and support for ILO and its work.

Interpretation from French: The PRESIDENT (Mr. ADIKO) – Before calling on Mr. Danieli, Government of Israel, to exercise his right of reply, I would like to recall that, in conformity with the Standing Orders, a speaker shall be interrupted if he exceeds the limit of three minutes, if he raises new questions which go beyond a brief and precise answer, if the intervention does not take the form of a contribution in itself to the general debate. I call on Mr. Danieli to exercise his right of reply to answer Mr. Bel Hadj Ammar, Employers' delegate, Tunisia.

Mr. DANIELI (*Government adviser, Israel*) – Time and again my delegation is astonished at the degree of ignorance and disregard of major problems which afflict the country and the region of certain delegates who always find it more appropriate and convenient to attack instead the State of Israel. Regrettably, such a disregard also marked the speech by the Employers' delegate of Tunisia, who shamelessly went as far as mentioning Zionism and apartheid in one breath.

Suffice it to mention at this juncture that Israel provides major assistance to Black workers and their trade unions in South Africa. The Employers' delegate's own country, Tunisia, has recorded in recent years most tense and fragile labour relations. Tens of thousands of workers went on strike and protested against harsh measures and restrictions imposed by the Government of Tunisia. These manifestations by the workers were brutally crushed by the security services, trade unions were dissolved and their leaders arrested. Simultaneously, Tunisia and the delegate's own employers' organisation had to cope with the implications of mass and arbitrary expulsion of tens of thousands of Tunisian workers from one of its neighbouring countries – a grave matter which is still under serious examination by the ILO and which put in jeopardy the livelihood of those workers in Tunisia. We have not heard of all these regrettable events which should be the prime concern and topic of every Tunisian delegate addressing the Conference, especially at a time when these delegates seek the approval of the world community for a Tunisian to take up a leading position in this Organisation.

(The Conference adjourned at 7 p.m.)

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Eighteenth sitting

Saturday, 11 June 1988, 10 a.m.

President: Mr. Beyreuther, Mr. Adiko

COMMUNICATION TO THE CONFERENCE OF THE REPORT OF THE APPEALS BOARD

Interpretation from German: The PRESIDENT – The Conference has before it a report by the Appeals Board with respect to the objection made on 3 June 1988. The report will be found in *Provisional Record* No. 15. By decision of the Conference taken on 8 June 1988, the decisions of the Appeals Board in such cases are final and have to be brought to the attention of the Conference immediately to be noted without debate.

Consequently, the Conference takes note of these decisions, which are not open to debate.

(The decisions are noted.)

EIGHTH REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

Interpretation from German: The PRESIDENT – We will now consider the eighth report of the Selection Committee. I call on Mr. Vargas Escobar, Government delegate, Nicaragua, Chairman of the Selection Committee, to present the report.

Interpretation from Spanish: Mr. VARGAS ESCOBAR (*Government delegate, Nicaragua; Chairman of the Selection Committee*) – I have the honour to submit to the Conference the eighth report of the Selection Committee, which is in *Provisional Record* No. 5G. The Committee proposes that non-governmental international organisations be invited to be represented in the Conference and in one of its committees. The Selection Committee also recommends that the Conference approve some changes in the composition of certain committees of the Conference.

I recommend to the Conference the adoption of this report.

Interpretation from German: The PRESIDENT – The eighth report of the Selection Committee is now before the Conference. If there are no objections, I take it that the report is adopted.

(The report is adopted.)

RATIFICATION OF THE INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION, 1986

Interpretation from German: The PRESIDENT – I would also like to inform you that the Director-

General of the International Labour Office has registered the ratification by Lesotho of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986.

This brings the total number of ratifications and acceptances of the Instrument to 41.

RATIFICATION OF TWENTY-FIVE CONVENTIONS BY MALTA

Interpretation from German: The PRESIDENT – I have pleasure in announcing to the Conference that the Director-General of the International Labour Office has registered the ratification by Malta of the following 25 Conventions:

- Hours of Work (industry) Convention, 1919 (No. 1)
- Night Work (Women) Convention, 1919 (No. 4)
- White Lead (Painting) Convention, 1921 (No. 13)
- Weekly Rest (Industry) Convention, 1921 (No. 14)
- Inspection of Emigrants Convention, 1926 (No. 21)
- Sheet-Glass Works Convention, 1934 (No. 43)
- Underground Work (Women) Convention, 1935 (No. 45)
- Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49)
- Safety Provisions (Building) Convention, 1937 (No. 62)
- Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96)
- Equal Remuneration Convention, 1951 (No. 100)
- Holidays with Pay (Agriculture) Convention, 1952 (No. 101)
- Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)
- Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)
- Guarding of Machinery Convention, 1963 (No. 119)
- Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)
- Maximum Weight Convention, 1967 (No. 127)
- Labour Inspection (Agriculture) Convention, 1969 (No. 129)
- Minimum Wage Fixing Convention, 1970 (No. 131)
- Holidays with Pay Convention (Revised), 1970 (No. 132)
- Workers' Representatives Convention, 1971 (No. 135)
- Minimum Age Convention, 1973 (No. 138)

Rural Workers' Organisations Convention, 1975 (No. 141)

Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)

Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)

This brings the total number of ratifications of international labour Conventions to 5,370.

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR GENERAL: DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – We shall now resume the discussion of the Reports of the Governing Body and of the Director-General.

Interpretation from Arabic: Mr. OULD HMEITY (Workers' delegate, Mauritania) – Allow me first of all, Mr. President, to congratulate you on your election to the presidency of the 75th Session of the International Labour Conference. I should like to wish you every success in steering the work of the Conference and hope that we will achieve the goals and ambitions of our Organisation.

The annual session of the International Labour Conference this year is being held under very special international circumstances. Unemployment and violations of human rights are increasing from day to day. The recession in the Third World is a direct cause of the lowering of the purchasing power of thousands of workers and the loss of employment of many others. All this has led to a serious drop in the living standards of many regions of the Third World, more specifically those that have been stricken by the drought. This collapse in the economies of Third World countries would not have occurred had it not been for the injustice on which the world economic system is founded. This requires the world community to establish a new system which would be fairer and more equitable.

The agenda of this session of the Conference contains many subjects which are worthy of our attention, more specifically those related to human rights and trade union rights. Other subjects, such as the environment, employment, development, and the ILO's role and co-operation in economic and social development, are of particular importance, especially in view of the fact that there is an ever-increasing gap between the North and the South and the economic and social situation in many Third World countries seriously jeopardises not only the living and purchasing power of the workers in these countries but is liable to hinder the development process in these countries.

The programmes of economic and financial reform drawn up by the financial institutions of the United Nations, such as the International Monetary Fund and the World Bank – financial reforms which in fact dictate certain reforms on the countries concerned to obtain easy terms – only serve towards starving the citizens of these countries and have no positive impact on their economies. The debt to the Third World – and more specifically, that of Africa – has reached such proportions that there can be no further economic growth and social development on the continent. It is these circumstances that have led to an increase in unemployment and other social ills. Thus the international community is called upon to

increase its joint efforts to find a fair and urgent solution to the problem of indebtedness, to enable the countries of the African continent to pursue their development projects. The method of rescheduling of international debts has failed. A more realistic system must therefore be sought, perhaps through the convening of an international conference to solve the problem. However, such a conference would have to take into account that the African countries, especially those countries stricken by drought, are absolutely incapable of reimbursing their debts.

The present session of the International Labour Conference is taking place at a time when the international community is celebrating the 40th Anniversary of the Universal Declaration of Human Rights. Indeed, this Conference is examining the situation of human rights, especially in areas where these rights are denied and where man is losing his basic rights and sometimes even his right to life.

Human rights are sacred and interdependent at all times and in all places. All nations are equal; and no international organisation should remain silent vis-à-vis repeated violations of these rights in certain areas of the world, as is the case at present in Palestine and in the other occupied territories – even more so since these violations are taking place in a manner unprecedented in history. The same also applies to the situation in the southern tip of Africa; in fact, there is nothing surprising about the two situations, given the strong links between the racism in South Africa and Zionism in Palestine.

The racist regime in South Africa has flouted all the resolutions and decisions adopted by the international community and refuses to abide by the simplest humanitarian standards. This Organisation must therefore take practical measures to combat apartheid in South Africa. As regards Palestine and the other occupied territories, the situation has become very dangerous. The suffering inflicted on the Palestinian people by the Israeli authorities has led humanity to lose all hope of seeing human rights being restored in this part of the world. The suffering of the Palestinian people today exceeds by far the sufferings of the Jewish people during the Second World War at the hands of the Nazis. What is most serious is that all this is happening with the full knowledge of everyone, as if it were normal that the Palestinians are suffering today exactly the same fate as the Jews suffered during the Second World War. The Palestinians are being arrested in their tens of thousands and being killed every day. They are being buried alive and even women and children are not being spared; their bones are broken and they are paralysed; their houses are being destroyed for no other reason than the fact that they are Palestinians and wanted to stay in their homes on their land. They are being illegally expelled from their country, deprived of the right to work and freedom of expression and the right to organise, whether this is for political or trade union reasons. They are also suffering the worst forms of racial discrimination. Policies of starvation and attempts to limit education have become the favourite arms of the Israeli authorities, confronted with the just struggle of the Palestinian people to attain self-determination and freedom. The most deplorable aspect is that all this is happening without a single voice being raised to tell the Israeli authorities to cease attacking the Palestinian people and to put an end to their barbaric practices against a

country subjected to the worst form of aggression; and this is after repeated attacks on the Palestinian camps and villages in Lebanon, against the headquarters of the Palestinian Liberation Organisation in Tunis and the assassination of Abou Jihad only 50 days ago only in Tunisia, a country which is thousands of kilometres away from Palestine and is not in a state of war with Israel.

Our Organisation must take decisive and practical resolutions to put an end to the bloodshed, to support this Arab Palestinian people and to help it, under the leadership of the Palestinian Liberation Organisation, its sole legitimate representative, to build the independent State of Palestine in full freedom. The International Labour Organisation should provide all forms of practical and moral support to the Palestinian workers to help put an end to the barbaric acts perpetrated by the Israeli authorities against these workers, so that they might establish their trade unions, release and no longer have their houses destroyed or be expelled from their land.

We must of course also review membership of Israel in this Organisation, as long as its authorities refuse to abide by its resolutions or principles of human rights, freedom of expression, freedom of association and the right to live in peace. What is most serious is that state terrorism has become an alternative policy.

Long live the International labour Organisation!
Long live international co-operation and solidarity!
Long live peace and justice!

Interpretation from Arabic: Mr. BECHARA (*Workers' delegate, Lebanon*) – I should first of all like to congratulate the President on his election to his important position and to underline his qualifications and competence. I should also like to thank the Director-General for his excellent Report which is full of clear and useful information.

I come from a country, Lebanon, which has been living through terrible times for many years. Our country deserves much consideration after the frightful torments through which it has lived. There is a permanent threat to its existence, its sovereignty, the future of its children and the civilisation which it has personified for thousands of years.

Lebanon the martyr continues to resist because of its tenacious determination to survive. It therefore deserves the support and assistance of the international community. For our country is a refuge for freedom and a crossroads of civilisations; and any threat to its existence will have adverse effects on stability, peace and progress in a great many regions of the world.

The Lebanese are well aware of the seriousness of the problem, namely the occupation of part of the national territory, the seizure of the national right to decision-taking, the increasing political divergencies, the weakness of the State, the need for basic reform, the weakness of the economic infrastructure and the loss of confidence in the future of the country, as a result of the permanent war which has been waged since 1975 on Lebanese soil and the conspiracy against its unity and independence.

This situation has contributed to an increase in economic and social problems, the worst features of which are hyperinflation, which rose to more than 730 per cent in 1987, unemployment, which affects 30 per cent of the active labour force, emigration, which

has drained away one-quarter of the country's population including many representatives of the professions, educated people, professional people, and a free fall in the standard of living as a result of which 80 per cent of the people of Lebanon live in need. In addition the public debt is increasing daily because the State has lost all its revenues. As a result of this, social and medical benefits of every kind are dwindling day by day.

The Lebanese trade union movement, which is one of the strongest national institutions, is proud of having worked to cope with the national problem and of having launched, in collaboration with the trade union, occupational, social, women's and youth organisations, and within the framework of the National Trade Union Congress a comprehensive national project of salvation which for many years has had the remarkably unanimous support of the entire Lebanese people in all the regions of Lebanon.

All the citizens of the country have affirmed their determination to achieve unity, peace and reform.

In the context of this project, we are convinced that the solution must be based on the following: the liberation of Lebanon from Israeli occupation and the withdrawal of all foreign troops as well as support to the worthy national resistance in southern Lebanon and the extension of the sovereignty of the State over all Lebanese territory; a declaration that the war is at an end and the use of dialogue as a means to political understanding on the basis of democratic reform; recognition of Lebanese unity, independence and Arab personality, refusal of partition with an opening up of routes between all regions; the formulation and implementation of a large-scale plan of national economic and social reform, which has been described in our draft and our programmes, aimed at economic revitalisation, social justice and redistribution of income.

Lebanon today is on the eve of an important constitutional event, namely the election of a new president of the Republic this summer. We shall be at this rendez-vous and we are anxious to elect a president who will be the saviour of our country with a programme of national salvation, a programme to end the war, a programme for reform and the re-establishment of confidence in Lebanon.

We also wish to affirm that the people's trade union movement will not sit idly by in the face of the threat to disrupt these elections, which is a real danger for the country's very existence and future.

The trade union movement has been harassed and surrounded and trade union freedoms have constantly been threatened because our movement is openly the problem of Lebanese man in revolt.

From this point of view, we make an urgent appeal to the international community for more understanding of the situation in Lebanon and support for its independence, unity and sovereignty; to come and help us in the struggle for peace, freedom and bread. We are convinced that your honourable Organisation can play an essential role in this regard, particularly in encouraging governments to assist Lebanon in achieving liberation, sovereignty and independence; in implementing a comprehensive plan of assistance and aid to Lebanon in order to put it on its feet again; in confirming the need for presidential elections reflecting the national determination for liberation, unity, salvation and reform; in helping the

trade union movement and the Lebanese humanitarian organisations in their struggle for survival, salvation and reform.

We also hope that your honourable Organisation will decide on the aid programmes that we so ardently desire in order to rehabilitate and revitalise our different social organisms. We feel that the reopening of the ILO Office in Beirut is a constructive and necessary step in order to provide the aid that we need.

Lebanon is attached to its centuries-old image, despite hostility abroad; the image of a peace-loving and civilised Lebanon, an anti-terrorist Lebanon, a Lebanon that has itself become a victim of this terrorism; a Lebanon struggling to defend freedom and justice.

Lebanon considers that the resistance of the Lebanese population to ensure the liberation of the occupied territories and the general uprising of the Palestinian people in the occupied territories are an expression of the absolute and inalienable right to build a free and independent State on their territory. The Israeli methods of murder, repression and expulsion of the Palestinian population stand condemned by us and are dealt with in a draft decision that we call upon the International Labour Conference to approve.

Interpretation from Spanish: Mr. PACHO QUISPE (*Workers' delegate, Peru*) – First of all, I would like to welcome and express my sincere congratulations to the President for having been elected to preside over this 75th Session of the Conference, all the more so as he is a representative of a socialist country and we are sure that under his skilful direction, the results will be favourable for the workers.

Although it is difficult to summarise in so few minutes the dramatic and terrible situation of the workers and people of Peru, I can nevertheless stress once again that we are a country with an economy which is dependent upon and pillaged by imperialism but that we are very rich in natural resources which are regrettably usurped by transnationals in complicity with our Government. The Peruvian workers eat less and have shorter lives although they work more, and when they protest, and they stand up to fight for their natural resources, for national sovereignty and for respect for the rights of the workers against pillaging by imperialists and others these workers are repressed immediately and violently, and the Government and economic power groups consider the workers, because of this, to be subversive, anti-democratic, communist and any other adjectives they may want to add.

This situation is the same in the other Latin American countries and in the Third World. It is compounded by the adverse effects of the international economic crisis, made even worse by the adjustment policies imposed by the International Monetary Fund, and accepted and implemented by our governments, the results of which have been to worsen the living, wage and employment conditions of the workers. In other words, the repercussions of the international economic crisis have a direct impact on our workers and our people are thus becoming poorer every year while the economic power groups are becoming richer.

In 1973, for instance, remuneration in Peru was 48.9 per cent of national income, whereas today it is

only 31.4 per cent of the national income, that is from one-half it has declined to one-third. However, the profits of employers have risen from 22.3 per cent in 1973 to 40.9 per cent of the national income today. This means that the workers continue to be victimised while the economic power groups continue to benefit from the situation.

If the rich are richer and the poor are poorer in Peru today, this is due to the fact that for almost 13 years a policy especially directed towards these ends has been in force without interruption. The general income of the Latin American region has declined in recent years and, as a result of the interminable roundabout of the external debt, our countries have ended by becoming exporters of capital, financing the deficits and the arms race of the more developed economies and principally the imperialist economies.

We finance the generation of these surpluses, doing so at the cost of a systematic policy of social exclusion, and of the violation of fundamental human rights, which indissolubly associate economic, civil, political, social and cultural rights.

This is why we, the workers of Peru, consider it so important and encouraging that the Director-General of the ILO, Mr. Francis Blanchard, should have reserved a substantial part of his Report for a review of the present situation, forty years after the adoption of the Universal Declaration of Human Rights in 1948. This was also the year in which, as we all know, the ILO adopted one of its fundamental Conventions: the Freedom of Association and Protection of the Right to Organise Convention.

As the Director-General's Report states, the experience of the ILO has corroborated the remarks of our fellow countryman and Secretary-General of the United Nations, Mr. Javier Pérez de Cuellar, that "the violations of human rights do not occur in a vacuum... such violations are not mere aberrations in the context of systems and structures which are otherwise equitable. Rather, they are... the natural consequence of systems rooted in injustice and inequality", accompanied, moreover, by consciously pursued political, economic and social policies.

This is exactly what is occurring now in Peru. If work is considered as a commodity, in contradiction of the ILO's view, and if the aim is to emerge from the crisis while seeking not the interest of the masses but rather to recover the rate of return, to increase the exchange value of the currency, and to adjust it to the requirements of international capitalist competition, then the trade unions, whose permanent and fundamental aim is the social and economic progress of workers, are an obstacle to these pretensions. That is the reason why the Peruvian Government has declared that all strikes by the workers are illegal, although the ILO recognises the right to strike and so does the Peruvian Constitution. This means then that trade unions freedoms, as the substantial corollary to the exercise of other civil and political rights, are under permanent threat.

In 1981, the previous Government of Peru introduced a Bill on strikes which was to have done away with the legitimate exercise of this right – one of the basic means available to the workers and our organisations. This Bill was strongly criticised by the Committee on Freedom of Association of the Governing Body of the ILO (because we made a complaint here) owing to its content which was contrary to the

principles of freedom of association in Convention No. 87, whose 40th anniversary we are commemorating, and Convention No. 98 which was approved a year later.

I should call the attention of international public opinion and this Conference to the fact that the present Government of Peru has just sent the Congress a Bill for the approval of the parliamentary majority of its Party regulating the rights of collective bargaining and strikes, even more draconian and restrictive than the one which came under severe criticism from the Committee on Freedom of Association in 1982. So we have to see to it that this Bill does not get through.

I must recall as well that 13 years ago the policy of wage restraint came into being and is still in force in Peru. This radically limits the growth of workers' income through the interventionist collective bargaining policy of the State, run by a body called the National Development Corporation, affecting both the public and the private sector. Under this policy, between 1973 and 1987 Peruvian workers lost 40 per cent of our income on average; the situation of workers in the public sector is worse, in that their purchasing power has decreased to the tune of about 60 per cent. This is why 200,000 educators, members of the trade union SUTEP, are on indefinite strike, calling for improvements in wages and living conditions. Two Supreme Decrees were issued for public sector workers in 1983 setting standards for the exercise of their rights to trade union organisation and collective bargaining. Both the Supreme Decrees should be roundly condemned by the Committee on Freedom of Association, because they are contrary to the standards and principles of freedom of association adopted by the ILO and, paradoxically, ratified by our country.

I must draw your attention to the fact that the present Government, at its mid-term, has kept these restrictive arrangements unchanged and, still worse, they have extended these restrictions, and others even more irksome, to other categories of workers.

I am referring, for example, to around 10,000 workers, civilian workers who work for military companies and industries, transport companies, (these are industries, not transport, as the word INDATER indicates), who are all deprived of their fundamental labour rights. These workers are not permitted to organise unions, they are not permitted to present specific claims and they are denied all other rights, on the grounds of national security and defence, in a manner totally contrary to the principles recognised in the Conventions adopted by the international community on the protection of the right to organise and collective bargaining.

There are various provisions in force depriving these workers of all these fundamental human rights, but there are also other problems which concern our workers.

Up to the present time, approximately 10,000 Peruvians have died and around 2,000 have been detained or have disappeared during the past eight years. This is, according to the official figures, due to a fratricidal war fought by armed groups. The Government always responds with its dirty war, thus increasing violence in Peru, so the worst consequences have been suffered by the civilian population and the trade union and popular movement.

It is not the workers who promote violence. We are seeking a democracy with social content and participation; we want peace, but with social justice, not a merely formal so-called democracy in which injustice reigns.

The workers of Peru wish the ILO contribution to the promotion and defence of the workers' human rights to be intensified, for the joint construction of a new social and international economic order.

I will conclude this statement by expressing, on behalf of the workers of Peru, our solidarity with our brother workers of Panama, who are fighting for their national sovereignty against foreign blackmail and interference in their internal affairs.

We also greet and express solidarity with the workers of the country of Sandino, and we are sure that Nicaragua will be victorious in the face of imperialist criminal aggression, since the cause of this brother nation is the cause of all our workers, who have so emphatically, even the Peruvian Government, expressed solidarity with Nicaragua.

We also greet and express our solidarity with the workers of the heroic country of Cuba whose workers' organisation, the CTC, is close to completing its first half century. This is a country which a few months ago was a victim of another campaign of defamation with gross lies and slander on the part of the imperialists.

Our earnest, constant wish is that the just demands of the workers of Palestine should become reality, that they should have a free country in which peace and justice reign. We also express our solidarity with the workers of Chile and Paraguay.

The workers of the world have no frontiers. That is why we cannot be enemies because of our nationalities. The enemies of the workers are rather injustice, hunger, poverty, war and the exploitation of man by man.

Interpretation from Arabic: Mr. DAJANI (*Employers' adviser, Jordan*) – In the name of God, the Merciful, the Compassionate! On behalf of the employers of the Hashemite Kingdom of Jordan, and on my own behalf, I would like to express my most sincere congratulations to Mr. Beyreuther on his election to the presidency of the 75th Session of the International Labour Conference. I am convinced that his experience and wisdom, as well as his capacity for work, will enable this session to attain its objectives. The delegations who are participating in the work of this Conference, which is of course an annual event, are filled with hope that solutions will finally be found for labour problems, in conformity with the objectives of the Organisation and in the service of the cause of mankind and international peace. Each delegation should be able to contribute to supporting the Organisation with its own talents and knowledge.

I have the privilege of addressing delegations of member States on behalf of the Chamber of Industry of Amman, of which I am a member, and I hope that I can put across my message in this statement. At the same time I would like to congratulate the Director-General on his Report, pay tribute to him, and his wide experience and great skill in leading this Organisation in an exemplary way with his methods, his organisation and his devotion to serving the interests and carrying out the resolutions of this Organisation. It is not easy to run an organisation of this size. It is

not easy to look at the world as a whole when it is made up of countries which vary widely, in order to improve work through production, to promote human resources – man is both the instrument and the objective of development and, with true humanity, to help developing countries to meet their needs.

This Report of the Director-General is completely in line with our concept of employment: jobs must be carried out with care, devotion and with skill. We are all responsible for human rights, without any distinction between countries large and small, strong and weak, rich and poor. Fraternity among mankind is the great pillar of prosperity for man on this earth and this is the road to peace. His Majesty King Hussein took this principle as the basis for an inspiring speech, in which he said: "Man is the centre of gravity for development in Jordan. He is the artisan of development; he is the instrument of development; and also its beneficiary. He works in his own interests of development and contributes to serving the interests of others who deserve to be helped to develop their concerns".

In Jordan the employers play an important role in economic and social development. By way of example, we faithfully implement the principle of tripartism which brings together the Government, the workers and the employers.

We appreciate the assistance given us by the Organisation in expanding vocational training, in setting up the Vocational Training Institute, the Social Security Institute and the Occupational Safety and Health Institute. We also appreciate the assistance given in the formulation of labour legislation, and of legislation in other areas, which seeks to raise the level of labour and of man, so that he may better meet his own needs and the challenges of life.

We are grateful for the ILO's interest in holding various local, regional and international symposiums in Jordan concerning labour relations. As employers, we attach a great deal of importance to the ILO's Bureau of Employers' Activities. There is no doubt that all Employers' delegates here would agree with me. The symposium concerning the development of productivity was extremely useful to us; the seminar on migrant workers and their problems was also extremely useful to us and others. We hope to help employers' organisations in Jordan, through chambers of commerce and industry, to help them improve the training given to workers, and enhance the services offered to their members and to the Jordanian economy, especially through the promotion of small and medium-sized enterprises. As the same time we would like there to be contact between these chambers and the employers' organisations in developed countries so that we can benefit from their experience. These contacts are useful, for we can learn from one another. The ILO is our intermediary in all these activities; I am certain that employers' organisations in the developed countries will be generous with their support, since economic promotion in developing countries can increase trade with the industrialised countries.

We, as employers in Jordan and in our capacity as the regional centre for services and maintenance, are trying to increase job opportunities and raise levels of training so that people can become qualified in the new technologies – qualifications which are in greater and greater demand by virtue of the innovations which have taken place in industry, construction and

civil engineering, and in medicine in particular. We are pleased that an ILO Employers' group has submitted a resolution inviting governments to consult employers' and workers' organisations in order to encourage private initiative with a view to setting up small and medium-sized enterprises, and inviting the Governing Body of the ILO to instruct the Director-General with setting aside a bigger place in the Organisation's budget for activities which encourage the spirit of enterprise and occupational reintegration of those who have lost their jobs. All these points, and others too, in the resolution are at the very focus of the Organisation's obligations and of the subprogrammes aimed at promoting full employment, struggling against unemployment and raising everyone's standard of living. We hope that when it is submitted this resolution will receive your full support.

We consider this Organisation – the International Labour Organisation – to be the social conscience of mankind as a whole. There has not been a speaker from this restrum who has not emphasised that fact. In his Report the Director-General deals with a human, noble and important question; on behalf of man, wherever he may be, he launches an appeal for respect for human rights as laid down in the Universal Declaration of Human Rights. This Declaration guarantees man his dignity and his freedoms, his freedom of expression, his right to earn his living honourably, in security and peace.

Before the proclamation of the Universal Declaration of Human Rights the International Labour Organisation was already working to solve the problems facing peoples, societies and individuals, particularly as far as the rights and freedoms related to work were concerned. The Organisation sought to find solutions to those problems by relying on people who were lovers of peace, justice and fairness and on itself in order to achieve the objectives laid down in its Constitution. This Organisation sought to liberate from injustice those who were subjected to it and to defend the victims of oppression by putting an end to it. Any project, any resolution, any programme and any instrument which has been adopted by this Organisation is in fact a defence of the rights and freedoms of man at work – an appeal for respect for his dignity and for humanity and an encouragement to lead an honourable life. The Director-General's report discusses this extremely important issue with great frankness, above all as regards the question of the occupied Arab territories where human rights are being trampled in a way unprecedented in the history of mankind, even in the times of fascism. The same is true in South Africa, whose regime is co-operating with the Israeli authorities in perfecting all forms of torture, repression and genocide. These are crimes which should be dealt with by an international court. Your Conference is faced with a resolution condemning the Israeli authorities; we hope, in the name of peace and justice, that you will wholeheartedly support this resolution and that you will not abstain during the vote. There is no place in the world for double standards of duplicity. Nothing is worse than remaining silent in the face of evil, for what is at stake is man, his life, liberty and security, not simply material considerations which one can take or leave. We must restore the rights of the oppressed and condemn the aggression. Men's laws have their source in God's laws, and human rights apply to all

men without exception. He who suffers a wrong does not have the right to seek vengeance by victimising a third party, or to take pride in seeing him suffer the consequences of his own injustice.

There are two aspects to history; there is the history of events and the history of men and crises affecting them. Crises affecting men correspond to periods when people make attempts to shake off humiliation and injustice and to put an end to the occupation to which they are subjected. I believe that all people on the face of the earth have experienced this history. The uprising of the Palestinian people in the territories that Israel has occupied with force is the history of the Palestinian people who are rising up to free themselves from injustice. They are being murdered, wounded, maimed or imprisoned, because they are trying to free themselves from this oppression. As you know, when a people start to revolt, they manage to shake off the yoke of their sufferings. This struggle is the very symbol of the principles of the Universal Declaration of Human Rights.

There are not many of you present here today because, of course, it is the weekend; but I am very grateful to you for having come here today and I would like to wish the Conference every success in its work. I hope that God will guide you in your work to do everything you can in order to promote the cause of humanity and that you will also act in accordance with the dictates of your conscience to come to the aid of all peoples throughout the world.

Mr. TITIMUR (*Workers' delegate, Papua New Guinea*) – First of all, I would like to associate myself with the previous speakers in warmly felicitating the President on his election to the high office of presiding over the deliberations of this 75th Session of the International Labour Conference. I have no doubt that his experience and mature understanding of the problems confronting the world of labour will help this Conference to reach pragmatic answers to the complex questions that it will address. I must also congratulate the Director-General for the excellent report that he prepared, even though we in Papua New Guinea, as usual, do not seem to be receiving our copy sufficiently in advance. This problem has been reported by delegations from developing nations of the Pacific on previous occasions, and I hope that the necessary remedial action will be taken.

Before proceeding to touch upon the agenda items, I wish to keep this Conference apprised of the fact that the trade union movement in Papua New Guinea is now vigorous and dynamic, thanks to a developmental project to strengthen the Papua New Guinea Trade Union Congress, initiated and implemented by the ICFTU and the APRO, and the stationing of an ICFTU representative in my country.

I must also state that a direct consequence of that developmental project has been the great progress made by the Trade Union National Centre in Papua New Guinea in attracting to its fold almost all major trade unions in every sector of the national economy. We continue to receive material and other resources from friendly organisations which have greatly assisted us in becoming the largest Trade Union National Centre among the developing countries in the region.

I must also place on record the support and encouragement extended to us by the Government of

Papua New Guinea, in general, and the Labour Department, in particular, in our development process.

Though some positive developments have taken place in the world, particularly as regards nuclear disarmament and the continued dialogue between the two super Powers, there does not seem to be a de-escalation of armed conflicts between nations or groups. The net result is a colossal expenditure incurred in the build-up of conventional arms and the diversion of scarce resources in this direction, while major human issues such as higher living standards and full employment go wanting.

Unfortunately, the Pacific has also been transformed from a peaceful region to an area of conflict, with the overthrow of a democratically elected Government in Fiji, the issue of independence for New Caledonia and other social convulsions taking place in some of the small nations which have acquired a notoriety that is both undesirable and unwelcome.

Despite the vigorous opposition expressed by the governments and peoples of the Pacific, France continues with its regrettable nuclear device testing programme in the Mururoa Atoll, putting at risk the source of the livelihood of the people of the South Pacific.

An important residual effect of the events in Fiji has been that the Free Trade Union Movement closed its ranks and compelled the regime in Fiji to restore trade union freedoms in that country, diluted though they are.

We in Papua New Guinea are being hamstrung in the full expression of our trade union freedoms in so far as they relate to the process of collective bargaining. A centralised, statutory wage-fixation system hangs like a millstone around the neck of the workers. When the wages tribunal sits at intervals of three years, the Government always opposes an upward revision of the wages of the workers.

To demonstrate this point, I quote from paragraph 2.43 of a document written at the request of the Government of Papua New Guinea and submitted to the tribunal by the Government: "There is no real basis for a dynamic shift towards collective bargaining in Papua New Guinea. Any rapid effort to promote a wide range of separate industry awards would be likely to raise the incidence of disputes and bring about considerable disruption. It would also compound the problem of the cost of skills, since in current market conditions the more skilled and experienced group of workers would be better placed to secure higher awards. Workers in the strategic industries and in major new projects in the process of construction would be likely to do exceptionally well, at least in the short run, with uncertain and possibly damaging effects on industrial costs or government revenue or unemployment. On the other hand, a slow development of a wider range of industry or company awards within the framework of the Minimum Wages Board determination, but with features appropriate to the circumstances, could be helpful in easing some of the rigidities of the Minimum Wages Board system."

The impact of the Government's position is demonstrated in the next paragraph which says: "The experience after 1975 shows that the Minimum Wages Board system is quite compatible with the implementation of a government wage policy that stresses wages stability and the medium-term capacity of the economy to pay."

As a member State of the ILO that has ratified the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), we believe that the Papua New Guinea Government is acting in breach of this Convention and has effectively curtailed the process of collective bargaining. Presumably, a reason for this approach may be the fact that the trade union movement was not unified and not streamlined, particularly in the private sector.

But this argument is no longer valid owing to the developments I outlined earlier.

It is particularly encouraging that the Government has accepted the reality of the current situation and has invited the trade union movement, among others, to open a dialogue with the Government at the instance of the Prime Minister. In the course of such talks, we intend to impress on the Government the need to ratify ILO Conventions on such basic issues as maternity protection, paid education leave, freedom of association, tripartite consultation and so on. We are hopeful that at the 76th Session of the International Labour Conference we will be in position to pay a handsome tribute to the Government for acting in consonance with international labour standards.

The agenda item on safety and health in construction is particularly relevant to Papua New Guinea, as my country is in the process of exploiting its vast reserves of natural resources.

International labour guide-lines on this topic have become vital. In Papua New Guinea, 80 per cent of the population live and work in rural areas, on tea, coffee, coconut, rubber and oil-palm plantations. At the moment, our labour laws do not provide for the establishment of trade unions among self-employed people. We believe that the Government's efforts alone are not sufficient to raise the living standards of the rural people, who should be given the right to create and manage organisations of their own. It is our view that organisations of rural workers hold the key to employment promotion in this sector, and we will urge the Government to adopt the Rural Workers' Organisations Convention, 1975 (No. 141).

We are particularly interested in employment promotion and social security because, in this regard, Papua New Guinea has a series of problems. The only social security bodies in the country are the National Provident Fund in the private sector and the Public Officers' Superannuation Fund in the public sector.

The National Provident Fund does not cover the rural workforce or workers in urban centres who work in establishments employing fewer than 25 workers; the Public Officers' Superannuation Fund does not cover married women and a certain category of public servants.

Papua New Guinea suffers from an acute shortage of skilled manpower; this has resulted in an influx of expatriates who enjoy terms and conditions of employment far superior to those of nationals performing identical work. Therefore, it is crucial that training facilities be established, firstly, to provide our people with the necessary skills and, secondly, to eliminate the wage differentials that exist today.

The promotion of employment depends also on the attractiveness of employment. If social security is not extended to all areas, I frankly do not see how efforts to promote employment will be successful.

Talking of employment promotion, I also would like to highlight the trend towards privatisation in Papua New Guinea; privatisation, I believe, is a bug that has bitten all developing nations.

Privatisation invariably results in the displacement of workers, and this is a common denominator in both Third World and industrialised countries. Short-term profits through privatisation are preferred to governments assuming their social responsibilities to the people. The unhindered recourse to privatisation and the attendant unemployment are diametrically opposed to the concept of employment promotion and lead to social tension. It is therefore my proposal that the International Labour Office prepare a set of guide-lines, perhaps in the form of a Recommendation, concerning privatisation and its effects on the workers, with special emphasis on developing countries.

Interpretation from French: Mr. DOLGU (Government delegate, Romania) – I should like to associate myself with those who have spoken before me, to convey to Mr. Beyreuther our most heartfelt congratulations on his election to the presidency of the session. His competence and his great experience augur well for the success of our work. We also congratulate the other Officers of the Conference.

The deliberations of our Conference are taking place under complex international economic conditions.

As was recently stressed by the President of Romania, Nicolae Ceausescu, these conditions reflect the effects of the world economic crisis, the increased deterioration of the economic situation of the developing countries, the persistence of certain acute social and political problems and the continuing tension in international life.

These phenomena and these processes have had, and continue to have, a negative impact on world economic development, and have had an effect on all countries, including my own; for our world is undoubtedly one in which increasing interdependence is bringing countries and continents closer together in both time and space. This means that more and more they find that they have to survive or prosper together, or they will simply find themselves in a multiple crisis with no foreseeable way out. Even if this increasing interdependence is broadly recognised, it remains none the less neglected, and even forgotten. Even if new challenges arise, the approach to problems remains that of yesteryear without any real possibilities of finding viable solutions.

That is why, in its social and economic dimension, the situation with which we are concerned continues to deteriorate. Proof of this is that in the developed countries some 30 million people are affected by unemployment. Some of them are deprived of all rights to assistance and some even have no roof over their heads. Further proof is the extremely serious situation in the majority of developing countries, where on top of former inequalities and injustices there are now others which are ever more intolerable. The economic and social effects of external debt are by far the most catastrophic, for while development has practically come to a halt and the gap between rich and poor countries is getting deeper and deeper, underdevelopment is gaining ground. Hundreds of millions of men and women are without

auspices of the United Nations and with the participation of all the parties involved, including the PLO.

As is pointed out in the Report of the Director-General of the ILO, one serious and persistent challenge to the principles of equality defended by the ILO comes from the apartheid policy pursued by South Africa. We should like to take this opportunity to denounce this odious regime and associate ourselves with those who are calling for an end to this regime and to affirm the solidarity of the people of Romania with the just struggle for liberation of the people of Namibia.

To conclude, I should like to express my conviction that the ILO will be able to mobilise all its resources and opportunities to make an increased contribution in its own field of competence to a better understanding of the problems confronting the world of work and to their lasting solution.

I assure you that in pursuit of that objective you can count on the active co-operation of my country.

(Mr. Adiko takes the Chair.)

Mr. BEN-ISRAEL (*Workers' delegate, Israel*) – I am glad to join the list of speakers who have congratulated Mr. Beyreuther on his election as President of the 75th Session of the International Labour Conference.

Four technical items on this session's agenda underscore the changes that have taken place in the ILO's activities since its establishment; these range from rural employment to social security. The Director-General's Report is to be commended for its faithful portrayal of these four topics.

My country, Israel, having been engaged for many years in wide-scale building projects, has acquired considerable experience in the field of safety and health in construction. Lately, however, we have been obliged to take measures to contain our high inflation, and the resulting economic slowdown has, needless to say, had an immediate effect on our building trade. The Histadrut, which represents the interests of the working people of Israel, is struggling for a renewal of economic growth, which will in turn revive the building sector, so that redundant building workers may soon resume their jobs.

A lesson we have learned, however, both in times of prosperity and of economic recession, is that the main enemy of safety and health at work is cheap, unskilled labour. So far, the question of safety and health has been taken care of through our collective agreements in the building trade; but I believe that comprehensive legislation will cover more workers in the building industry as it will be binding also on the small contractors employing unorganised labour.

We will not accept any claims on the part of the employers that the building trade cannot afford to comply with high standards. Such a claim is not justified and is merely an attempt to evade responsibility for the workers' health and well-being.

For its earliest days, the Histadrut (the General Federation of Labour in Israel) as a social movement, paid special attention to employment promotion and social security. The establishment of our labour economy – Hevrat Ha'ovdim – is in itself an expression of our drive to create job opportunities. Histadrut's pension funds network, which covers almost all the wage earners – with the exception of the national and local government employees – provide

social security to the majority of our working population.

Histadrut's main concern is to secure employment for the working man. Thus, despite the new, conservative policies advocated by some of the ministers in our present Government, unemployment in Israel is below 7 per cent. Unemployment compensation is paid by the National Insurance Institute; but this is only a temporary remedy. Therefore in our labour economy in enterprises which have had to reduce manpower because of the economic recession, we have offered the workers professional re-training programmes and mobility opportunities whenever possible, to avoid unemployment. We have also proposed that part of unemployment pay be channelled to vocational training schemes to create a new basis for employment. In order to help our development towns which have been the hardest hit by unemployment, because of the rather small number of enterprises available, the Histadrut has established a special "Growth Fund" which operates in accordance with our principle of mutual aid. Workers in enterprises throughout the country have contributed the equivalent of three days' work to this Fund and the money collected has been used to set up new enterprises or to enlarge existing ones in order to supply more jobs in the developing towns.

The problem of lack of sufficient industrial jobs is particularly acute in Israel's Arab villages. The Jewish villages – mostly kibbutzim (collective settlements) and moshavim (smallholder settlements) – have coped locally with the problem by initiating the establishment of industrial plants, thus combining industry with agriculture to secure employment for all their members. However, in the Arab villages, industrialisation has still not taken place, and people travel to neighbouring towns to find work in industrial plants. The Histadrut is trying to help industrialise the Arab villages by encouraging the establishment of co-operatives and today there are already 190 such co-operatives.

We are also encouraging the establishment of manufacturing plants in Arab villages on the basis of partnerships between our labour economy and local contractors. We believe that Histadrut's rural employment promotion drive in the Arab villages will not only help to solve employment problems, but will also serve as a bridge for Jewish-Arab co-existence and the full integration of the Arab population in the Israeli economy, just as the Arab workers themselves are integrated in Histadrut as full-fledged members enjoying equal rights and obligations, and elected to our highest executive bodies.

I should now like to comment on the Director-General's Report.

The report on the situation of the workers in the administered territories, prepared by the Director-General and the ILO annual mission, includes – despite certain inaccuracies – several interesting elements. The mission is given full freedom of action and movement, and meets with whomever it wishes. I will not discuss the sections of the report pertaining to the Israeli Government and employers, but there are some other issues that I feel must be dwelt upon.

First, let me comment on the section relating to equality of opportunity and treatment. As far back as 1967, the Histadrut succeeded in ensuring, as the Director-General's report itself testifies, that every worker from the territories who sought employment

work, underemployed, undernourished, or even starving.

Not so long ago, one spoke fairly frequently of the need to set up a new international economic order. Nowadays, those voices are heard less and less often. Priority is given to the ways and means of managing the crisis, and sometimes that is really no more than a euphemism which barely conceals efforts to shift on to others, particularly the weak, the burden of the necessary structural adjustments. It seems that an attempt is being made to ensure that people forget the onus of responsibility which in the present situation is on the developed countries, and the spirit of solidarity which should imbue all macro-economic decisions in these countries.

We should like to congratulate the Director-General, Mr. Francis Blanchard, for having stressed in his Report the social dimension of human rights, and for having most opportunely recalled how it is a common responsibility.

The deliberations in this forum, whose vocation it is to concern itself with the basic needs of the world of work, are called upon to contribute to creating a better awareness of the gravity of the situation and to succeed in determining lines of action which are adequate to meet the present challenges.

Forty years ago my people chose the socialist path of development. Socialist property in its two forms, state property and co-operative property, constitutes the foundation of our economic system, from which exploitation of man by man has been eliminated once and for all and in which full employment has been ensured and is guaranteed by the Constitution. At the Romanian Communist Party Congress in 1965 a process of profound change was initiated, and is still under way.

Distortions of socialism, violations committed against human rights, erroneous interpretations of our history and of our cultural heritage have been eliminated and arbitrary practices have been replaced by a society based on law. On the basis of the principle that the development of socialism implies the development of democracy, an entire system of institutions has been set up enabling workers and citizens in general to express themselves and to participate fully in decision-making. In enterprises, the supreme decision-making body is the general assembly of workers whose executive body, the council of workers, is itself made up of elected representatives.

As for economic management, we have carried out a redistribution of responsibilities between central state bodies and production units so as better to harmonise the tasks stemming from the single economic and social development plan and the freedom of choice deriving from the autonomy of enterprises based on self-financing and self-management. At the same time, successive price reforms have been carried out with the aim of better reflecting the real costs of production.

On the basis of this new economic and financial mechanism, we have devised and implemented an economic policy aimed at sustained growth and a harmonious distribution of new economic activities throughout the land and at moving from extensive to intensive development and to increasing participation in international economic co-operation.

As for promoting the principle of equality of opportunities, I should like to make a few comments.

First of all, the policy of economic development nation-wide and an appropriate housing policy have resulted in the creation of more than 5.6 million new jobs since 1950, most of them in the last 20 years. These jobs which have been created throughout the country have been conducive to a considerable reduction in the disparities between districts in terms of per capita income. Numerous industrial sites and agro-industrial centres have been built in all districts and there has been an almost total reconstruction of towns.

Secondly, a coherent policy has been pursued on equality of wages between men and women and the promotion of women. Today women are well represented at all levels, in the State, the party, in trade unions, and in various other professional organisations, as well as in enterprises and groups of enterprises.

Thirdly, an income policy has been introduced which excludes privileges and the appearance of new privileged strata, and at the same time ensures that workers are interested in the results of their labour.

Finally, there has been a considerable development of education, research and culture, which enables everyone to have access to an education which guarantees equality of opportunity and also provides the necessary conditions for the full development of the individual.

My country is at present midway through implementing the 1986-90 five-year plan. In that period the market value of production in industry has increased by some 20 per cent, and we have secured record production in agriculture for the second year running. Productivity has increased by 20 per cent and exports by 30 per cent, which have made it possible for us to increase the wages of all workers by 10 per cent. This action will start this year and the first beneficiaries will be the workers with the lowest incomes.

The fact that we have on our agenda an item on employment promotion and social security with a view to the adoption by the Conference of a Convention reflects the concern of the ILO at the situation existing in certain member countries in this respect and also the determination to contribute to finding solutions which are both realistic and effective.

It is the same for the item concerning rural employment promotion which shows once again the attention devoted by the Organisation to the critical situation obtaining in many member States in this important economic sector.

In Romania about 28 per cent of the active population is employed in agriculture.

Modernisation and the reorganisation of agriculture are accompanied by the creation of the necessary prerequisites for approximating the conditions of life and work as between villages and towns. The extension, in the rural areas, of the network of non-agricultural activities, such as small industry, handicraft co-operatives and services also contributes to ensuring full employment and better utilisation of the work of the population.

The conclusions that can be drawn from the special report of the Director-General on the situation of the Arab workers in Palestine and the other Arab territories occupied by Israel demand more than ever a redoubling of efforts to achieve a political solution, to convene an international conference under the

in Israel through our Labour Exchanges would enjoy the same conditions as his Israeli counterpart, in terms of wages, social benefits and work opportunities. To our regret, however a considerable number of workers from the territories prefer irregular employment over which the Histadrut has no control.

We are certainly far from happy with this situation, as the availability of cheap labour is harmful for the Israeli worker. But, speaking generally, I can say with a measure of confidence and pride that by and large there is no cheap labour in Israel in the real sense of the term.

Contrary to other migrant workers, the workers from the territories are regarded as commuting workers, the large majority of whom leave their homes in the morning to come to work in Israel and travel back to their homes at the end of the working day. Because of the small size of the country the maximum travelling distance amounts to one hour only. Permanent workers in organised plants also participate in union activities. They are entitled to vote and to be elected either as representatives of workers from the territories or as representatives of the entire working body. Some have been elected as workers' committee chairmen by the whole body of workers, Jewish and Arab alike.

In return for the trade union protection which Histadrut extends to the workers from the territories, it deducts a 1 per cent organisation fee from their wages as compared with the 4 to 5 per cent membership fee it deducts from its full-fledged members.

Histadrut ensures that workers from the territories are aware of their rights by distributing pamphlets and leaflets in Arabic at their places of work and in the labour councils. There is also a "Questions and answers" radio programme in Arabic on these topics, as the Director-General's report has rightly mentioned.

Throughout the most difficult periods during the last few turbulent months in the territories, the solidarity between Israeli workers and their colleagues from the territories has not wavered, indeed, due to Histadrut's strong objections the proposal to import foreign workers to replace the workers from the territories was rejected.

I now turn to the resolution submitted by the Arab States, and this takes us back to the days which we had hoped would never again return. Purely political issues have once again been placed on the ILO's agenda to the detriment of the Organisation's most important social mission and in contradiction to due process machinery. In this respect, I should like to recall the words of a great ex-spokesman of the ILO, my friend Irving Brown, the Workers' delegate from the United States, when these matters were discussed in 1983. He firmly stated that "to condemn a member State's behaviour without due process was to politicise the Organisation. The ILO's due process machinery included the complaints procedure set out in article 26 of the Constitution and the review procedures of the Governing Body Committee on Freedom of Association, the Committee of Experts on the Application of Conventions and Recommendations and the Conference Committee on the Application of Standards. It did not permit a one-sided investigation. Certain of the sponsors of the resolution were advocating a weakening of the supervisory machinery. Many of them had been cited by the Committee of Experts. Israel had never been cited.

The resolution was an attempt to turn the Committee into a combination of prosecutor and jury. Since the resolution mentioned freedom of association and discrimination, which were subjects of ILO Conventions, why did the sponsors not complain to the Committee of Experts, the Committee on the Application of Standards or the Committee on Freedom of Association? It is appropriate to decide such a matter by simple vote in a committee of changing membership and political composition. The adoption of a series of resolutions did not constitute a legitimate and objective record."

Past experience has shown that preoccupation with a political issue of this kind will inevitably prevent us from dealing with any of the other constructive topics which are the ILO's very *raison d'être*. This being the case, the Histadrut delegation cannot remain indifferent to the very grave unfounded accusations contained in the draft resolution and will certainly not refrain from pointing out the record of the countries which have subscribed to this draft resolution in the field of human and civil rights, freedom of organisation and care for the living and working conditions of their peoples. Neither will we abstain from noting those countries which shamelessly practise double standards in their relations towards other countries. On the one hand, they abstain from criticising countries which deny human rights and basic freedoms on the absurd claim that these countries cannot be influenced anyway but, on the other hand, they very readily condemn Israel – the sole democracy in the Middle East whose free trade union movement, the Histadrut, organises three-quarters of its entire population.

As far as the workers from the territories are concerned, I wish to state that the Histadrut has ensured that everyone who works in Israel is covered by the same collective agreements prevalent at his workplace. Furthermore, despite the fact that the Histadrut is a general federation of labour in which all parties of our political spectrum are represented, the Histadrut decided by virtue of a formal executive bureau resolution to extend trade union protection to those Israeli Arab workers who took part in solidarity actions.

Let me add a few remarks concerning paragraph 5 of the resolution which calls for the establishment of a special committee to deal with the situation in the territories at every ILO session.

First, the resolution, by referring to "Palestine and other occupied Arab territories", in effect denies Israel's very existence, and may I remind you, fellow delegates, that the Conference rejected such language in the Conference of 1983 which rejected a similar resolution.

Second, every year an official ILO mission visits the West Bank and Gaza to study conditions there and receives full co-operation from all three parties which represent Israel at the ILO. The Director-General's Report includes a special appendix on this topic. This ought to be entirely sufficient.

Third, the resolution contains not a single constructive proposal regarding peace.

This disruptive initiative is taken at a time when the world community is intensifying its search for peace and coexistence, as has just been demonstrated by the summit meeting in Moscow. The truth is that the Israel labour movement, which has a large majority in the Histadrut, is making efforts for peace.

I am sorry that I have had to introduce a political element in my address but I was left no choice in the face of the political resolution you have been asked to support. I am, however, confident that sound logic and sincere desire for peace will lead you to reject this draft resolution and seek positive avenues for advancing the cause of peace in our troubled region.

Interpretation from Spanish: Mr. TORREZ GAMEZ (*Workers' delegate, Nicaragua*) – In taking the floor at this august assembly, I would like to join the speakers who have congratulated Mr. Beyreuther on his election to preside over the work of this Conference. We are certain that under his skilful leadership, our work will conclude with extremely positive results.

The Report of the Director-General this year has addressed a very sensitive issue; the serious violations of human rights in many areas of the world trouble the conscience of mankind.

Every day men and women everywhere are being persecuted, murdered, imprisoned and subjected to the most degrading, cruel and unjust conditions.

At this very moment, while I speak in this forum, it is certain that someone, somewhere, is awaiting his final hour, a victim of cruel mistreatment, deprived of these human rights we are discussing, and about which so much has been written.

The traumatic reality exceeds the resonance of any speech or the eloquence of any report.

In the area of economic and social rights, the spectre of unemployment, the lack of social security and the absence of minimum labour guarantees persist, despite efforts brought to bear by the international community and its bodies, and there are still no prospects for an immediate solution.

As was pointed out in the Report of the Director-General, Conventions and international labour standards undoubtedly represent effective instruments for the protection of millions of workers. However, beyond the legal framework, there are structural conditions in the world economy which have a crushing weight on the prospects for full productive employment, social security and other basic claims.

We are firmly convinced that in order to guarantee to the working class of the Third World the essential conditions of work and life, our economic dependence on the large industrial Powers must be ended, and the creation of a more just and rational economic order is essential.

This is why we reject the economic structural adjustment measures sought by the World Bank and the International Monetary Fund because these measures merely shift the weight of the crisis on to the shoulders of the impoverished majorities, without tackling the basic causes of this crisis.

The Nicaraguan workers support all workers of the world fighting for social conditions which can guarantee a decent future for their children.

The workers in Nicaragua, during these eight years following the revolution, have been the main protagonists of fundamental achievements in the areas of freedom of association, collective bargaining and in other concessions exacted from the employers who were once protected by the dictatorship; many of them have not understood that tripartism is not just a ceremonial sentence, but a necessary reality of today's world.

Embarking upon the complex path of national reconstruction, we have taken special care to safeguard fundamental human rights. In eight years of revolution we have been able to create more than 2,600 trade unions and have negotiated more than 1,400 collective agreements in all economic sectors.

We have gained access to education, health and housing projects in the cities and in the countryside; and although it entails great sacrifices, we are building for future generations.

This is the project of an entire people which has been the victim of aggression by a foreign Power for some years now. The sentence of the International Court of Justice clearly defined which party was in the right in this conflict.

What has been the reaction of the Nicaraguan workers to the foreign aggression?

What has been and continues to be the position of the great majority of the trade union movement?

It has been the same as the position of the European trade union movement during the fascist invasion. We have put aside personal interests to come to the defence of our country; no one can reproach us for such an attitude. Was it not the thousands of French, Belgian, Dutch and English workers who joined their national armies and resistance movements, and who finally defeated the aggressor?

It should therefore not come as a surprise that the unions in Nicaragua have urged their members to join the ranks of those fighting to defend the sovereignty of our country.

Just like the workers of Europe and of all countries threatened by fascism, Nicaraguan workers have strengthened the resistance against the aggressor. In 1987 and 1988, we contributed 1,109,618 man-hours on a voluntary basis, involving more than 30,000 workers and a vanguard detachment of 12,000 responsible for providing supplies and spare parts that are in short supply owing to the economic embargo decreed against our country. What other attitude could we have expected from people who love their nation?

Could we imagine French or Belgian workers declaring a strike or boycotting the production of their country during the bitter struggle to expel the fascist enemy?

Without a doubt, we admire the example of that generation of workers who were responsible for the victory in the bloody battle to preserve the fundamental values of mankind.

The principles of self-determination and resistance before the aggressor are not foreign to the history of the European, Asian, African, Arab or other labour movements. And that is why we know that you understand our support for the Popular Sandinista Revolution, which safeguards the nation and the principles of social justice and solidarity.

We are in favour of measures and practices which offer prosperity to our future generations.

That is why we are fighting for peace, because we are aware that the war of aggression financed by the North American Government has cost the country more than 3,600 million dollars in material losses and more than 50,382 lives.

What claims could workers make while the conflict has paralysed investments and closed enterprises?

In these circumstances, however, we do not hesitate to take action to protect the interests of workers. But we are not irresponsible; we will not sacrifice the

in which workers and trade union organisations must struggle day after day in South Africa, in Namibia and the territories occupied by Israel. This is of considerable concern to us. In Chile, the trade union movement is fighting for trade union rights in order to topple the regime of the dictator Pinochet.

It is quite clear that democratic freedoms are threatened and that the military dictators are flagrantly violating Convention No. 87 and the principles of the Universal Declaration of Human Rights. It should, however, be pointed out that in the Western so-called democracies, conservative circles have declared war on the trade union movement and its achievements. At present, the employers and government circles in several developing countries are pursuing a policy aimed at weakening the influence of the trade unions. These circles have adopted as an objective the abolition of the rights and advantages of the trade unions which they have attained through the century-old struggle of the trade union movement. These trends are clearly visible in Europe. I should like to point out many countries have social legislation the objective of which is to create a situation making it possible for the government to break strikes with the assistance of the security forces, as has happened in a number of countries. In the course of recent years, the defence of trade union rights has played an important role in social struggles at the international level. This shows that the trade union movement and the workers are determined not to withdraw in the face of the onslaught of reaction.

Interpretation from French: Mr. LEBRUN (Workers' delegate, Haiti) – Please allow me first of all to congratulate Mr. Beyreuther on his election to the presidency of the 75th Session of the International Labour Conference.

The creation of the first Haiti trade union, which was the cobblers' trade union, set up on 24 March 1903, proved that class consciousness already existed amongst the workers, but nevertheless after this first attempt to organise, the reactionary class and the occupiers of 1915, sullyng our native soil, quickly moved to stifle the union. It was only in 1946 that the movement was officially launched. Forty-two years of insignificant trade unionism marked by high and low points, and the most severe blow struck against it was in December 1963 by the regime of Duvalier the elder. The Third World faction of the movement, led by Fortuné, in exile in Venezuela, tried to re-establish the movement in 1980, but the Duvalier dictatorship, now represented by the son, once again extinguished the flame of the working-class movement. If there was any trade unionism at all, until 7 February 1986 it was a drawing-room trade unionism in lounge suit – sham trade unionism under supervision.

I have briefly recalled my country's trade union history in order to make you understand the complex problems of the Haitian labour world. From the slave system to the feudal system, which still prevails in the rural areas, our country underwent its industrial apprenticeship with the installations set up by the American occupier and since that time, at the beck and call of the political authorities, the wealthy class, completely unperturbed, has continued its outrageous exploitation of the working class. In the last 31 years of the Macoute regime, up to the CNG transition, exploitation with all its implications and consequences has been institutionalised. There is no

question of life or dignity in the tragic situation of urban and rural Haitian workers.

In the closing years of the twentieth century, when man is ahead of his time, while still incapable of feeding millions of starving people throughout the world, the Haitian worker in provincial towns and in the capital has no housing, not enough to eat, no access to health care. He has suffered over the last ten years from a wage freeze, he is seeing the cost of living shooting up and his purchasing power diminishing; he is cramped into shanty towns without any facilities, exposed to epidemics, infectious diseases, and ill-treatment. He has the choice only between death or mass migration abroad, like the boat people, in totally inhumane conditions in a hopeless search for a better life.

As for the rural worker, he has the worst of all worlds, with the impoverishment of the peasant worker, the drain of capital from the agricultural sector, underemployment and lowered productivity. Peasant workers, who make up more than 80 per cent of the overall population, remain the source of all the evils of Haiti: they are illiterate and have no technical training. The Haitian peasant worker is in a serious situation. You must understand that he carries on his shoulders 43 per cent of the GDP of an economy in distress and that he lives on the margin of society without any facilities, without any infrastructure: no schools, hospitals or electricity, no roads or means of communication. Our country, Haiti, is one of the countries most interested at this 75th Session in the promotion of employment in the rural environment. It is calculated that 10,000 to 15,000 hectares of land remain uncultivated every year as a result of erosion caused by the systematic felling of our forests which has led to a serious decline in the real income of the rural population. The mass of workers and small farmers make up 66.8 per cent of the overall active population. Another constraint upon the development of agriculture is the fact that the land is badly distributed and the most fertile land is concentrated in the hands of the big landowners.

This serious deterioration of economic and physical conditions has led to massive rural migration to the towns and the other Caribbean islands, particularly to the sugar plantations of the Dominican Republic, creating a new slave class of the twentieth century in the Caribbean. Of course I do not have the time to go into detail on these circumstances, but I can say one question arises: What are the working conditions of the labourer, the artisan, the skilled worker, the peasant, the Haitian worker in general?

Working in Haiti is not a right but a favour and to deserve it you have to obey without answering back and take everything so as not to lose your job. Work, which is usually understood as a factor of freedom and equity, is reduced to punishment. Working conditions, the working environment, health and safety, poverty wages, the total lack of social security, all these factors I think give you, delegates to the 75th Session, an idea of the social position of the Haitian workers, which gives rise to the need for us in Haiti to struggle for a new Labour Code and ratification of the Convention on the promotion of employment and social security.

The army of the unemployed is growing from day to day, increasing the number of petty criminals, pickpockets and gangsters. Solutions to this problem

future in order to ensure the present at all costs. The first battle that the Nicaraguan workers have to win is the safeguarding of the integrity of the country and the sovereignty of the nation. Without a free country there are no worker demands; if we lost the country, we would lose everything. We will never allow this to happen.

Throughout our struggle, Nicaraguan workers have acted in solidarity with other workers in other areas who are fighting against the same enemy.

That is why we reaffirm our unwavering solidarity with the workers and people of Panama, victims of economic aggression and military threats which have been repudiated by the international community.

We reaffirm our solidarity with the Palestinian workers in the territories occupied by Zionist aggressors. Their cause is also our own.

We continue fighting alongside the people of Namibia and South Africa, to put an end to the abhorrent regime of apartheid.

Finally, we reaffirm our willingness to work alongside all the workers of the world who are fighting for the just cause of freedom, and we affirm our commitment to defeat the enemies of peace, social justice and freedom in the land of Sandino.

Translation from Finnish: Mr. PERÄ (representative of the Trade Unions International of Workers in the Building, Wood and Building Materials Industries) – Allow me, on behalf of the 17 million members of the Trade Unions International of Workers in the Building, Wood and Building Materials Industries to greet the participants of the 75th Conference of the ILO. The workers of our international organisation and their professional organisations are well aware of the importance of the questions on the agenda of this 75th Session of the Conference. We have studied with considerable attention the Report of the Director-General and we are convinced of the importance of the points to which he has drawn attention and that the agenda of the Conference and the sub-topics satisfy the requirements of our time.

We, as a trade unions international, are particularly impressed by item IV of the agenda. Safety and health in construction is of vital concern for the occupational organisations of our industrial branch. Within the Trade Union International, this question, for some years now, has been discussed in detail. Four years ago, we embarked in our Organisation upon a discussion concerning the establishment of a programme of demand in the field of labour security in the building industry and the wood industry. These efforts resulted in a first draft which will be discussed at the tenth international conference of our industrial branch, from 13-17 September in Berlin, the capital of the German Democratic Republic. With regard to the building industry, the main points of this draft are on the same lines as the draft Convention and Recommendation drawn up by the International Labour Office in the field of labour protection in the building industry. In our view, all the conditions are assembled for the 75th Session of the International Labour Conference to prepare a document on labour protection in the building industry which could be an instrument for improving labour conditions in our industrial branches.

In our preparations for the discussion at this session of the Conference on safety and health in construction, we have taken advantage of the experience

of a year ago. We pointed out, indeed, that a year ago, certain employers with the help of certain government representatives, had made a serious attempt to prevent the adoption of a new Convention and Recommendation capable of effectively promoting safety and health in the building industry.

That is why, in our Trade Union International, we feel that the Employers' efforts to have certain Articles of the proposed Convention changed or to dilute the text agreed upon a year ago reflect a highly irresponsible attitude towards the very serious problems arising in our branch of the industry. Furthermore, we are convinced that it is essential to solve a whole series of questions within the framework of this new discussion. The necessary material in this connection was submitted a year ago by the Workers' group.

On behalf of our international organisation, we should like to stress forcibly that Convention No. 62 at present in force no longer adequately satisfies the needs of the building industry as regards the regulation of occupational hazards. It is necessary to state clearly that Convention No. 62 does not cover the conditions which have evolved in the building industry over the last 51 years. We all know that Convention No. 62 was approved in 1937. Since then, technical progress in building has moved ahead at a tremendous pace. Building processes, materials, methods of work have been modified. The concept of construction has been totally changed. It is therefore quite normal that regulations concerning the elimination of hazards, that is to say, the necessary measures ensuring safety at work, should be different from those established 51 years ago.

Taking into account the interests of the woodworkers and the workers of the building industry, new international standards are necessary. This need has been expressed by the whole trade union movement and is demanded by trade union organisations regardless of their political orientations or international affiliations.

Our Trade Union International stresses that the international standards of safety, health and well-being must today, as in the future, correspond to the demands of the technico-scientific development of our industrial branch. Therefore, the adoption of a new Convention and Recommendation is essential to ensure better labour conditions for several millions employed in the building industry.

Allow me to draw attention more particularly to Part I of the Report of the Director-General relating to human rights. I am very satisfied that this Report stresses the Freedom of Association and Protection of the Right to Organise, Convention, 1948 (No. 87), which is particularly important for the international trade union movement. From the point of view of trade union action, this document, the 40th anniversary of which we celebrate this year, is of vital importance. Indeed, the international trade union movement considers that trade union rights and freedom of association are an integral part of human rights.

We have noted in our Trade Union International that over the last years there has been a considerable development in the struggle of the peoples for their democratic freedoms and their trade union rights. The trade union organisations of our industrial branch have played and will continue to play a central role in this process. Furthermore, the situation created by discrimination imposed a radical situation

are not round the corner because the gulf between the haves and the have nots is so enormous that it will take us a great deal of time as well as political and democratic will and trade union struggle in order to reduce it. But if we see a better tomorrow retreating from us further and further, this human tide of suffering, hungering and thirsting for justice and freedom will not be confined by any plan to halt the struggle of the workers and people of Haiti for a better life.

The employers in Haiti have been tolerated and protected by the political authorities, who have always been their puppets, particularly during the last 30 bloody and cruel years of the Duvalier regime. The employers, Haitian or foreign in a conquered land, have made their pile from the Haitian working class. Without defence and without the right to organise, the Haitian worker, from the dissolution of the trade union movement in December 1963 until 7 February 1986, was delivered bound and gagged into the hands of the reactionary, retrograde and paternalistic employers. On 7 February, a date which we shall constantly refer to, a clandestine movement, which had existed for nearly 23 years, was able to surface once again, with three main branches: the CATH, the FOS – which had been on the scene for two years – and the CATH/CLAT. And since then, the struggle for the right to exist and the right to organise has been our main demand.

In 1986 alone, more than 12,000 jobs were lost with the closing of subcontracting enterprises, which thus reacted to the breaking up of the package of claims put forward by the working class, and also of the joint enterprises administered by the State of Haiti under the order of the famous Minister of Finance at the time, Lesly Delatour, commonly known as “Chicago boy” or “Mister Clean”. No jobs were lost in 1987, but over 10,000 workers in the subcontracting industries were dismissed for their trade union activities and nearly all of them were okayed by the Social Affairs Department. Other foreign employers, who were more arrogant, did not hide their anti-trade unionist attitudes and said, “If you want your trade union, keep it, but we will take our enterprises to Costa Rica, the Dominican Republic or elsewhere”. Others who are more intelligent, so very intelligent, prefer to counter-attack with their inspectors, supervisors and senior employees, using the corruption of trade union leaders or business representatives, blocking negotiations with their skilful lawyers specialising in dirty tricks and demagoguery, playing on the corruption of judges at the special labour court and police and military intimidation against the legal actions of workers for their just claims. And because of their manoeuvres, some of these employers have become notorious.

More recently the anxiety of the workers and the trade union movement has been aroused by the tendency of the employers to revert to their old repressive practices, with the use of intimidation, arrests and so on, to block any claims put forward by the workers. It was observed in March, April and May, that whenever action was taken by the workers' unions, however just and legal, it was promptly put down by the intervention of armed civilians or the military. In addition to the protests and accusations made to the bodies concerned on the 40th anniversary of the Freedom of Association and Protection of the Right to Organise Convention (No. 87), we pub-

licly condemn these arbitrary acts which remind us of the 30 years under the Duvaliers, and call upon the ILO bodies concerned to take the necessary action without delay. At the same time, we condemn the opportunistic groups of politicians who, to satisfy their ambitions and realise their political plans, infiltrate the workers' strikes to manipulate them for other purposes.

As a delegate of the Haitian workers and my own Confederation (CATH/CLAT), I have to point out to all the participants at the 75th Session that, without complicity, there would have been no misuse of funds. Having said that, I would add that the succession of Haitian Governments up to the present date have always been mercenaries with no sense of patriotism in the service of the major powers, protecting the interests of the employers and the bourgeoisie. Similarly all the laws, structures and institutions in our country have been established in such a way as to protect and defend the interests of the affluent class.

How are we to interpret the fact that, throughout the dictatorship of the Duvaliers, the transition of the CMG and up to the present, our Ministry of Labour and Social Affairs, with all its bodies, should have been impotent before the dramatic situation of the Haitian workers. The Haitian worker, at the mercy of the whims of reactionary employers and the complicity of the bodies and certain services of the Ministry of Labour, the passivity of the employers' organisations and the internal struggle of the trade union confederations, does not know which way to turn. Accustomed to corruption, the Haitian and foreign employers, since the days of the dictatorship, which they supported, have infiltrated all the services of the regional offices of Social Affairs and especially the labour tribunal, where cardboard copies of judges always await instructions before knowing what to do and what verdict to pronounce. Incompetence and corruption – these have been the distinguishing features of all the services of the Ministry of Labour, with a few minor exceptions, in the last 30 years.

I do not wish to conclude without referring to the 40th anniversary of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), to respect for human rights and to the freedoms of workers and peoples. You are no doubt aware that, up until now, establishing a trade union was necessarily a clandestine matter in Haiti as long as it had not been legalised by the labour directorate. Otherwise, the founders would simply be dismissed by the enterprise.

When we refer to human rights and freedoms, we do this for various reasons. As workers and an affiliated confederation we adhere to the overall concept of human rights as defined by the CLAT and the WCL. The CATH/CLAT demand, for the workers and the people of Haiti, the right to life, to existence, to the right to learn to read and write, the right to work, to hope, and the right to develop ourselves, as workers and as people, because we are not second-class workers. We have spilled our blood in order to gain our freedom and to build democracy, and we are always ready to continue the struggle in order to achieve our complete and full liberation.

Nobody will make us a present of freedom and democracy; we have always worked to be worthy of our independence and to make 7 February 1986 the date of the eradication of the Duvalier dictatorship.

For our workers and our people the struggle continues. We are not asking for anything but we do demand, by means of international co-operation, to have returned to us what for so many years of repression was stolen from us by all those who supported or tolerated the bloodthirsty dictatorship that oppressed our people for 30 years.

We are taking this opportunity to denounce from the ILO rostrum the Haitian employers, accustomed to paying tribute to the dictators all the better to exploit the workers, and the foreign and transnational corporations that have made such enormous profits through the corruption of the totalitarian Duvalier regime. In common with workers and peoples throughout the world, we demand the right to freedom of association and the full exercise of human rights which must not only prevail within each country but also, and more particularly, in the international context, because there are countries that violate the rights and freedoms of other countries and, in order to enjoy a higher level of development, condemn us to underdevelopment. We repeat in a loud voice and to the whole world that we, the workers and the people of Haiti, are capable of constructing our own model of democracy in keeping with our own culture and people. Haiti is undoubtedly in difficulties but it is not a dustbin for ideological rejects or outdated political systems which are now being called into question in other countries by their own ideologists. Like any other great country, we claim our right to self determination. We welcome international co-operation but we say no to assistance given with strings attached or to foreign interference.

We naturally want peace, but not the peace of the grave, not the peace of our children dead because of endemic disease or hunger, while our money rots quietly in foreign banks and our oppressors continue to enjoy their pleasant stay in your country in conditions of luxury. It was sad to hear the President of the Conference saying, in his inaugural statement, that we are all looking to Moscow at the present time and are impatiently waiting for the results of the Reagan/Gorbachev summit, and that the peace of countless countries and of billions of human beings depends on Washington and Moscow. Is peace condemned to depend permanently on the decisions taken by these two super-Powers?

Peace for Haitian workers does not just mean not being in a state of war or living under the nuclear threat, which is merely the polemics of super-Powers and the show business of the arms-producing countries. It is much more than this, it means not to be dependent on or dominated by the so-called developed countries that continue to hold our own development hostage to their own. We want true peace, which is the fruit of social justice, dialogue and consultation, international solidarity and the full exercise of the rights and freedoms of workers and peoples.

Interpretation from Farsi: Mr. YAZDAN PANAH (Employers' delegate, Islamic Republic of Iran) – In the Name of Allah, the Compassionate, the Merciful! "The Satan promiseth you destitution and enjoineeth on you lewdness. But Allah promiseth you forgiveness from himself with bounty. Allah is all-embracing. All-knowing." (The Glorious Koran.)

The International Labour Conference at its present session, addressing the important issue of human rights, has undertaken a new international task, a movement inspired by the increased awareness of the people, particularly in the Third World. The need to pay more attention to the demands of the people in those countries has warranted the international organisations concentrating more on the issues and problems facing the Third World.

The Director-General in his Report to the present session has focused on human rights and the role of common international responsibility in the promotion of respect for human rights, and has stressed the need for better observance of the freedoms contained in the international labour Conventions as the mainstays for the realisation of human rights and has made particular reference to the inter-relationships between respect for human rights and world peace and stability.

There is no doubt that all countries, according to their own ideology and political methods of administration, have adopted economic, political and social patterns of their own, which are essentially manifested in their national constitutions, on the basis of which their economic and political targets and policies are pursued. International labour standards are necessarily given due consideration in economic and social policies and legislations.

The question still remains as to what factors have contributed to the obstructions that hinder the observance of human rights in today's world.

A glance at the socio-economic conditions prevailing in the Third World, considering their acute social situation, particularly in the fulfilment of their basic needs and the provision of minimum living standards, will better demonstrate the extent to which human rights are being respected in the world.

The expansion of the political influence of some major industrialised countries and the usurpation of the natural resources and the God-given wealth of the Third World by the Eastern and Western international exploiters, carried out under the guise of political, economic and military assistance besides the imposition of their own political wishes upon them, has resulted in the ever-increasing deprivation and oppression of the Third World nations.

According to the Report of the Director-General, approximately 900 million people are unemployed or live in absolute poverty in the Third World countries. The pricing of most of the commodities and raw materials of these countries is controlled by the industrialised countries which, in turn, export their manufactured products to the same countries at extremely high prices and their political agents stationed in the satellite countries free-handedly plunder their wealth and natural resources and create regional conflicts under various excuses by dumping their outdated armaments in those countries, serving the goal of making the exploited Third World countries both militarily and economically more dependent. Under such circumstances, can the international labour standards be realised and applied in practical terms?

I should also refer to the obvious violation of human rights through the continuation of the policy of apartheid by the racist regime ruling over South Africa and by the usurping Zionist regime. The Zionist entity, usurping the homeland of the Moslem Palestinians, has deprived them of their most funda-

mental God-given human rights, and still with military and financial support of the arrogant Powers, continues to plunder their natural wealth. Nevertheless, the liberation movements of the oppressed in South Africa and the uprising of the Palestinian Moslem are being bathed in blood, while they struggle for the achievement of their very basic human rights and to restore to the beautiful phrase of "human rights", the standing theme in the Report of the Director-General, the true meaning it deserves.

The imposition of various restrictions and creation of barriers by the major industrialised countries, preventing the establishment of an acceptable balance in international economic relations, are the most important factors in the expansion of poverty and inequality in nearly all of the Third World countries.

The total amount of debts of the developing countries has increased from US\$1,120 billion in 1986 to US\$1,190 billion in 1987, indicating an annual increase of 6.3 per cent. Those debts are estimated to further increase to US\$1,250 billion in 1988. This implies that the economic situation of the debtor countries has been more seriously deteriorated, while they have not been able even to free themselves of the repercussions of the assembly industries due to the obstructionism imposed upon them by the industrialised countries.

Furthermore, transnational enterprises, as the arms of the international exploiters continue to dump their hazardous industries in the Third World, thus confronting the deprived nations of the world with serious occupational and environmental health and safety hazards.

Those companies, relying on the usurped wealth of the Third World and adopting unjust exploitative policies and practices in the international markets have disrupted the economic, financial and trade status of those countries to their own benefit and have caused detrimental effects to the economy of the Third World. Agents of those companies, by artificially lowering the prices of primary goods and raw materials and then through massive purchase of the same materials from the exporting countries, by exerting control over the international markets and increasing the prices according to their own illegitimate interests, drain the material wealth of the Third World countries. Owners of capital in the industrialised countries through monopolising the technology have practically blocked the route of progress and prosperity to the Third World countries.

As the effective observance of human rights is becoming more urgent, some countries who pretend to be supporting human rights in effect block the realisation of human rights by perpetuating their anti-human acts in all corners of the world.

The Great Satan and its allied rulers, with their insane acts in different regions of the world, including the Persian Gulf, in order to secure the unlawful interests of transnational enterprises, have entered their military fleet to their satanic show of power aimed at continuing their exploitation of the oppressed countries by obstructing the socio-economic progress of the held-back nations. To continue their economic plunder, they impose various sanctions, contrary to all human values, and prevent the healthy commercial and economic activities of the human societies whose most basic right, that is, their right to self-determination, is thus obviously breached.

On the other hand, the continuation of the role of the dollar in international transactions has created other serious hazards for the prosperity of the peoples and the economies of the Third World. The publishing country, through creating artificial fluctuations in the supply of dollars, imposes her arbitrary control over the world economy, and inflicts irreparable harm on the already weakened financial body of the Third World countries, thus expanding the dimensions of poverty all over the world. Under such conditions, discussing the observance of or respect for human rights in the international community will bear no fruits unless the destructive factors, i.e. the international exploitative policies of both East and West, are discontinued. So long as those policies be carried out, one cannot expect human rights to be truly respected in the international community.

Hardly two years had elapsed since the victory of the Islamic revolution in our country when the war was imposed against our Moslem people. Nevertheless, despite sanctions and other pressures imposed by the international exploiters, our country has been able to pass new laws, with particular reference to the observance of the rights and the provision of various social protections for the Moslem and revolutionary people. Managers have wholeheartedly supported the Islamic revolution, and have endeavoured towards the reconstruction of the economy aiming at the independence of the country to be gained.

It has been one of the main objectives of the employers to help raise the living standards, as well the income and employment levels of the workforce and promote their well-being. The employers of the Islamic Republic of Iran have had no conflict of interests with the workers while fully participating in the tripartite activities that are according to, and in some cases, higher than the international labour standards. This also has been possible with the help of the Almighty, and because of the common understanding which prevails in the light of our Islamic culture.

Our Moslem people are continuing their holy defence ever more resolutely after eight years since the beginning of the imposed war, while the aggressor, with the bombardment of our cities, villages, schools, hospitals and factories, is continuing its aggressions, among the most recent of which the chemical bombardment of the defenceless women, men and children in the Kurdish city of Halabcheh can be cited as an unprecedented crime committed by the aggressor. This is while the responsible international organisations, claiming to defend human rights, have kept silent instead of identifying and condemning the aggressor without even trying to prevent the continuation of such aggressions. Neither have the well-known international exploiters denied the aggressor any of their wholehearted support.

In order that fundamental human rights be truly realised, there is no way for different social groups but unitedly to rise up against the international exploiters.

Managers and employers in the Islamic Republic of Iran have, shoulder to shoulder with other social groups, embarked on a national movement against the international exploiters. Numerous innovations in our country bear witness to our success in practical terms. We believe that basic human rights can prevail only when – inside national borders – the illegitimate interests of international monopolisers be dis-

continued through appropriate management so that the natural freedoms and rights of all the people of the world shall be restored.

Peace be upon us and the true followers of Allah!

Interpretation from French: The PRESIDENT (Mr. ADIKO) – I now call on Mrs. Kekedo, Government delegate of Papua New Guinea, who wishes to exercise her right of reply to Mr. Titimur, Workers' delegate, Papua New Guinea. First, however, I must remind you that persons exercising the right of reply may be interrupted if they speak for more three minutes, if they raise new issues that go beyond a brief and precise reply, or if the reply constitutes in itself a contribution to the general debate. I trust that you will keep to these rules.

Mrs. KEKEDO (*Government delegate, Papua New Guinea*) – I consider it my responsibility to reply to certain accusations and allegations made by the Workers' delegate from Papua New Guinea. There are aspects of his speech which require some qualification. Firstly, the central statutory wage-fixation system referred to is the Minimum Wages Board. This is only one aspect of the industrial relations machinery operating in Papua New Guinea. It has been in existence since 1974. The Minimum Wages Board is appointed ad hoc and is comprised of one government representatives, one community representative, two employers' representatives, two workers' representatives and a permanent chairman. It sits at intervals of three years and invites submissions from all parties concerned. Its main aim is to give full consideration to what has been presented before it and determine a sustainable minimum wage which is then pegged to cost-of-living increases.

It is interesting to note that the 1983 and 1986 determinations were both warmly accepted by workers' movements throughout Papua New Guinea. It is again important to note that the rate of inflation in my country has been well below the limit up to which wages are adjusted.

Furthermore, during the three-year intervals, workers are given the right to bargain for and negotiate wage increases outside the determination, based on work value changes and productivity.

Three pieces of legislation also provide workers with the right to organise and to negotiate for improved terms and conditions.

It is therefore outrageous and narrow-minded to claim that the Government is curtailing the process of collective bargaining in Papua New Guinea. A whole page is also devoted to the Government's submission to the 1986 Minimum Wages Board hearings. They have used details of the Government's submission to mislead this important Conference. On the contrary, it clearly demonstrates that the Government is concerned about the interest of the majority – that is, the 80 to 90 per cent of the 3.2 million people who live in the rural areas – and is prepared to put its limited resources into development projects for the good of the majority and to accept willingly to be a part of the wage bargaining process described earlier. I should also state that the Government has taken the initiative to review our social security legislation. However, it would prejudice my Government's position if I were to dwell on the issue.

I should like to take this opportunity to state that the Government of Papua New Guinea will be looking forward to the report to be made by the Committee on Rural Employment on which we have had the privilege to serve.

(The Conference adjourned at 1 p.m.)

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Second item on the agenda: Programme and budget proposals and other financial questions

Second Report of the Finance Committee of Government Representatives

1. The Finance Committee of Government Representatives met on 3, 6, 7, 8 and 9 June 1988 with Mr. D.M.P.B. Dasanayake (Sri Lanka) as *Chairman* and *Reporter*, and Mr. J.P. Labat (Uruguay) as *Vice-Chairman*.

1. COMPOSITION OF THE ADMINISTRATIVE TRIBUNAL OF THE ILO

2. The Committee had before it *Provisional Record* No. 2, containing a recommendation from the Governing Body concerning the extension of terms of office of two deputy judges of the Administrative Tribunal of the ILO.

3. The Committee recommends that the Conference extend the terms of office of each deputy judge for a further period of three years, and accordingly that it adopt the resolution, the text of which appears at the end of this report.

II. PROPOSED INCENTIVE SCHEME FOR EARLY PAYMENT OF MEMBER STATES' ASSESSED CONTRIBUTIONS

4. The Committee had before it Report II: *Information concerning the Programme and Budget for 1988-89 and Other Financial and Administrative Questions*, and also *Provisional Record* No. 2, containing a recommendation from the Governing Body concerning a proposed incentive scheme for the early payment of member States' assessed contributions.

5. The representative of France noted that the Programme, Financial and Administrative Committee had made a recommendation to the 239th (February-March 1988) Session of the Governing Body, proposing an incentive scheme to encourage the early payment of member States' assessed contributions. The scheme proposed a redistribution of 60 per cent of interest earned on temporarily surplus regular budget funds to those member States which had paid in full their assessed contributions by the end of the year in which they were due. The distribution was based on the equitable principle that those member States which paid in full and on time should receive the benefit of those interest earnings. However, the situation had now changed. At the 240th (May-June 1988) Session of the Governing Body, the Programme, Financial and Administrative Committee had considered a paper dealing with a proposed long-

term strategy of exchange rates, which proposed the assessment of member States' contributions in Swiss francs. Historically, interest rates paid on Swiss franc deposits were much lower than those paid on US dollar deposits: to have a worthwhile sum available for distribution the resolution should be amended to provide for 100 per cent of interest earnings on temporarily surplus regular budget funds to be set aside for distribution under the incentive scheme.

6. The representative of Venezuela recalled his objection to the scheme at the 239th (February-March 1988) Session of the Governing Body. The obligation upon member States was to pay their contributions in full in order to participate in the work of the Organisation. Member States who paid late did so mainly because they were unable rather than unwilling to pay on time. The proposed incentive scheme discriminated against them and he could not support such a proposal.

7. The representative of Canada strongly supported the proposal to establish an incentive scheme which provided an inducement for member States able to do so to pay their contributions promptly. The scheme would be financed by interest earned on temporarily surplus regular budget funds, and to be successful it was important to attach to it as much leverage as possible. The amount available for distribution under the incentive scheme would not be adequate if the Office were to switch to a system of Swiss franc assessment for member States' contributions; for this reason he supported the suggestion put forward by the representative of France that 100 per cent of interest earnings should be applied to the incentive scheme.

8. The representative of the Director-General (the Treasurer and Financial Comptroller), explained why it was proposed that only 60 per cent of interest earnings on temporarily surplus regular budget funds should be set aside for the incentive scheme, which was very similar to that adopted by the International Civil Aviation Organisation (ICAO). There were two main differences in the schemes, however: firstly, the ILO incentive scheme was designed to operate annually, compared to a three-year period for the ICAO scheme; and secondly, the ILO scheme offered a virtual guarantee that there would be funds available for distribution. There was no such guarantee for the ICAO scheme, where in years when budgetary expenditure exceeded income, interest earnings were applied firstly against that deficit.

9. The main objectives of the scheme were to improve cash flow and to provide some benefit and recognition to those member States which paid their contributions promptly. There would undoubtedly be an even greater benefit to those member States if 100 per cent of interest earnings were to be set aside for incentive payments, but only at some cost to the finances of the Organisation because it was the accumulation of interest earnings which had accounted for the steady growth in the level of the Working Capital Fund since 1972. There was a proposal before the Finance Committee at its present session for a reduced reimbursement to the Working Capital Fund in respect of withdrawals to finance the regular budget deficit during 1986-87, and the diversion of all interest earnings to an incentive scheme would further compromise the Fund.

10. If the Organisation was to adopt a system of assessment of member States' contributions in Swiss francs, it was estimated that the Organisation might earn a premium on the forward purchase of US dollars of about SF7 million a year, some of which could be available to finance the proposed incentive scheme. If it were now decided to use all interest earned to finance the incentive scheme, he expressed the hope that the Governing Body and the Conference would show some flexibility in the use of the premium so that a part of it might be used to protect the value of the Working Capital Fund.

11. The representative of Argentina recalled that he had not opposed the decision of the Governing Body but at the same time knew very well that this decision alone would produce little if any improvement in the financial situation of the ILO. Member States did not pay their contributions either for political reasons or because they were unable to do so, and it was unlikely that this would change with the introduction of an incentive scheme. The proposal should be submitted for approval as it stood. He could not agree with the views expressed by the representatives of France and Canada.

12. The representative of the Netherlands strongly supported the proposed incentive scheme but noted that the need for it had only been brought about by failure of all member States to meet their obligations under the Constitution and pay their contributions in full and on time. He cautioned that discussion on the Working Capital Fund reimbursement and the incentive scheme should proceed separately so that an incentive scheme would stand on its own. He associated himself with the remarks of the representatives of France and Canada.

13. The representative of the United States noted that some remarks of earlier speakers seemed to be based on the belief that if a little incentive was good, a lot was better. This was contrary to the stream of discussion in the Programme, Financial and Administrative Committee where many member States, large and small, rich and poor, had expressed considerable reservations about the success of the proposed incentive scheme. It would make no difference for countries in which payments were governed by legal considerations, and in any case it had only been intended as a temporary arrangement in order to see if the distribution of interest earnings by way of an incentive scheme had any impact, particularly as all interest earnings at present were accumulated in the

Working Capital Fund. The experiences of other organisations within the United Nations family were of limited value as they had not been operating long enough. It was surprising to see the discussion moving beyond a consideration of the incentive scheme and he objected strongly to any line of debate which pre-judged future decisions of the Governing Body. He had supported the proposal in the Programme, Financial and Administrative Committee on the clear understanding that it was to be implemented for a trial period of two years.

14. The representative of Cuba expressed opposition to the proposal. It took no account of the extremely difficult predicament of many poor countries, nor of the vigorous efforts that they were making to pay their contributions in time.

15. The representative of Spain noted that the proposal was for an incentive scheme as an experiment over a trial period, and it would only be possible to decide to continue or abandon the scheme after it had been operating. He supported the suggestion put forward by the representatives of France and Canada that 100 per cent of interest earnings on temporarily surplus regular budget funds should be set aside in the Fund for the incentive scheme.

16. The representative of the Federal Republic of Germany observed that the scheme would probably neutralise the effect of the late payment of contributions by encouraging late-paying member States to pay earlier. He supported the suggestion put forward by the representatives of France and Canada to set aside 100 per cent of interest earnings to finance the incentive scheme.

17. The representative of Brazil associated himself with the previous speakers who had expressed opposition to the proposed incentive scheme. If member States did not pay their contributions on time it was because they were in financial difficulties and these could not be cured simply by an incentive scheme to pay earlier.

18. The representative of Australia expressed his continuing support for the proposed incentive scheme, stating that it would encourage member States to pay their contributions promptly and restore a measure of equity to the current situation. At present some member States were effectively subsidising others and the proposed incentive scheme redressed the balance in some small measure. He appreciated the explanatory comments from the Treasurer and Financial Comptroller but nevertheless expressed support for earlier speakers who proposed that 100 per cent of interest earnings be set aside to finance the incentive scheme. He believed also that any incentive scheme should stand on its own and that the reimbursement of the Working Capital Fund should be debated as a separate issue.

19. The representative of Botswana believed that all member States were aware of their obligations to pay their contributions in full and on time. It was apparent nevertheless that some countries were unable to honour their obligations. It was necessary for member States to bear in mind that the incentive scheme being discussed was clearly a demonstration of an effort by the Office to ensure that funds were available when required to carry out the functions authorised by the Conference. She therefore sup-

ported the proposal that the scheme be introduced for a trial period of two years but recommended that an analysis be carried out at the same time to establish which countries could not pay, the reasons for their inability to do so, and suggestions for possible remedies.

20. The representative of the United Kingdom observed that the Committee was only debating this proposal because of the failure of many member States to meet their constitutional obligations and to pay their contributions in full and on time. Although there was perhaps some relationship between the present debate and that on the reimbursement of the Working Capital Fund, the two issues had to be considered separately, it would probably have been better to debate a precise sum to be set aside for financing the incentive scheme even though persuasive arguments could be advanced for setting aside 100 per cent of interest income. nevertheless there was a firm proposal before the Committee which was difficult to amend in the course of debate even if there was room for discussion on procedural details. He supported the proposal as it stood.

21. The representative of Sweden noted that one of the most preoccupying aspects of the difficult financial situation in which the ILO found itself was the late payment of contributions by member States. He was of the opinion that all possible efforts should be made to improve the pattern of payment of contributions; the introduction of an incentive scheme, based on the "S-curve" formula, was an important element in the efforts to improve the cash-flow situation of the ILO, and this was the principal reason for his support for the introduction of such a scheme. The fact that the scheme would introduce a greater measure of equity between those who paid early and those who paid late was, of course, a welcome side effect, but the main concern was to improve the cash flow.

22. Some participants in this and earlier debates on the subject had questioned the effectiveness of such a scheme. It was a fact that many countries considered themselves unable to pay before a certain date for financial reasons or for administrative reasons such as the timing of their fiscal year. An incentive scheme could help to overcome these hurdles provided that the incentive offered was sufficient. Like other speakers, he had come to the conclusion that the proposal from the Governing Body under which only 60 per cent of the interest earned on temporarily surplus regular budget funds was to be set aside for the scheme was not enough. If the system was to have any real impact all interest earned had to be set aside for this purpose. He associated himself with the statements of earlier speakers who had advocated such an amendment to the proposal of the Governing Body.

23. He acknowledged the point made by the Treasurer and Financial Comptroller concerning the effects such an amendment would have on the financing of the Working Capital Fund, and said that he would be prepared to be flexible on the use of the premium described in the proposal on long-term strategy for exchange rate fluctuations when this would be discussed in the November session of the Governing Body. He noted also that the incentive scheme, if approved, was scheduled for introduction

in 1989, whereas the proposal put forward in the paper on long-term strategy on exchange rates would be introduced in 1990 at the earliest.

24. The representative of India felt that delays in payment of contributions were not always genuinely due to economic difficulties. The incentive scheme was only a trial which sought to establish equity in respect of all member States. For this reason, he was able to give his support to the scheme before the Committee.

25. The representative of Japan recalled that his Government had already expressed its views in the Governing Body. His views were very much in line with those expressed by the representative of the United States. In the light of the doubts concerning the effective working of the scheme, he supported it on a trial basis only.

26. The representative of Iraq spoke in favour of the principle of offering incentives for timely payment of contributions and stated that the full interest earned on temporary surpluses should be returned to contributors. In his view, however, the scheme would be more effective if it provided for making returns to all member States who met their obligations – even to those States whose financial dispositions or temporary economic difficulties prevented them from meeting the exact due date.

27. The representative of Saudi Arabia recalled that in the 13 years of his country's membership in the Organisation his Government had paid its contributions on time and even in advance. It did this because it believed in the principle that the Organisation should be given the means to carry out its work. The incentive scheme before the Committee was a bold experiment, and he was not opposed to 100 per cent of interest being made available to reward those who met their obligations. However, he supported the representative of Iraq in his suggestion that the reference date for obtaining rebates should be fixed in a manner which would also benefit those member States whose contributions were delayed through no fault of their own. He pointed out that the problem of exchange rate fluctuations was a totally independent question. The ILO was seeking a solution to its current cash flow difficulties, and the introduction of the incentive scheme constituted a valid new approach to those difficulties.

28. The representative of Nigeria stressed the burden which contributions placed upon developing countries, illustrating this by the fact that his Government's contribution for 1987 represented approximately one twenty-fifth of his Ministry's total budget for that year. He felt that developing countries, owing to their lack of funds and to timing difficulties arising from the dates of their fiscal years, were condemned to paying late and would thus be excluded from benefiting from the incentive scheme unless their allocations were reassessed. Since some 70 to 80 per cent of member States fell within this category, he felt that the necessary adjustments should be made before the proposed scheme went into operation.

29. The representative of Italy stressed the experimental nature of the scheme. He therefore supported the proposal made by the Governing Body, bearing in mind the Director-General's statements emphas-

ing the fact that timely payment of contributions by member States was the best guarantee for the execution of the approved programme of the Organisation.

30. The representative of China associated himself with the views of the representative of the United Kingdom. In supporting the Governing Body's proposal, he was aware that the scheme was experimental and could thus be improved over time. He asked for information on the difference in yield that might be expected between US dollar and Swiss franc temporary investments.

31. The representative of Ecuador was opposed to the scheme; in his view it did not furnish an equitable solution to the problem. To be equitable, the scheme should have to take account of each individual country's economic situation, and for his reason he wished his reservations to be recorded.

32. The representative of Bangladesh considered that the scheme should accommodate differences between the ILO's and certain governments' financial years: otherwise, it met with his support. He asked that a fuller picture of the function of other United Nations agency incentive schemes be furnished.

33. The representative of the German Democratic Republic stated that he favoured a two-year trial period for the incentive scheme, having noted that positions expressed in the debate ranged from those of representatives who frankly opposed the scheme to those of representatives who wished to strengthen it by feeding 100 per cent of the accumulating interest into the fund from which rebates would be made. The middle course retained by the Governing Body had taken account of the Director-General's opinion on this subject, and in any event could be reviewed in the light of the actual results.

34. The representative of Peru concurred with other speakers who had drawn attention to the inequitable aspects of the scheme, which derived from a basic division between two groups of countries – those with the potential to meet their financial obligations on time and those who were simply unable to do so.

35. The representative of the Philippines was basically in support of the incentive scheme. She nevertheless recognised that countries of differing levels of development would possess correspondingly different capacities for meeting their financial obligations in good time. She therefore hoped that, in an appropriate spirit of co-operation, the scheme might be adapted in a manner to permit a certain portion of the rebate funds to go to the benefit of countries experiencing such difficulties.

36. The representative of Switzerland commented that devising an equitable scheme would be simpler if it were indeed true that the developed countries regularly met their obligations and that only the less well-off countries retarded their contributions. In fact, a number of indebted developing countries made a great effort to pay on time. Her Government gave first priority to the functioning of the Organisation, and was thus in favour of the proposed scheme – including the suggestion to render the full 100 per cent accumulating interest to the fund, for redistribution in the form of rebates. Were all contributors to pay on time, there would be virtually no need for a

Working Capital Fund. The aim should therefore be to establish a scheme which would give the Organisation the liquidity it needed.

37. The representative of the Libyan Arab Jamahiriya spoke in favour of the incentive scheme, associating himself with the representative of Botswana, who had expressed the hope that some account could be taken within the scheme of the special situation of the developing countries. His basic preference was for the scheme proposed by the Governing Body which envisaged earmarking 60 per cent of interest earned on temporarily surplus funds for the corresponding rebates to member States.

38. The representative of Greece also agreed with the Governing Body proposal, considering that the 60 per cent appropriation constituted a suitable compromise between the views he had heard in the debate. He foresaw difficulties in endeavouring to define categories of contributors who could be deemed to be facing particular difficulties in meeting their financial obligations.

39. The representative of the Ukrainian SSR observed that the problem before the Committee was simple to define: the Organisation was in financial difficulty. What was more complex was finding a suitable way to stabilise and then strengthen the financial base of the Organisation. The proposed incentive scheme constituted part of the solution and therefore met with his support. However, it would be preferable to introduce it on an experimental basis for a period of two years. Future analysis of the scheme proposed by the Governing Body might lead to more far-reaching measures.

40. The representative of Tunisia associated himself with the remarks of the representative of Italy. The scheme should be introduced for a trial period of two years after which it could be seen whether it had fulfilled the desired aims.

41. The representative of Belgium spoke in favour of the amendment proposed by the representative of France. He wondered whether a simulation exercise had been conducted for previous years, which would help the Committee to foresee the full effect of the operation of the scheme over future bienniums.

42. The representative of Nigeria noted that the majority of delegates appeared to support the proposal before the Committee. He therefore felt it would be wise to decide the yardstick against which the results of the scheme would in due course be judged.

43. The Treasurer and Financial Comptroller, replying to the various questions raised in the Committee, said that the Office had not yet conducted a simulation exercise to determine the benefit which each member State would have derived over the last few years. However, interest earned on temporarily surplus regular budget funds for the previous two biennia was as follows: 1984-85 \$1,747,000; 1986-87 \$950,000; a preliminary forecast for the current biennium was on the order of \$400,000. This amount was significantly lower than those of previous years owing to the critical cash flow situation; however, the estimate for the current biennium may prove to be low in view of the contributions received from some countries which usually pay their contributions later

in the year. He also indicated that the present interest rate for US dollar deposits was 7 per cent, as compared with 2 per cent for Swiss francs. The Treasurer emphasises that there was absolutely no element of penalty in the proposed incentive scheme. Member States who failed to pay on time would not have their contributions increased by way of interest charges or penalty, but would merely forfeit their right to participate in the rebates that would be made at the end of the year. Other international organisations which had implemented similar incentive schemes had indicated that it was too early yet to determine how effective they were, but in any event the International Labour Office intended to measure the success of its scheme in two ways: firstly, by monitoring the actual number of countries who paid their contributions earlier than in previous years and, secondly, by comparing the actual cumulative total value of contributions received at given points during the year with those of previous biennia. Some of the larger contributors, who traditionally paid late in the year, had already paid their 1988 contributions, either in full or a substantial portion thereof; had an incentive scheme been in force, the Office would have been led to believe that the scheme was performing successfully. However, the fact that no such scheme was actually in force at present, illustrated the relative difficulty that the Office would face in the future in determining with precision the effectiveness of such strategies.

44. The representative of Brazil reiterated his view that the matter was a very serious one. However, the proposed scheme did not take full account of the various reasons for which some governments were late in paying their contributions. He remained sceptical about the effectiveness of such a scheme and continued to believe that it would not solve the financial problems of the Organisation since it did not address these problems in an adequate and definitive manner.

45. The representative of Ghana expressed opposition to the proposal because the obligation of member States to the Organisation was so important that it would not be the subject of an incentive scheme. The majority of countries, especially the developing ones, were in arrears because of the acute foreign exchange problems they were facing and not because they did not want to honour their obligations. The introduction of the scheme would not help to remove the fundamental reasons for the late payment of contributions.

46. The representative of Nigeria reaffirmed his support of the scheme since in the long run not only would all member States benefit if the scheme were successful but the proposed plan would not adversely affect those member States that found it impossible to pay their contributions for reasons beyond their control. The proposal was simply designed to encourage those member States with the means and ability to pay to do so punctually.

47. The Committee then proceeded to vote by show of hands on the amendment put forward by the representative of France. The result of the vote was as follows: in favour of the amendment – 16; against the amendment – 20; abstentions – 25; the quorum was 52; the proposed amendment was therefore not adopted.

48. Following a decision of the Chairman, the Committee proceeded to a record vote on the resolution concerning the adoption of the proposed incentive scheme of early payment of member States' contributions. The result of the vote was as follows: 50 in favour of the resolution, 6 against the resolution, with 8 abstentions. Details of the voting on this resolution are set out in Appendix IV to this report.

49. The necessary two-thirds majority having been achieved, the Committee recommends that the Conference adopt the proposed incentive scheme for early payment of member States' assessed contributions, and accordingly that it adopt the resolution, the text of which appear at the end of this report.

III. FINANCIAL REPORT AND AUDITED FINANCIAL STATEMENTS FOR 1986-87

50. The Committee had before it the Financial Report and Audited Financial Statements for the 60th Financial Period (1986-87); Report II: *Information concerning the Programme and Budget for 1988-89 and Other Financial and Administrative Questions*; and *Provisional Record No. 2*, containing a recommendation submitted by the Governing Body that the Conference adopt the Financial Report and Audited Financial Statements for 1986-87.

51. The representative of Italy noted with interest the conclusion in the report of the External Auditor. It was extremely important that there was a regular and careful process of evaluation of the projects carried out by the ILO.

52. The representative of Switzerland said that, as usual, the authorities of her country had examined carefully the recommendations contained in the report of the External Auditor. The fact that there was no extended debate in the Committee did not signify at all a lack of interest, but rather the Committee's confidence in the work of the External Auditor.

53. The representative of the Netherlands agreed with the comments of the previous speaker but asked if it was possible to have further information on the qualification of the accounts. He recalled that a qualification to the accounts of UNICEF last year had given rise to considerable controversy and damage to the credibility of that organisation.

54. The representative of the Director-General (the Treasurer and Financial Comptroller) explained that the qualification in the External Auditor's report was one of a strictly technical nature and in no way cast doubts on the propriety of the accounts. The Governing Body, in full knowledge of all the facts, had authorised an exception to Financial Rule 3.20(a) so that the arrears of income received in January 1988 could be credited as income for 1986-87. The External Auditor had to bring to the attention of the Governing Body the effects of this decision, because the 1986-87 accounts were not prepared on the basis of normal accounting practice. The Treasurer pointed out that, as in all likelihood the 1988-89 accounts would be based on normal practice, without recourse to exceptions to the Financial Rules and the Financial Regulations, there might well be yet another qualification by the Auditors for 1988-89, as the basis for these accounts would not be

the same as for 1986-87, because of the exceptional nature of the latter.

55. The Committee recommends that the Conference adopt the final accounts for 1986-87 in accordance with article 29 of the Financial Regulations, and accordingly that it adopt the resolution, the text of which appears at the end of this report.

IV. PROGRAMME AND BUDGET FOR 1988-89

56. The Committee had before it Report II: *Information concerning the Programme and Budget for 1988-89 and Other Financial and Administrative Questions*, and *Provisional Record* No. 2, containing proposals concerning programme reductions for 1988-89, an adjustment related to Part III of the budget (Working Capital Fund), and the budget exchange rate and consequential adjustments for 1988-89

57. The Director-General explained that the proposals before the Committee were the culmination of a long debate in the Programme, Financial and Administrative Committee and reflected a joint effort by both the Governing Body and the Office to deal with the increasing financial difficulties facing the Organisation, which in turn were making the everyday management of the Programme and Budget extremely difficult to carry out.

58. These difficulties stemmed from firstly, fluctuations in the rate of exchange between the US dollar and the Swiss franc, and secondly, delays in the payment of contributions by certain member States; both were quite beyond the control of the Office and had a serious effect on the programmes of the Organisation and on its capacity to respond to the needs of its member States. The Governing Body, after a long debate, was submitting the proposals now before the Committee in an attempt to balance the need for rigorous management policies with the need to maintain the momentum of the Organisation. The first proposal was for a reduction in the Programme and Budget for 1988-89 of \$1.9 million; the second, for a reimbursement to the Working Capital Fund in 1989 of \$15 million rather than the \$25 million required according to the Financial Regulations; and finally, the addition of a sum of \$26 million to the Programme and Budget for 1988-89 to cover partially the consequences of the depreciation of the dollar against the Swiss franc. These three proposals together would have the effect of increasing the contributions due by member States in 1989 by \$39 million. It was a substantial sum, and would impose an increased burden on the member States of the Organisation at a time when many among them, if not all, were facing difficult problems and were themselves forced to apply policies of austerity.

59. The proposals before the Committee should, however, be examined after taking account of the Organisation's recent budgetary problems; examining them in their totality would show the continued willingness of both the Office and the Governing Body to reduce this additional burden on member States. The Organisation was already below the zero threshold; the Programme and Budget approved for the 1988-89 biennium showed negative growth. A year ago, in response to the views expressed by members of the Finance Committee, the Programme

and Budget proposals for 1988-89, were reduced by \$5 million and he had given an undertaking that further programme reductions amounting to \$6.9 million would be found before the present session of the Conference. In brief, proposals had been put forward covering programme cuts of \$1.9 million and a reduction of \$5 million in the sum required to be reimbursed to the Working Capital Fund in 1989 according to article 21 of the Financial Regulations, to compensate for withdrawals from this Fund to finance the deficit for the 1986-87 biennium.

60. During the course of the debate which had taken place several days ago in the Governing Body, the Office had put forward a proposal to reduce by a further \$5 million the reimbursement due in 1989 to the Working Capital Fund. The Governing Body has accepted this proposal but this did not signal an end to the efforts being made by the Office to reduce the burden falling on member States in 1989. Earlier this year the Governing Body had decided, as an exceptional measure, to include arrears of contributions amounting to \$9.7 million and received in January 1988 as income for the 1986-87 biennium. The effect of this decision, together with the two reductions of \$5 million each in reimbursements to the Working Capital Fund effectively reduced by \$19.7 million the amount which would have had to be assessed on member States in 1989 in accordance with article 21 of the Financial Regulations. In fact, the spirit of foresight and co-operation which in recent times had characterised discussions between the Programme, Financial and Administrative Committee, the Governing Body and the Office went a good deal further than might be realised. The savings of \$17.3 million approved in November 1986 by the Governing Body were finally increased to a total of \$21.8 million for the 1986-87 biennium, and this was after taking account of the substantially reduced payments of contributions. If these measures had not been taken, this amount would have had to be financed by withdrawals from the Working Capital Fund. The combined savings from all these measures was an impressive \$56.5 million, yet the amount requested for reimbursement to the Working Capital Fund in the proposals at present before the Committee was only \$15 million.

61. These figures were put before the Committee not in a spirit of false pride but to demonstrate the great care that the Office had taken in presenting only well-researched proposals to the Governing Body which in turn had carefully examined them before finally submitting them to the Finance Committee. The proposal which had led to the most discussion in the Programme, Financial and Administrative Committee, and in the Governing Body itself, concerned the deficit resulting from the persistent depreciation of the dollar against the Swiss franc. It was this factor, and probably this alone, which had forced the Office to resort to the Working Capital Fund at the end of 1987. Indeed, the problem continued: the exchange rate used for the preparation of the 1988-89 Programme and Budget was 1.60 Swiss francs to the dollar but the amended exchange rate, proposed to and approved by the Governing Body for consideration by the Finance Committee, was 1.43 Swiss francs to the dollar. It was on this basis that the Governing Body was submitting to the Finance Committee a proposal to add the sum of \$26

million to the Programme and Budget for the 1988-89 biennium. It was a substantial sum, yet it rested on an assumption many thought daring, if not optimistic. The average rate of exchange from January to May 1988 was less than 1.36 Swiss francs to the dollar. To reach a new average of 1.43 Swiss francs to the dollar for the whole of the 1988-89 biennium, it would be necessary for the dollar to average at least 1.45 Swiss francs for the remaining 18 months, otherwise a new deficit would arise. The Office had given an undertaking, as reflected in the text of the resolution before the Committee, that any additional costs which resulted from exchange rate fluctuations producing a biennium average of less than 1.43 Swiss francs to the dollar would be met by way of adjustments to the Programme and Budget. The Committee should appreciate that this exposed the Office to serious risk because a continuing decline in the value of the dollar would clearly signify the need for reductions to the Programme and Budget approved almost unanimously last year by the Conference.

62. Unfortunately this was aggravated by the uncertainty surrounding the payment of member States' contributions. If, during the course of the present biennium, the Office again had to face delays and reductions in the payment of contributions, the financial situation would become very difficult. That was why it was necessary to renew the appeal, which had been made many times in the past and which had been supported by spokesmen for the Employer and Worker groups as well as certain governments, that all outstanding contributions should be paid promptly and in full. If deficits occurred, the Office would have no choice but to carry out whatever programmes it could within the limit of the resources at its disposal. Members should understand clearly that this would mean draconian cuts in programmes, in services provided to governments, to employers and workers, and unfortunately, in technical co-operation activities carried out in developing countries.

63. The Office was not being complacent in asserting that it had always followed prudent financial management practices, with a continuing determination to reduce costs. The last ten years had been marked by continued reductions which had affected in particular the administrative and financial services of the Office. It would be dangerous to believe that the Organisation could continue to reduce its Programme and Budget to any significant extent and at the same time affirm, as the Conference and the Governing Body had done constantly and with justification, that the Organisation had a major role to play in the fight against unemployment and underemployment, in improving conditions of work, safety and health, in improving the economic and social environment, in responding to the needs of those with minimal social protection, and last but not least, in defending basic human rights. It was a matter of finding a fair compromise, and indeed this had been the clear objective of the Office, the Programme, Financial and Administrative Committee, and the Governing Body, in formulating these proposals and putting them in the form of resolutions for the consideration and decision of the Committee. Was it possible to go further? If the Committee were to attempt to do so it would have to recognise certain essential conditions. Firstly, that the deficits resulting from the depreciation of the dollar against the Swiss

franc would be covered by a supplementary credit of \$26 million in the Programme and Budget for the present biennium, which would be assessed on member States in 1989. Secondly, that the long-term strategy for the elimination of the problems caused by exchange rate fluctuations which had been proposed to and accepted in principle by the Governing Body last month would be definitively approved by the Governing Body at its next session and by the Finance Committee and the Conference next year. This would enable the Office to protect the Programme and Budget for the 1990-91 biennium and those following. Thirdly, that the Working Capital Fund would be maintained at a level sufficient for the Office to deal with the treasury problems resulting from the late payment of contributions. The level of the Working Capital Fund could be reduced if the Office had the assurance that the Governing Body would agree in November to introduce the scheme for the elimination of exchange rate risks. Fourthly, that member States would recognise their obligations to the Organisation and make a sincere effort to pay their contributions promptly and in full.

64. It was true that many governments faced difficult financial problems, but their contributions to international organisations, especially the ILO, should not be considered as external payments when those organisations responded so willingly to the needs of the citizens in those countries. Contributions to international organisations, and again particularly the ILO, should be considered as one of the means for attaining the objectives of economic and social progress, an objective supported by all member States of the ILO. People of all countries had the same perceptions of problems, whether in the factory, in the office, in business or elsewhere. They felt with the same keenness, and with the same anguish, the problems of crisis, of technological change, of necessary but disruptive structural adjustments. They felt the need to work together within the ILO for a fair and just world. It was precisely because the world faced all manner of serious problems in the economic, social and labour fields that it was necessary to see that the ILO had the means to reach for these goals, modest though they were.

65. The Director-General concluded by saying that he looked forward to hearing the views of the members of the Committee, and that he, together with his colleagues, would be happy to provide any further information needed by the Committee in order to reach a fair and just decision.

66. Mr. Von Holten, speaking in his capacity of Employer Vice-Chairman of the Governing Body, said that the views of the Employer members of the Governing Body were shared by most if not all Employer delegates to the Conference. The recommendation from the Governing Body which was before the Committee, which had the Employers' full support, contained three parts:

- (a) a reduction of \$1.9 million in the regular budget adopted by the Conference last year;
- (b) the addition under Part III of the budget of an amount of \$15 million; under the Financial Regulations that amount should have been \$25 million, which meant that the nominal level of the Working Capital Fund was being reduced from \$37 million to \$27 million;

- (c) the addition under Part IV of an amount of \$26 million to finance an adjustment of the budget exchange rate from 1.60 to 1.43 Swiss francs to the dollar.

67. These recommendations were the result of consensus in the Governing Body, with many governments expressing strong reservations about the nominal dollar increase in the budget. The problems facing some or indeed most of these Governments were real enough; but several arguments could be advanced in pleading with the Committee to follow the recommendations outlined by the Governing Body and the Director-General.

68. The ILO was first and foremost a special case, but that did not mean that it was more important than other international organisations to which the member States belonged, even though it was of particular relevance to Employers and Workers. The ILO budget was relatively small and its record of financial restraint had, in terms of budget totals, been better than that of any other United Nations organisation. Figures in support of this statement were to be found in his address last year to this same Committee and were reproduced in paragraph 27 of the report of the Finance Committee to the 1987 Conference.

69. Up to now the ILO had budgeted in dollars despite the fact that between 60 to 70 per cent of its expenditure was in Swiss francs. In a situation where currencies fluctuated against each other the Organisation would inevitably face either a cash surplus or deficit at the end of a biennium unless it purchased forward its Swiss franc requirement. The Director-General had already mentioned the decision taken in principle by the Governing Body at its 240th (May-June 1988) Session which would almost fully protect budgets in this respect, because when a budget was adopted member States would know exactly what they were required to pay during the course of a biennium and would not, as now, be asked at a later date for more funds to finance negative exchange rate adjustments. Today, however, the Organisation was unfortunately still in the position of having to find \$12 million and in any case its statutory purpose was not to finance exchange rate adjustments but to finance budgetary expenditure pending the receipt of contributions and other income. The shortfall of \$26 million therefore had to be financed by means of an additional assessment upon member States, as proposed by the Governing Body. During discussions in the Programme, Financial and Administrative Committee, and in the Governing Body, many governments in expressing their reservations had held that any additional assessment, whether related to either Part III or Part IV of the budget, should be offset in part by reducing the ordinary programme by a much larger amount than the \$1.9 million proposed in the recommendation from the Governing Body.

70. One of the proposals before the Committee concerned the reimbursement of \$15 million to the Working Capital Fund. Absorbing exchange rate fluctuations was not one of the purposes for which the Funds had been established; although it had in effect been used for that purpose in the 1986-87 biennium, it was hoped that a combination of Swiss franc assessments and forward currency purchases would obviate that need in future. This would give

cause for satisfaction if it were not for the growing difficulties being experienced by the Organisation because of the failure of some member States to pay their contributions in full and on time. It was gratifying to see that there had been some improvement; indeed most member States, although unable to pay on time, were fully conscious of their obligations towards the ILO and tried to pay as soon as their national economies permitted. The main problem lay with the biggest contributor who, until 1986 at least, had paid its dues before the end of the biennium but had since embarked on a course of unilaterally reducing the amounts due by it to the ILO. Table II of Appendix III to *Provisional Record* No. 2 showed that the United States still owed the organisation \$13 million in respect of the 1986-87 biennium. Not only had the United States administration not asked Congress to finance these arrears, but it had asked for financing for only 75 per cent of the contributions that the United States was due to pay to the United Nations and its specialised agencies this year. And that was not all: the United States administration had also recommended a set of priorities, based on the particular usefulness to the United States of each of the organisations in the United Nations system, under which some of them would be paid in full and others even less than 75 per cent, including the ILO, which might receive as little as \$25 million of the \$40 million due from the United States this year. This high-handed behaviour had made a bad impression on the Employers' group who after all represented the international business community in the ILO. Last week the Finance Committee had accepted an incentive scheme of the type already adopted by some other United Nations organisations, a scheme which would partly compensate those member States who were now making up for the defaults of others. He was not sure whether it would be of use in the case of the United States which certainly could but did not want to pay, but the incentive scheme was to be introduced on a trial basis and could therefore, if necessary, be supplemented later on with some sort of penalty. In the present situation, however, the Organisation ran the risk of having to register, in addition to the amounts due in respect of the 1986-87 biennium, further United States arrears of \$15 million, an amount which might be doubled by the end of next year. This was something for the Committee to bear in mind during the course of debate on the reimbursement to the Working Capital Fund.

71. Another of the proposals before the Committee concerned the possibility of further savings in the ordinary Programme and Budget. The ILO's record in this respect was better than that of most other organisations in the United Nations system but this did not necessarily mean that there was no room for future savings: the Employers believed there was. On the other hand, about 75 per cent of the Organisation's expenditure was related to staff costs which, except for the cost of experts in technical co-operation, could not be reduced from one day to the next. Nevertheless, a reduction in staff costs was necessary if the Organisation really wanted to cut and not merely delay expenditure. For a long time now the Employers had been saying that the activities of the ILO were too diversified; that the structure of the Office did not allow for the redeployment of resources required by changing needs from one finan-

cial period to the next; that personnel policies, particularly those concerning recruitment, permanent appointment and promotion, did not ensure the necessary mobility; that the structure in the Office was too top-heavy; and that there were too many old offices in industrialised countries, etc., etc. The Employers had also made concrete suggestions in the budget debates and had invariably cautioned against increasing the number of staff, but regrettably there had been very little response from the governments who at most had indicated that they were to let the Director-General once more use the cheese slicer in an across-the-board manner. The Employers could live with any reasonable budget total but they were very much concerned with how available funds were used and could therefore not accept such an approach. The Director-General had already indicated that he was prepared, if necessary, to pursue the question of further economies in the Programme, Financial and Administrative Committee of the Governing Body at its next session in November 1988. The Employers believed that it would indeed be necessary to do so and furthermore that the operation would have to extend beyond the current biennium to the Programme and Budget for 1990-91. The proper forum for such an exercise was not this Committee or the Conference, however, but the Programme, Financial and Administrative Committee of the Governing Body and the Governing Body.

72. Mr. Muhr, the Worker Vice-Chairman of the Governing Body, agreed with much of what had been said by the previous speaker. The Workers had already signalled their reluctant agreement with the proposals of the Director-General, many of which had been discussed at great length in the Programme, Financial and Administrative Committee and in the Governing Body. Seen against the background of what the Organisation was expected to do, not only for the Workers but also in the context of its wider role for the whole of mankind, it was unlikely that there was room for further significant economies. The Director-General had already mentioned that the burden on member States in recent years had been reduced by \$56.5 million; ten years ago, when the United States had withdrawn from the ILO, the activities of the Organisation had been reduced by 22 per cent; yet when the United States rejoined at the beginning of this decade the Organisation had continued at the same reduced level of activities: the United States contribution merely reduced those due by the other member States. At the time the Workers had been reassured with a promise that the Organisation would indeed return to the original programme level, but so far this had not happened. Yet the Organisation still had problems and there was talk of further programme cuts. If the Committee wanted further savings, however, it was necessary to identify very clearly the programmes that should be cut. The Workers, for their part, had never refused to participate in such a debate.

73. One of the proposals before the Committee concerned adjustments to the budget exchange rate for the 1988-89 biennium. The Workers believed that it was the duty of the governments to compensate for adverse exchange rate fluctuations for both moral and legal reasons. In past years when there had been a profit from exchange rate movements, there had never once been a proposal from any member State

that such profits be used to finance additional programmes, and it was not appropriate now for member States to call for programme cuts because of unfavourable exchange rate movements. Furthermore, there was still considerable risk attached to the rate of 1.43 Swiss francs to the dollar contained in the proposals before the Committee, because the Office would be obliged to reduce expenditure, which meant cuts in programmes, if the average exchange rate for the 1988-89 biennium fell below 1.43 Swiss francs to the dollar. The Workers had serious misgivings about this proposal, inasmuch as higher percentage cuts to the programme would be required to compensate for any further depreciation of the dollar. There were also problems with the proposed adjustments to the Working Capital Fund, although these would be less serious if the Office were to switch to a system of assessment in Swiss francs. Moreover, the main purpose of the Working Capital Fund was not to absorb the effects of exchange rate movements, but to finance expenditure in anticipation of the receipt of contributions from member States. The Workers, like the Employers, were very disappointed that the Working Capital Fund had been almost exhausted on several occasions in the past because of the delay in the payment of contributions by certain member States. If the Committee adopted the proposal put forward by the Director-General, the Organisation would be vulnerable in the years that it took to rebuild the Working Capital Fund to its former level. In supporting Mr. von Holtzen's appeal to all member States to pay their contributions promptly and in full, he observed that it was gratifying to see that a number of member States, some of which faced enormous economic difficulties, were now paying their contributions earlier than they had in the past, and this in itself was a reassuring sign of their commitment to the aims and ideals of the ILO. Other member States should do likewise.

74. The representative of Colombia, speaking also as co-ordinator for the Latin American and Caribbean group, expressed approval of the initiative which had been taken in giving the floor first to the two guest speakers, the representatives of the Employers' and Workers' groups, and for their comments on the Director-General's Report. This reflected the spirit of tripartism in the deliberations of the Committee.

75. He wished first to commend the Director-General for his explanation, which has summed up authoritatively the main aspects of the problems facing the Organisation. The Latin American members recognised the efforts of the Director-General to find answers to the serious financial problems of the ILO which were due to two major causes: the unfavourable exchange rate fluctuations and the serious delays in the payment of contributions by some member States. The situation was now very serious, but there was no point in stressing the gloomy side, and in fact, it had already been acknowledged on different occasions over the past year by various Latin American government representatives, workers, and employers. Once again, at this difficult time, the Latin American members reaffirmed their adherence to the principles of the ILO and to its programmes for social progress which made the ILO's presence important throughout the world.

76. However, the economic situation in Latin America was still very serious, for various reasons which included trade problems and balance of payments difficulties. In this situation, the Latin American countries now considered that their duty was not only to contribute regularly and in full (as they had indeed done, often at great sacrifice), but also to help the Organisation, as governments had been doing since the 1970s, to find ways of making the necessary structural adjustment without harming programmes.

77. The Latin American members approved the proposal to reduce the programme and budget by US\$1.9 million, and that to reduce by a further US\$5 million the reimbursement to the Working Capital Fund. However, these expenditure reductions were not enough. The Office had requested an additional US\$26 million because of exchange rate losses, and US\$15 million to reimburse the Working Capital Fund. Even these measures might prove inadequate if one considered the possibility that a budget exchange rate of 1.43 might not be sufficiently low, and in fact the Governing Body has admitted in May that a rate of 1.43 might be too optimistic. The situation could become still more serious if there continued to be delays in the payment of contributions; the size of the problem was virtually unforeseeable, and more efforts were required to reach a consensus on additional substantive reductions. Some speakers had made illogical statements to the Governing Body to the effect that more administrative cuts would be necessary after countries paid their contributions, but in fact cuts were all the more justified if countries did not pay.

78. Whatever replenishments to the Working Capital Fund were necessary, the burden fell on member States; but the consequence of exchange rate losses should be borne not only by member States but also by the Office, which should consider further cuts. In view of the seriousness and complexity of the situation, it was important to avoid conflict and promote co-operation. The Latin American members believed that an appropriate tripartite working party was needed to help the Chairman and the Committee to provide complementary solutions, and they supported the proposal of the Director-General for programme reductions of US\$1.9 million and for a reduction of US\$5 million in the reimbursement to the Working Capital Fund. But the short time available to the Committee for discussion warranted the setting up of a special tripartite working party in which all member States and the Office would be represented, to consider measures which would counter the need for a further disbursement of US\$41 million. Such an approach would be useful in the present biennium and would be helpful as a mechanism for dealing with wider-reaching problems, including the study of the 1990-91 Programme and Budget. The Latin American members had been proposing this procedural solution since November 1987 and were pleased to note that the Employers also favoured this approach.

79. The representative of Sweden, speaking on behalf of the five Nordic countries, advised that the budget should be kept neutral with regard to exchange rate fluctuations. This meant that in the same way as countries expected to receive rebates on ex-

change rate gains, they should now be prepared to make up for exchange rate losses. His own Government regarded its contribution to the ILO as a good investment, but at the same time cautioned that the Organisation must act with financial prudence. The Nordic Governments hoped that the Governing Body would reach a consensus on long-term measures that would protect the Organisation from similar losses in future.

80. During the 240th Session (May-June 1988) of the Governing Body, many governments had urged the Director-General to try to absorb part or all the budgetary losses of US\$26 million. This was likely to be necessary in any case, as at least one major contributor had indicated that it would not pay its share. It needed to be stressed again that every member State had to pay its contribution promptly and in full. The overall pattern of payments was still extremely disturbing, and the fact that some governments had announced that they would continue to be unable to pay their contributions in full tended to suggest that the Organisation would find itself in a continual situation of crisis management.

81. The Nordic countries were concerned that the financial crisis of the ILO might worsen. If no major improvement occurred, the Governing Body would have to consider programme implementation reductions once again in November; and if such reductions were to become necessary it was important that they be worked out through close consultation among the three partners in the Organisation. The existing mechanisms were quite sufficient for this task, so it was not necessary to discuss reductions other than those already proposed in the document under discussion, which the Nordic countries supported. They also deeply appreciated the efforts of the Director-General to improve the effectiveness and efficiency of the Organisation, and trusted that these efforts would continue in order to limit, as far as possible, any negative effects on programme activities.

82. The present pattern of payment of contributions gave good reason for doubts about the proposal not to replenish the Working Capital Fund in full. Looking at the problem in the short term, it was tempting to reduce the burden of member States in this way, but if member States continued not to live up to their obligations by not paying contributions in time it would probably become necessary, in the long term, to restore the Fund to its original size so that the Organisation could deal with its cash flow problems. Assuming that the Working Capital Fund would be relieved of its role as a buffer fund for exchange rate fluctuations in the future, the Nordic countries would not oppose the proposal now under consideration, but wished only to record this note of caution.

83. The representative of Australia shared the concern expressed by the Director-General and by the Workers' and Employers' spokesman about the financial situation of the ILO. The dual impact of an overvalued budget and considerable uncertainty about likely receipts this biennium imposed the obligation to take clear decisions which would help set the Organisation on to a more secure course. In the current international economic climate Australia and many other countries had had to take tough decisions to impose strict financial discipline on their public

expenditure, decisions which were not without social and political cost. In the same way, international organisations, when faced with the consequences of that international economic climate, needed to exercise strict financial and budgetary discipline and live within their means.

84. With regard to the replenishment of the Working Capital Fund, the Australian Government felt that no replenishment was needed at present. The current level of the Fund, about \$12 million, was, as a proportion of the budget, as large as those of a number of other international organisations including the WHO and IAEA, and was adequate for its primary purpose of cash flow management. In the past the Fund had also served as an exchange rate buffer fund; however, in November the Governing Body would be considering a proposal for a long-term strategy on exchange rates which would not utilise the Working Capital Fund. It would thus be premature to replenish the Fund to the extent proposed under the expectation that it might be needed to cover future exchange rate losses.

85. Moreover, any replenishment of the Working Capital Fund at present would very likely be used to cover indirectly the shortfall in receipts caused by the failure of some member States to live up to their international obligations. As a matter of principle, loyal payers should not be asked to subsidise the delinquency of other member States. This failure to comply with financial obligations was the prime reason for the fact that the Organisation had been obliged over the past few years to adopt a crisis management approach to its operations. Increasingly, the Governing Body had been obliged to spend its time reviewing these operations, and the Director-General and his staff were to be complimented for having coped so well in these difficult circumstances.

86. As for the need to revalue the budget, all the members who had voted in favour of the budget last year shared some responsibility for the cost of revaluing that budget to a more realistic rate of exchange. At the same time, in a spirit of burden-sharing, the ILO should absorb as much of that cost as possible through savings and cutbacks in expenditures. The effect of the two proposals made by the Director-General would be to add \$41 million to member States' assessments in 1989: this was a sum which his Government regrettably could not accept. However, he was willing to work with other members of the Committee and with the Office to identify a package of proposals which would attract consensus support. His Government however, could not support a package which called for more than \$26 million in supplementary assessments for 1989.

87. The representative of Botswana, speaking on behalf of countries of the African region, expressed her understanding of the position of governments which found the proposed net budgetary increase of \$39 million too large to be acceptable, and pointed out that the African countries would also be called upon to bear their share of these costs. There was much more at stake for the ILO in 1988-89 and future years, however, than these budgetary additions. Any reduction in the required provisions would compromise programmes of vital importance to the countries in her region, and indeed in developing countries elsewhere. She had been particularly struck by the

Director-General's remark to the Programme, Financial and Administrative Committee at the Governing Body's 240th Session (May-June 1988) that it was a sad fact that there should be a threat of programme reductions at a time when the ILO could do much to alleviate the massive social problems being faced in all parts of the world.

88. Member States of the African region saw the Director-General's undertaking to absorb any exchange rate losses resulting from a fall of the Swiss franc value of the dollar below the rate of 1.43 as a source of potential underbudgeting and consequential further programme cuts. Moreover, replenishing the Working Capital Fund by less than the already-reduced sum of \$15 million would strike at the financial foundations of the Organisation. Further reduction would be particularly inopportune at a time when there were known shortfalls in contributions and a continued devaluation of the dollar. She therefore urged all countries to resist the temptation for short-term expediences and to support the proposals of the Governing Body, without reservation, to add the necessary sums to the budget.

89. The representative of Canada recalled that his country's views had been expressed in some detail at the relevant Governing Body sessions. The real problem lay in the size of the current and potential deficits, and the only solution was to resort to planning on a contingency basis and make programme cuts commensurate with the shortfall in revenues that could be expected. As such, the \$1.9 million budget reductions already proposed were welcomed, but it would be appropriate for the Governing Body to consider in November 1988 what programme implementation cuts for the biennium might be necessary. The Office should not contemplate spending more than it received.

90. That much said, his Government accepted that member States must protect the Organisation from the effects of exchange rate fluctuations, and therefore agreed to the addition of \$26 million recommended by the Governing Body. It welcomed the Director-General's undertaking to absorb any deterioration below the 1.43 Swiss franc level – which he hoped would be only small and residual, although this was not sure. By contrast, replenishment of the Working Capital Fund by \$15 million was not acceptable. Although article 19.2 of the Financial Regulations had not been invoked by the Conference for many years, it nevertheless empowered the Conference to fix the level of the Working Capital Fund. The opportunity might be taken to redefine the purpose of the Fund, which in his view was there to assist cash-flow management. In the past, it had been used for the somewhat extraordinary purpose of providing exchange rate cover. He was most concerned, however, at its use to cover shortfalls in the receipt of assessed contributions, and was sure that the authors of article 21.2 of the Financial Regulations had never intended that the replenishment mechanism would be used to transfer the burden of unpaid assessments to those countries which had paid theirs on time: such action was not a legitimate use of the Fund. Thus, in order to formulate an opinion on the level of replenishment necessary to maintain cash flow over an appropriate number of months of operation, he requested the Secretariat to furnish relevant informa-

tion in the context of the Fund's present level of \$12 million.

91. The representative of France recognised that the ILO currently faced acute financial difficulties along with other United Nations agencies. The situation regarding late payment of contributions was deplorable, yet it was hard to see a way to improve it. One hope might lie in the solution to the problem of exchange rate fluctuations now being proposed; he could already state that his Government would be prepared to support the Director-General's basic proposals, endorsed in principle by the Governing Body, when they came up again for discussion in November 1988. That solution would however only apply from the year 1990 onward, and his Government therefore accepted the addition of \$26 million to meet the 1988-89 estimated needs.

92. Turning to the question of replenishment of the Working Capital Fund, he agreed with the representative of Canada in being unconvinced that the Fund had necessarily to be brought back to the level at which it stood two years ago. The Office would have to live with \$12 million, which on the face of it was adequate for covering cash-flow needs. The further reduction of \$15 million would ease the 1989 assessments, and the Office could later indicate any problems which seemed insurmountable as the situation evolved. Finally, he expressed his concern regarding the suggestion which had been made to form a special tripartite budgetary group, considering that the proper channels for such matters remained the Programme, Financial and Administrative Committee and the Governing Body.

93. The representative of the United Kingdom observed that the Director-General, together with the representatives of the Employers' and Workers' groups, had spelt out clearly the size of the financial problems facing the ILO. Such difficulties were not confined to organisations of the United Nations system: member States were all having to observe strict financial and budgetary discipline in order to live within their means. For the ILO this meant following the basic principle that money could not and should not be spent in excess of reasonable expectations of contribution income. Against this background, his Government believed there to be a clear need for burden-sharing between the member States and the Organisation.

94. Taking the exchange rate compensation and the Working Capital Fund replenishment as a whole, he would not only expect that some of the \$26 million proposed for the former would be absorbed through cuts in operational expenses, but that the payment to the Working Capital Fund be limited to what was necessary to restore it to the level appropriate to its proper purpose which, as had been said by others, was to meet cash-flow difficulties within the budgetary year. Its use for covering exchange rate losses or shortfalls in contributions could not be condoned. Together, the total increase which member States should be called upon to found by way of increased contributions should be no more than \$26 million. In order to ensure that the ILO did not overspend its income in either year of the biennium the Governing Body would need to review, in the usual tripartite manner in November next, possible cuts in programme and operational expenses with a view to

taking firm decisions. For this reason, the creation of an extra body to fulfil this function did not appear to be necessary.

95. The representative of Pakistan expressed his appreciation for the Director-General's clear analysis of the issues before the Committee. Despite certain difficulties, his Government could accept the proposed net budgetary addition of \$39 million, the need for which arose for reasons quite beyond the Director-General's control, and indeed reflected the success of measures already taken to keep the sum to the minimum. The Committee had a duty to be realistic: the ILO could not carry out its programmes if it were denied the financial means in the form of compensation for exchange rate losses and an adequate cash-flow guarantee. His Government therefore supported the Governing Body proposals without reservation.

96. The representative of Austria had carefully studied the financial difficulties which had arisen and the solutions related to programme cuts, exchange rate compensation and Working Capital Fund replenishment, which together amounted to an extra burden that many member States would find onerous. Savings were necessary, but finding a consensus on the precise form they should take was not easy. The Governing Body was to be commended for the efforts it had made, and he thanked the Office for being willing to bear some part of the exchange risk for the remainder of the 1988-89 biennium. In the light of this, he counselled caution and understanding with regard to any further programme cuts. The ILO was the organisation responsible for working conditions and as such had a role to play in guaranteeing human rights. Employers' and Workers' views had therefore to be taken into consideration throughout in order to reach a balanced solution for the Working Capital Fund and with regard to the additional assessment of \$26 million in respect of exchange losses.

97. The representative of Venezuela also thanked the Director-General and the Employers' and Workers' representatives for their statements. She wished to reiterate the point of view expressed by the spokesman of the Latin American and Caribbean group. The world economic crisis exercised its greatest impact upon the developing countries, whose difficulties were compounded by the burden of their foreign debt. Countries which had to exercise such strict austerity themselves naturally looked to the Office to do the same with its activities. Programme adjustments were therefore necessary in non-priority sectors of the budget, without reducing the main technical programmes and technical co-operation activities. In this connection she noted that there were many administrative expenses in which cuts could be made without adversely affecting the technical programmes of the Organisation. The \$41 million addition proposed for 1989 for exchange rate compensation and replenishment of the Working Capital Fund could not be accepted: the most constructive proposal was for the establishment of a tripartite group with which the Secretariat should be associated and which would, during the current Conference, adopt conclusions of substance with respect to 1988-89 and future bienniums.

98. The representative of India supported the proposed resolutions as recommended by the Governing

Body and described them as an optimal solution in the short run, as both the member States and the Office contributed towards the costs involved. In the long run a strategy on exchange rates would be needed to solve this problem.

99. The representative of Rwanda opposed the proposed programme reductions which he felt would not have been necessary had all member States paid their contributions when due. These cuts had a greater effect on the poor and developing nations who were making great efforts to pay their contributions. However, if such cuts were absolutely necessary, they ought to be kept to a minimum.

100. The representative of Italy supported the proposed resolutions, as his country had done in the Governing Body, and commended the Director-General for his efforts in securing a further \$1.9 million of savings. He supported the allocation of \$26 million to Part IV of the budget on the understanding that, however painful the process, the Office should continue to look for further savings, as previously suggested by the Employer and Worker representatives, and ensure that cuts were applied as far as possible to administrative programmes rather than technical programmes. With respect to the Working Capital Fund, the Programme, Financial and Administrative Committee would be able to consider in November what its nominal level should be; he stressed however that it should be used solely for its intended purpose of financing budgetary expenditure in anticipation of income, and not for financing deficits. To this end, he appealed to all member States to bring their contributions up to date so as to avoid the inequitable situation where member States paying their contributions in good time indirectly supported others who paid late, through additional assessments required for the reimbursement of the Working Capital Fund.

101. The representative of Saudi Arabia said that the Organisation's financial problems were due mainly to the fact that many member States were late in paying their contributions. The other major factor was exchange rate fluctuations which were beyond the capacity of any international organisation established in Switzerland to control. This was dramatically illustrated by the fact that the 33 per cent increase of the present biennial budget over the previous one was due entirely to exchange rate fluctuations. It was essential that the Organisation's programme implementation be shielded from the effects of exchange rate movements, and it was up to the Office to find appropriate solutions; these could well include the contribution incentive scheme to accelerate member States' payments, because the late payment of contributions remained one of the major obstacles to balanced treasury management. However, programme cuts could not be ruled out in view of the total amount of contributions outstanding.

102. The representative of Senegal said he understood some member States' objections to the cost increases, but these were due to factors beyond the Office's control; it was only right that member States should be called upon to meet them. Despite the fact that these increased costs came at a time when Senegal was itself experiencing economic difficulties, he supported the proposal and noted that the Office was willing to assume the responsibility for covering any

increase in costs that would occur if the exchange rate averaged less than 1.43 Swiss francs to the dollar over the remainder of the biennium. He noted further that the appropriate level of the Working Capital Fund would be decided by the Programme, Financial and Administrative Committee in November in connection with the decision to be taken on the long-term strategy for exchange rates. He was very conscious of the Organisation's need for adequate resources so that it could fulfil its proper role in the world; it was the collective responsibility of all member States to ensure that the Organisation had the means to do so.

103. The representative of China appreciated the Office's proposals for \$1.9 million in programme cuts and the \$10 million reduction in reimbursements to the Working Capital fund. With respect to the allocation of \$26 million to Part IV of the budget he recalled his country's comments at the 240th (May-June 1988) Session of the Governing Body in which the Office was requested to examine ways of introducing further economy measures, and the major contributors called upon to fulfil their obligations promptly and in full. Nevertheless, he supported the proposal on the understanding that the cost should be shared by the Office through a reduction in administrative costs while keeping technical co-operation programmes intact.

104. The representative of the USSR recalled that he had repeatedly expressed concern regarding the financial position of the Organisation and the continual rise in contributions. Concern had also been expressed in discussions in the Governing Body, where the majority of speakers had voiced the opinion that the financial burden should be shared between the Office and the member States. He shared this view. The financial position of the Organisation depended to a significant degree on member States fulfilling their obligations. The Soviet Union, recognising this, had paid its contributions for 1988 earlier than usual. It was gratifying also to see that measures were being taken by the Office and the Director-General to stabilise the financial position of the Organisation and to curtail budgetary growth.

105. He supported the decision concerning the change to payment of contributions in Swiss francs, as well as the proposal to cut the Programme and Budget for 1988-89 by \$1.9 million. He welcomed also the undertaking by the Director-General to absorb any deficit arising from an average exchange rate for 1988-89 of less than 1.43 Swiss francs to the dollar. The reduction in reimbursement to the Working Capital Fund by \$10 million was also a step in the right direction. Nevertheless it should be possible to stabilise the Fund at the lowest possible level compatible with the aims for which it was set up. This however should depend critically on the self-discipline of member States. At the Governing Body's discussions in February-March and May-June of this year, a number of useful suggestions had been made for stabilising the Organisation's budget, and although not all of them could be acted upon immediately, it was to be hoped that the Director-General would put forward proposals for a reduction in the budgetary exchange rate adjustment of \$26 million.

106. The representative of the Islamic Republic of Iran noted that exchange rate fluctuations often

worked to the benefit of the more advanced countries, and there was no reason why other countries should shoulder any of the burden facing the Organisation at present. Many poor countries in Africa, Asia and Latin America faced almost insuperable foreign debt problems and could simply not afford increased contributions to the ILO. If the proposals at present before the Committee were accepted, then it should be the affluent States alone which should pay.

107. The representative of Switzerland observed that earlier discussion of the proposals before the Committee showed that on the one hand member States wanted to support the ILO, but that on the other the additional aggregate assessments of some \$39 million proposed for 1989 constituted an excessive rate of growth. It was necessary to restrict them to an absolute minimum. She was prepared to support fully the increase of \$26 million necessary to compensate for the depreciation of the dollar. The proposal for the replenishment of the Working Capital Fund was, however, very much a different matter. At present the Fund stood at about \$12 million, compared to \$29 million one year ago, but even the present level still represented about one month's expenditure requirements, which was about the same as in the other specialised agencies in the United Nations system. The question of whether the full reimbursement of \$15 million should be made to the Working Capital Fund as required by article 21(2) of the Financial Regulations depended very much on the precise purposes for which the Fund would be used. If it were to be used only for its original purpose, that is, the financing of expenditure in anticipation of income, it was probably sufficient; but if in addition it were to be used to compensate for the non-payment of assessed contributions by member States it would probably be exhausted very quickly. Perhaps a satisfactory compromise would be a modest increase in the present level of the Fund to \$15-20 million; the \$15 million reimbursement requested by the Office did seem difficult to justify. She hoped that the Committee would be able to reach an agreement by consensus so that the finances of the Organisation could be placed on a sound footing.

108. The representative of Colombia said that the representatives of the Latin American countries had been most impressed by many of the suggestions put forward since the beginning of the Committee's discussion on this item. There was still much work to be done, however, before a decision could be taken by the plenary of the Conference. To achieve a consensus in the Finance Committee it would be helpful if the Chairman were able to consult representatives from different regions as well as the representatives of the Employers and the Workers. The last two had been heard only as guests in the Finance Committee, but would undoubtedly have much to contribute to an in-depth discussion so as to give the Chairman guide-lines and suggestions on how agreement might be reached in the Committee. Some previous speakers had suggested that the Programme, Financial and Administrative Committee, as well as the Governing Body itself, already served as tripartite forums for discussion and that another tripartite body was not necessary. Admittedly those organs were tripartite, but they were not sufficient. This Committee was made up solely of Government representatives and

on this occasion should itself have an adequate and informed mechanism for consulting representatives of the Employers' and Workers' groups in order to discuss matters of common interest. Such an advisory ad hoc group could be of considerable value in setting guide-lines for reaching a consensus in the Committee, identifying the essential needs of the Organisation, and in putting much clearer information before the plenary of the Conference. Such an arrangement might well reduce the length of Committee sittings.

109. The representative of the Federal Republic of Germany expressed his appreciation for the remarks made earlier by the Director-General and the representatives of the Employers' and Workers' groups. The Office had worked with a great sense of responsibility to find solutions to its problems in recent years; the member States now had to find some way of reinforcing the aims of the Organisation and mobilising the collective strength of all its constituent member States. Furthermore, those that honoured their obligation to pay their contributions in full and on time should not suffer because others paid late. There was a heavy responsibility to be borne by non-paying member States because the Organisation could only commit itself to expenditure when funds were received. His own country has tried to help the Organisation by paying its contribution more promptly and it hoped that other member States would follow this example.

110. One of the proposals before the Committee concerned an additional assessment in 1989 of some US\$26 million as an adjustment to the budget exchange rate. This was a legitimate charge and it was fair that it should be borne by member States because it was a matter over which the Office had no control. The member States would, however, welcome any proposal from the Office whereby some of this burden might be absorbed through programme and budget adjustments. As far as the proposal for the replenishment of the Working Capital Fund was concerned, it was important that the role of the Fund should be defined precisely before fixing the amount of the reimbursement. Admittedly, some of the decisions taken in the past were due to exceptional circumstances, but in future the Working Capital Fund should not be used to absorb either exchange rate fluctuations or contributions in arrears, but only for its original purpose of financing budgetary expenditure pending the receipt of income. He associated himself with the remarks of previous speakers who believed that the present level of the Working capital Fund would probably be adequate if it was used for that purpose alone. The proposal put forward by the representative of Colombia to modify the process of consultation had to be treated with some caution. The tripartite decision-making procedures of the ILO had worked extremely well so far and the Committee should be wary of creating new institutions without good reason for doing so.

111. The representative of Jamaica was impressed by the efforts of the Office, as reflected in the document under discussion, to create workable devices to meet the problems at hand. Several ingenious ideas had been proposed during the discussion, but there was no need to create new institutions. There had been times in the past when he had called attention

to the risk that the list of countries which did not meet their financial obligations on time might lengthen if assessment were increased. He dreaded that prospect: fortunately, Jamaica had been able to meet its own obligations, although no without sacrifice, because of the paramount importance which his country attached to the work of the ILO.

112. Last year, like many others present, he had expected that the downward slide of the dollar would be short-lived; this had unfortunately not been the case and the Organisation was faced again with the same problem. It was imperative that the resulting burden be shared and not imposed entirely upon the member States' national budgets. The Office had recognised this and made commendable, but insufficient, efforts in that direction. He recalled that the Director-General had said that drastic cuts would be necessary if the situation did not improve; this showed that the Office recognised the difficulties which might lie ahead if there were an escalation in the late payment of contributions. To prevent such an escalation, it was important that assessed contributions not be increased to a level where countries would be obliged to defer their payments. The Organisation should try to formulate a budget which would fairly reflect the income expected to be received by the Organisation. He sympathised with the views of other member States who believed that in some areas the activities of the ILO were too diffused and could be regrouped. To maintain an effective programme the Organisation needed to review carefully the size of its budget: it was not the volume but the quality of services delivered which counted. He therefore believed that the Organisation should not fear the prospect of budgetary cuts; it should heed the Director-General's warning. Furthermore, the function of the Working Capital Fund needed to be clearly defined, and its total should not exceed one or two months' expenditure requirements. If excessive amounts were put into the fund, the Organisation might be tempted to put it to a number of uses for which it was not intended; this was not acceptable.

113. The representative of the United States reminded the Committee that the position of his Government in regard to the questions before the Committee was reflected in the records of the sessions of the Governing Body and of the Programme, Financial and Administrative Committee at which these matters had been considered. The overriding factor in its position was that clear constraints on the United States' federal budget limited its ability to pay current assessments in full, and would preclude payment of increased assessments. He appreciated the efforts of the Director-General and his staff in dealing with a very difficult situation. He shared also the concerns of the Director-General, the Workers' and Employers' spokesmen, and the member States on the financial situation of the Organisation; like many of these speakers, he recognised the necessity for it to respond, as it had in the past, in a practical manner, recognising the real world situation. Like the Employers, he believed that priority activities must be funded and other less important activities eliminated. If this work could best be done by the means outlined by the Latin American and Caribbean group, then he would support that effort.

114. He had been disappointed with the arguments put forward by some of the speakers so far. One had suggested that reductions in the budget assessments would not lead to improved payments; this argument ran counter to experience and logic, unless it referred exclusively to the narrower situation of member States which were unable to pay their current contributions and would also be unable to pay even a reduced increase. While this may be true, the desirability of a policy that would deliberately increase the arrears of member States was dubious. Similarly, he questioned whether it was wise for member States in good financial health to increase the burden on themselves and then argue that all member States, regardless of their financial condition, had a similar obligation.

115. Furthermore, it was regrettable that the \$6.9 million reduction proposed by the Office had not been entirely in the form of programme cuts, as he had anticipated; it was also disappointing that speakers continued to define the proposed \$26 million assessment related to exchange rates as a compensation for exchange rate fluctuations, after a conscious decision had been taken last year not to use a realistic exchange rate as an expedient to avoid a realistic programme level. At present there was a real need for burden sharing and for recalculating the budget for one year of the biennium. He had been disappointed also with the insistence to go forward with the replenishment of the Working Capital Fund at a time when the burden on member States was so large, when the Governing Body had before it a proposal to solve the problem of exchange rate fluctuations (a major drain on the Working Capital Fund), when the Organisation would in any case have to live for well over half the biennium with a reduced Working Capital Fund because of the timing of receipt of payments, and when there was apparently no empirical evidence to suggest an appropriate level for the Fund. He proposed that a decision on the appropriate level of the Working Capital Fund should be based on a paper from the Office, and that the decision on the Working Capital Fund should be taken by the Governing Body in November together with the decision on the long-term solution to the exchange rate problem. In this way the costs of any needed replenishment would be met one year later, thus reducing the current assessment increase with little increased risk to the Organisation. He hoped that the kernels of ideas which the Director-General had set before the Governing Body would germinate and produce a financial proposal to minimise assessment increases on member States, a proposal around which all member States, Workers and Employers could rally.

116. The representative of Bangladesh suggested that the Committee follow existing procedures for doing the groundwork with regard to programme and budget cuts. He recalled that the Director-General had underscored the need for financial measures to tide the Organisations over difficulties arising out of increased demands for technical co-operation, uncertainty about the payment of contributions by member States and exchange rate fluctuations. He had also sought support for the specific proposals for the reduction of programmes to the extent of \$1.9 million, payment to the Working Capital Fund to the extent of \$15 million and the revision of the exchange

rate to 1.43 Swiss francs to the dollar. Some delegates, however, had raised doubts about the efficacy of these measures and had suggested that the programme be limited to available resources so that the burden of additional contributions would not be imposed on member States. Some had even suggested that members who had paid regularly should not be penalised for the delinquency of others. His own country, while fairly well up to date with its contributions, needed more and more technical assistance both for upgrading the skills of its burgeoning workforce and for the development of employment opportunities. From that point of view, he hoped that the proposals put forward by the Director-General would be approved, and that proposed cuts in programme would be kept to a minimum and would not, in any case, affect any projects in the least developed countries.

117. The representative of the Netherlands associated himself with previous speakers who had expressed appreciation for the observations made by the Director-General at the beginning of the session. In seeking both to protect programme delivery from exchange rate fluctuations and at the same time to lighten the impact of additional assessment on member States, the Director-General and the Office had proposed the various measures now before the Committee, including readjustment of the current budget exchange rate and a less than full replenishment of the Working Capital Fund. Notwithstanding this reduction of the level of the Fund, the proposals implied an extra assessment on member States in 1989 of US\$41 million: US\$26 million for the adjustment and US\$15 million for the Working Capital Fund. He believed that this was asking a lot since many member States seemed to have considerable difficulties in meeting their present financial obligations. Indeed, as the Swedish spokesman had pointed out, it seemed evident that around 25 per cent of the proposed additional assessment would never be paid. A more acceptable proposal would be the absorption, to the maximum extent possible within the current budget, of the costs of the exchange rate adjustment. In order to dispel the uncertainties concerning the capacity of the ILO to absorb such costs he looked to the Office to give some indication of where savings might be made without affecting programme delivery. For example, it appeared that the current programme and budget presupposed an almost negligible vacancy rate and assumed full manning of established posts, whereas in practice this was not the case; this might well provide scope for some savings.

118. With regard to the Working Capital Fund he firmly believed that it should revert to its original function: to facilitate cash flow, and not to meet contingencies and emergencies such as contribution shortfalls or exchange rate losses. As such it would serve, in any one year, to meet the requirement of approved expenditure pending receipt of contributions. A predictable shortfall in contributions should not be classed as "pending" and therefore would not justify maintenance of the Working Capital Fund at the level proposed; neither would the prospect of further exchange rate losses. A long-term strategy against such losses would, it was hoped, be adopted in November; this would dispense with the need to use the Working Capital Fund for that purpose. In

summary, he had considerable difficulty in accepting that the Working Capital Fund be replenished to the extent proposed. The present level of the Fund, which was similar to that maintained by a number of other United Nations organisation, was sufficient to meet the ILO's requirement. In coming to this conclusion he was heartened by the improvement in the recent payment of contributions by some member States, and believed that the adoption of the proposed incentive scheme would reinforce this welcome development.

119. The representative of Zambia noted with appreciation the efforts of the Director-General in trying to ensure that the programme of the ILO would proceed unimpeded. However, he believed that further reductions in the budget could be effected, especially in administrative areas, without prejudice to the efficiency and effectiveness of the ILO and its programme. Faced with adverse financial circumstances, the Organisation had to adapt its activities to its resources; the especially vexing problem of exchange rate losses, which amounted to US\$26 million, needed to be resolved by sharing the burden between the member States and the ILO. A more lasting solution was also needed to avert future deficits and the consequential reductions of programme, which would erode the impact of the ILO as a promoter of social progress and justice. He concurred with the proposal of the Federation Republic of Germany that the purpose of the Working Capital Fund should be defined in precise terms and that it should be used only for that purpose. He urged the Director-General to scrutinise the budget further in an effort to find more savings, but at the same time to make sure that this exercise did not compromise the already approved programmes.

120. The representative of the German Democratic Republic declared his Government's support for the ILO, which it considered as a forum for co-operation. His Government was therefore ready to bear its financial obligations towards the Organisation. The problem now being debated by the Committee related to a complex pattern of additional external costs, compounded by the arrears due from the Organisation's largest contributor. There was no doubt that the net request for an additional US\$39 million constituted a considerable burden for member States. He therefore supported the proposed programme cuts of US\$1.9 million. Further cuts, particularly in administrative areas, seemed nevertheless to be possible. The discussion of a long-term solution on the financial problems should also consider the more effective use of such funds, the concentration on priority objectives, and the avoidance of duplication, both within the ILO and between the United Nations agencies. He advocated further centralisation in management of programmes.

121. He declared that his Government was willing to bear its share of the US\$26 million additional assessment necessary for adapting the budget exchange rate, and expressed the hope that a long-term solution to this problem would be found in November next. He had noted from the debate that finding an appropriate level for the Working Capital Fund had been one of the Committee's major preoccupations, and agreed that this Fund should be restricted to the uses authorised in the Financial Regulations.

stances, not least his own. Despite these difficulties, however, it was determined to meet its obligations and pay its contributions; but with the additional budget assessments that were being called for owing to the revaluation of the budget exchange rate from 1.60 Swiss francs to 1.43 Swiss francs to the dollar, it was concerned that programme levels would have to be reviewed and inevitably, in some case, reduced. The replenishment of the Working Capital Fund had not been fully justified: it was evident that the Office needed to review its budget levels and propose further cuts in spending, however painful these might be.

130. The Treasurer and Financial Comptroller advised the Committee that the Director-General proposed to address the Committee again the following day, in response to the very important issues that had been raised during the debate.

131. The Director-General apologised for his unavoidable absence from some of the Committee's sittings. He had, however, been fully briefed on the discussions which had taken place and appreciated the opportunity to be able to respond once more on behalf of the Office. He proposed to reply to the three main issues which had been discussed by the Committee, and would ask the Treasurer and Financial Comptroller to provide the Committee with some supplementary information concerning the Working Capital Fund.

132. The proposed programme reductions of \$1.9 million seemed to have been accepted by the Committee and he did not propose to dwell on this issue except to reply to the representative of the United States, who had expressed disappointment that the reduction in the budget of \$6.9 million promised a year ago by the Office had not been entirely made up of programme reductions. He recalled that there had been no undertaking on the part of the Office on how this reduction would be realised, nor had the Committee expressed any particular preference. The Office had honoured its obligation by proposing programme cuts of \$1.9 million and a reduction of \$5 million in the reimbursement required to the Working Capital Fund. Both of these proposals had been accepted by the Governing Body at its 239th (February-March 1988) Session on the recommendation of its Programme, Financial and Administrative Committee.

133. The second proposal concerned additional assessments on member States in 1989 to take account of the continuing depreciation of the dollar. The problem facing the Office was the fixing of an exchange rate which in all probability would cover only a part of the additional costs caused by exchanged rate movements. It was proposed to add \$26 million to the budget to allow for a revaluation of the exchange rate from 1.60 to 1.43 Swiss francs to the dollar. The choice of 1.43 as the new budget rate had already provoked comment; even though it was extremely close to the present market rate, some speakers thought it too low, others thought it not low enough. Many member States, understandably enough, had voiced the opinion that the Office should bear part of the burden resulting from the depreciation of the dollar. But in fact the Office had already done so: it had taken many corrective measures since 1986, and details of these measures had

been given in his opening address to the Committee. Of course, the Office could readily ease the burden on member States by selecting a higher exchange rate: that would be easy, but misleading. It was interesting to note that the Office was now being reproached for fixing a budget exchange rate of 1.60 a year ago, but this was the rate that had been agreed upon after long discussion in the Programme, Financial and Administrative Committee, the Governing Body, the Finance Committee of Government Representatives, and finally the Conference itself.

134. The Director-General wished to give a clear undertaking on behalf of the Office that it was willing to absorb, by way of savings, any budgetary deficit resulting from an average exchange rate for the 1988-1989 biennium of less than 1.43 Swiss francs to the dollar; it would have to average at least 1.45 Swiss francs for the remainder of the biennium to produce an average of 1.43 for the whole of 1988-89.

135. In the deliberation of the Programme, Financial and Administrative Committee during the last session of the Governing Body, and also in the present sitting of this Finance Committee, many speakers had expressed the view that member States paying their contributions on time and in full should not be required to carry those member States which did not. In response to these statements the Office would be obliged to inform the Governing Body at its next session in November of the deficit resulting from the non-payment of contributions by member States. He joined those many member States which had expressed regret at the decision of the largest contributor, the United States, to pay only a part of its assessed contribution. To respond to the sentiments expressed by those member States which deplored the late payment of contributions, cuts would have to be proposed: they would be severe, they would be unpopular, and they would upset some member States.

136. Referring to the legitimate concerns expressed by the member States of the Latin American region which wished to set up a committee to review the system used at present for the formulation of the programme and budget proposals, the Director-General regretted that proposal could not be taken further in this Committee because of time constraints, but he reassured them that the Governing Body functioned with full tripartite representation and that it was perhaps the most appropriate forum in which their proposals could be developed. The Office would be ready to give all assistance in this matter to enable governments and employers' and workers' representative to study specific proposals.

137. The Director-General also wished to draw to the Committee's attention the considerable efforts already made by the Office to cut back on administrative costs. Even so, in some areas such as technical co-operation activities, administration costs had been maintained and even increased because the Office saw them as an effective instrument in maintaining dialogue between developing countries and the ILO itself. In technical co-operations programmes, for instance, the agency costs received from the UNDP had remained static at 13 per cent for some time, and although there was a proposal by the Administrative Council of the UNDP to increase this figure to 14 per cent for 1987, the increased figure would still fall far

Compared with other agencies, such as the WHO, US\$27 million seemed to be too high, and he therefore felt that the renewed debate on the long-term strategy with regard to exchange rate fluctuations should include a discussion on the Working Capital Fund.

122. The representative of the Ukrainian SSR commented that the ILO's financial difficulties were not new although on this occasion they were attributable to a combination of different factors. He expressed satisfaction with the Director-General's efforts for rationalisation, which had resulted in the recommended US\$1.9 million programme cuts, and in a reduction in the replenishment of the Working Capital Fund. Even so, he doubted whether this reduced sum was really necessary and felt that the amount proposed for the replenishment of the Fund could be set at a lower level. In addition, he supported those delegations which had proposed that the Office should bear a share of the US\$26 million exchange rate burden. The financial health of the Organisation depended upon the timely receipt of contributions as well as on the relevant effort made by the Office. He looked forward to seeing the implementation of the proposals on the long-term strategy in respect of exchange rate fluctuation, and hoped that they would be more decisive and operationally oriented.

123. The representative of Malaysia was particularly concerned with the failure of major and other contributors to honour their payment obligations. The situation was worsening. He observed that the Employers' and the Workers' representatives had called for the imposition of penalties for late payments. However, he stated that this was not a simple matter, as governments differed in the ordering of their priorities concerning national and international obligations. A special committee might need to be appointed to oversee the question of contributions.

124. Although the bulk of the ILO's programme was oriented towards the needs of developing countries, he observed that many of them had called for reductions in their contributions without wishing for programme cuts. As a developing country itself, Malaysia felt that the ILO should search for economy, and the one area which stood out from his perspective was the frequency and duration of meetings, including the potential reduction of the length of the annual Conference from three weeks to a fortnight, which could be achieved if only one technical item per year were included in its agenda. The whole budgetary mechanism should be simplified in order to get around what he saw as the problem of tripartism at a number of levels in the present process, which tended to hinder any reform which would ensure that governments' views be better heeded and place final decisions on budgetary matters in the hands of the Conference Finance Committee. Despite these remarks, and taking all views into account, he was able to support the recommendations now before the Committee.

125. The representative of Hungary stated that he was greatly concerned by the acute financial difficulties brought upon the ILO by currency fluctuations and the late payment of contributions. His own country had done what it could to avoid creating additional problems and had paid its contribution for 1988 in full and on time. It was moreover ready to

continue its help and bear its share of the additional burden on the horizon for 1989. He endorsed the \$1.9 million of programme reductions and, although the difficulties arising from exchange rate fluctuations were recognised as being beyond the Office's control, he felt that it should nevertheless seek to absorb this burden to the greatest extent possible. On the other hand, his Government accepted the need to replenish the Working Capital Fund with the sum of \$15 million, in the hope that, once the long-term solution to exchange rate problems were found, and arrears of contributions paid, further replenishment would not be necessary.

126. The representative of the Philippines supported the proposals put forward by the Governing Body. However, the proposed budget cuts should allow for the continued implementation of existing as well as new projects. She strongly supported the comments made by previous speakers regarding the necessity of placing proposed programmes and projects in a proper order of priority and urging the Office to ensure, as it had in the past, that they gave value for money. The replenishment of the Working Capital Fund would of course be a burden for developing countries such as the Philippines which were experiencing severe economic difficulties, but if the Fund were not replenished now there would only be more problems in the future. The new nominal level of the Fund, after its reduction by \$10 million, should be sufficient to preserve the financial stability of the Organisation, even though the root cause of its budgetary problems – the fluctuation of exchange rates – was beyond its control. She appreciated the efforts by the Office in developing a long-term strategy to deal with currency problems and in trying to find economies within the budget.

127. The representative of Botswana said that countries of the African region as well as other developing countries were opposed to reduction of cuts in programmes already committed in their countries. In view of the fact that ongoing programmes were paramount to the welfare of all developing regions, and given that it was now apparent that the ILO could not meet its commitments owing to the over-optimistic budget exchange rate adopted earlier, there was clearly a need to supplement the ILO budget for the next two years, primarily to ensure that the programmes already under way in developing countries were completed.

128. The representative of Nepal fully supported the proposals put forward by the Governing Body. The programme reductions of \$1.9 million were regrettable, but in the circumstances had to be accepted. The proposed budget increase of \$26 million to revalue the budget rate from 1.60 Swiss francs to 1.43 Swiss francs to the dollar was probably somewhat conservative and would more than likely compel the Director-General to effect further budget cuts during the biennium. As far as the proposed reimbursement to the Working Capital Fund of a reduced amount of \$15 million was concerned, it was clear that the Organisation must be allowed to operate on a sound financial footing, which included an adequate level for its Working Capital Fund.

129. The representative of Belgium agreed with previous speakers in observing that many countries found themselves in difficult economic circum-

short of covering full administrative costs. The question then was should the ILO develop technical co-operation activities or not? The answer was quite clear and could be found in the resolution on technical co-operation taken at the 1987 session of the Conference. There was also an important link between technical co-operation and the application of international labour standards. The member States themselves attached much importance to this activity and with so many insisting on ILO support in this field, it was clearly important that the ILO subsidise these costs. The depreciating dollar had also eroded the real value of the income received from the UNDP, yet the administrative costs linked to technical co-operation activities could not be reduced without jeopardising these programmes. The total cost to the Organisation of the depreciation of the dollar over the 1988-89 biennium was conservatively estimated at \$26 million, as detailed in the proposals before the Committee. It was a cost completely beyond the control of the Office, and he asked the Committee to agree to a full reimbursement of this amount.

138. The nominal level of the Working Capital Fund at present stood at \$12 million. At its February-March and May-June sessions, the Governing Body had proposed reductions totalling \$10 million in reimbursements to the Working Capital Fund. After listening attentively to the discussion in the Committee, he now proposed that the reimbursement to the Working Capital Fund be reduced by a further \$7 million, which would set the nominal level of the fund at about \$20 million, instead of \$27 million. The Fund would then be effectively reduced from its original nominal level of \$37 million to \$20 million. This proposal would, however, have to be directly and fully linked to an acceptance by the Governing Body in November this year of the proposal that the Programme and Budget for 1990-91, and those of future biennia, be fully protected against exchange rate movements. In proposing this further reduction Committee would strongly recommend to the Governing Body the adoption of that proposal at its session in November.

139. The Treasurer and Financial Comptroller said that many Committee members felt that the level of the Working Capital Fund could be further reduced, while others felt that it was premature and imprudent to diminish the financial reserves of the Organisation in anticipation of decisions that had yet to be taken. The real question before the Committee concerned the adequate level of the Working Capital Fund. On 31 December 1987 the nominal level of the fund was \$37 million. Although this appeared to be a big sum, it had to be remembered that the Fund was virtually exhausted at that date. In 1987, the nominal level of \$37 million of the Working Capital Fund was realistic and justified.

140. It was important to stress, so that there was no misunderstanding on the subject, that the virtual exhaustion of the Working Capital Fund last year had not been due to the non-payment of contributions by member States. It had been entirely due to the need to meet the cost of the fall in the value of the dollar, below the revised budget exchange rate of 2.05 Swiss francs to the dollar. Many speakers had expressed the view that member States should not be called upon to make up for the shortfall in contribu-

tions of those countries that had not met their financial obligations to the Organisation. Some had said that this was not the purpose of the Working Capital Fund, and he could only confirm that the Fund had not been used for that purpose.

141. In the last biennium the Organisation had faced severe difficulties due to the non-payment of some very large contributions. The Director-General had not used the authority he possessed under article 21 of the Financial Regulations to finance this shortfall from the Working Capital Fund. On the contrary, he had adopted a realistic and pragmatic approach to the problem and had himself taken the initiative to propose reductions in expenditure, totalling \$17.3 million, to the Governing Body in November 1986. The introduction of various economy measures, some of which were of an emergency nature and which would not be maintained indefinitely, had produced savings under Part I of the budget of \$21.8 million. This again evidenced the fact that resort to the Working Capital Fund had always been made in a responsible manner.

142. Although the nominal level of \$37 million of the Working Capital Fund might have been reasonable in 1987, it did not mean that it was reasonable for 1988 and beyond. One significant development had taken place since 1987, resulting from the determination of both the Director-General and the Governing Body to find a long-term solution to the perennial problem of exchange rate fluctuations. Encouraging progress had been made on this matter at the last session of the Governing Body in May and it was absolutely imperative that a suitable solution be endorsed by the Governing Body next November, and by this Committee, as well as the Conference, next June.

143. In considering what the desirable level of the fund should be, it would be useful to recapitulate very briefly its history. The Working Capital Fund had been established by the Governing Body in 1952 by merging the Reserve Fund of the ILO, which had been established by the Governing Body in 1936 and which stood at \$982,000, with the former Working Capital Fund of the ILO that had been transferred from the League of Nations. The opening balance of the Working Capital Fund in 1952 was \$2,252,000, which represented 36 per cent of the annual budget, at a time when exchange rates were stable and contributions generally paid on time. The Fund had grown over the years by payments from the budget as well as through the accumulation of miscellaneous income and interest received. In 1972 the Fund stood at a level of \$10 million, which represented 27 per cent of the annual budget.

144. Since 1972, no payments had been made to the Fund from the budget to increase its nominal value. The level of the Fund had grown entirely by the judicious investment of available balances by the Office and through the receipt of miscellaneous income. It had thus been possible for it to keep pace with the growth of the budget without requiring a direct charge on member States, although this growth proved essential in order to meet the various demands on the Fund over the years. Only last year, though, the Fund had been virtually exhausted.

145. Although the growth of the Fund through interest and miscellaneous income had been very satisfactory, the Committee was reminded that the factors which permitted this Fund to grow independently were about to be significant diminished, for two reasons: firstly, if the Organisation decided to adopt a system whereby assessments were made in Swiss francs, it was most likely that the Working Capital Fund also would be converted into Swiss francs, and the interest rate on Swiss francs assets was about one-third of that on dollar assets. Secondly, in view of the decision that was likely to be taken by the Conference the following week, the incentive scheme to encourage prompt payment of contributions would be financed through income that would otherwise have been transferred to the Working Capital Fund. In view of those would otherwise have been transferred to the Working Capital Fund. In view of those two considerations, the Committee should have no illusions: the independent growth in the Working Capital Fund would be severely curtailed, if not terminated.

146. During the Committee's discussion some allusion had been made to the working capital funds of other organisations. One had to be very cautious in making such comparisons, because the financial structure of each organisation was quite different. The modest level of the Working Capital Fund of the WHO had been mentioned; but the WHO had the benefit of casual income, which had helped it meet the cost of exchange rate fluctuations. The ILO had no such facility.

147. The FAO also had a smaller fund than the ILO, but it was being steadily increased by its legislative organs, whereas in the ILO the trend was clearly in the opposite direction. Moreover, in the FAO there was a Reserve Fund. There was no such fund in the ILO. The Treasurer gave these two examples to show that a direct comparison of the levels of the working capital funds of various organisations could result in misleading conclusions.

148. In considering the level of the Working Capital Fund, it was also necessary to remember that approximately \$6 to 8 million of the Organisation's cash resources were tied up in bank balances that were maintained for the regional offices, some 40 external offices and regional centres. The Working Capital Fund was constantly being used during the course of the year to finance temporary shortfalls in income; this was one of the most vital uses of the Fund, a purpose for which it was clearly intended.

149. In this connection it was fair to mention that, at the present time, approximately 30 member States had not paid a single dollar towards their 1987 contribution. Some 90 member States had made no payment towards their 1988 contributions. The total contributions due to the Organisation in respect of previous years, stood at \$32.4 million. For the current year there were \$75.4 million of unpaid contributions. At the present time, there were almost \$108 million worth of contributions owing to the Organisation. Even at the best of times some very large contributions were received only in the last three months of the year. Pending the receipt of such contributions, the Office had no choice but to turn to the Working Capital Fund.

150. The representative of Canada, among others, had suggested that the level of the Working Capital Fund might be restricted to one or two months' expenditure. The Director-General, in making his proposal for a further reduction, had taken the risk of further reducing the Working Capital Fund to a level sufficient to meet one months' expenditure, plus a part of what was required to finance the cash floats. This would represent a total of \$20 million: about \$15 million worth of monthly expenditure, plus \$5 million to help finance the cash floats. The Office believed that it would be financially imprudent to go beyond that level at the moment, but it would continue to monitor the level of the Fund in the light of experience over the next two years. If the Working Capital Fund was reduced too far, in the present financial climate there would appear to be very little chance of re-establishing it at a more appropriate level in the future, because of the reluctance of member States to make payments to the Fund and also because its future growth would be severely limited for the reasons already mentioned.

151. The Treasurer and Financial Comptroller, replying to various questions raised by members of the Committee, explained that the proposal of the Director-General to reduce the \$15 million reimbursement to the Working Capital Fund by \$7 million, to \$8 million, which would give the Fund a nominal value of \$20 million, meant that the net additional assessment on member States would now stand at \$32 million. In response to another query, the Treasurer replied that the proposed system for assessment of contributions in Swiss francs would, if accepted, go into effect in the 1990-91 biennium at the earliest.

152. The representative of Colombia expressed the interest of the Latin American and Caribbean group in the new proposal of the Director-General concerning the Working Capital Fund. Like other delegates, his group would study these important proposals closely; they appreciated the efforts being made. In clarification of the proposal made earlier by his group, he assured the Committee that the Latin American group did not wish to change either the organisational structure or the structure of decision-making on financial matters. Its intention had simply been to replace the totally informal type of consultation, which normally occurred at any meeting, by consultations organised in the form of a group of "friends of the Chairman", so as to lighten the task of the Committee and ensure that all views were represented.

153. The Committee had before it document FC/D.5 containing a resolution concerning proposed programme reductions for the 1988-89 biennium recommended by the Governing Body.

154. The Committee adopted this resolution, the text of which appears at the end of this report, for submission to the Conference.

155. The Committee then considered document FC/D.6, containing a resolution concerning a proposal for reimbursement of the Working Capital Fund, proposed by the Governing Body at its 240th (May-June 1988) Session, but amended to take into account the further reduction in the Working Capital Fund, as proposed by the Director-General to the Committee.

156. The representative of the United Kingdom had listened carefully to the revised proposals, now reflected in the resolution put before the Committee the previous day by the Director-General, and also the explanation by the Treasurer and Financial Comptroller concerning the Working Capital Fund. No one in the Committee could be under any illusion about the serious financial predicament in which the ILO found itself, nor could anyone avoid the responsibility of taking the difficult decisions which were necessary to meet the needs of the Organisation and of the member States. He had previously expressed the view that there was a need for burden-sharing on any financial adjustments which might be necessary to the budget. It was encouraging that the Director-General had offered to reduce the supplement to the Working Capital Fund to a total of \$8 million, which would bring the level of the fund in 1989 up to \$20 million. This increase, however, was a charge against member States and would have to be funded by them in increased assessments for 1989.

157. The Director-General had also insisted that \$26 million was the minimum amount required to compensate for exchange rate losses. He had emphasised the risks that the Organisation was taking in limiting the increase in the budget to \$26 million. Nevertheless, the full impact of the proposals now before the Committee was a demand for an increase in the 1988-89 programme and budget of \$34 million and correspondingly increased assessments on member States for 1989.

158. The revised proposals of the Director-General were disappointing. The ILO might be in a serious financial predicament, but so were many of the member States. He continued to believe that confronting a financial crisis mainly by a demand for more resources was not an adequate or acceptable response. If money was not available to finance everything member States had voted for the previous year when the budget for 1988-89 was adopted, a decision had to be taken to economise and to ensure that total expenditure was maintained within the funds available. It might be very difficult to secure agreement on where programme adjustments should be made, but all the member States made the same choices in their own programmes even though there were conflicting interests between the various ministries during discussions on government budget levels. There was no reason why the same difficult decisions could not be made here in Geneva. It did not appear that the Office had taken fully into account the clear thrust of the comments made by member States in this Committee; the burden-sharing so far offered was not, in his view, adequate. The request by the Director-General to the Finance Committee to approve an increase of \$34 million could and should be reduced by further cuts in budgetary expenditure. Notwithstanding the explanations of the Treasurer concerning the demands on the Working Capital Fund, it was not clear why the Organisation needed an increase for 1989 when, during the whole of 1988, it would be living with the current level of \$12 million in the fund; what prevailed in 1988 should equally continue to prevail in 1989. Admittedly this would make life very difficult for the Treasurer and his colleagues dealing with treasury management in the Organisation, but the Director-General and the Treasurer should reconsider this proposal. A better

solution would be to delay further consideration of the proposal concerning the Working Capital Fund until the November session of the Governing Body when the Programme, Financial and Administrative Committee could make a recommendation concerning the appropriate level for the Working Capital Fund. The Office should also do more to reduce the \$26 million additional assessment for exchange rate adjustments by budgetary cuts, especially in administrative costs. At the November 1988 session of the Governing Body the Programme, Financial and Administrative Committee would have to make very difficult decisions concerning budgetary expenditure and there was no reason why this should not be anticipated by the Office by way of immediate administrative measures.

159. To reflect the concerns just expressed, he wished to propose an amendment to the resolution contained in document FC/D.6 as follows:

- paragraph 1, second line, after "... Financial Regulations," replace the remainder of that paragraph with "the issue of the Working Capital Fund be postponed for consideration at the Governing Body in November 1988.";
- delete paragraph 2.

160. The representative of Colombia, speaking on behalf of the countries of the Latin American region, said that his group had listened with great interest and relief to the statement of the previous speaker, and he shared the concerns that had been expressed about the future of the ILO and also the need for caution over the decision concerning the reimbursement to the Working Capital Fund. He supported the amendment, but also wished to draw attention to the first paragraph of the preamble. This issue had been debated at great length in the Programme, Financial and Administrative Committee and in the Governing Body itself and he suggested that the precise wording of the Governing Body decision be used in the draft resolution.

161. The representative of Belgium drew attention to article 13(2) of the Constitution which provided quite clearly for the adoption of the Programme and Budget by the Conference, upon the recommendation of the Finance Committee of Government Representatives. If the proposal put forward by the representative of the United Kingdom were adopted, the Working Capital Fund would be left in a vacuum for several months. As a compromise, he suggested that the proposed reimbursement to the Working Capital Fund be reduced by a further \$2 million.

162. In response to inquiries from the floor, the Assistant Legal Adviser said that if the Conference did not adopt the resolution concerning the Working Capital Fund proposed by the Committee, article 21(2) of the Financial Regulations would apply, and member States would be required to reimburse the Working Capital Fund according to those provisions. If the Conference wished to consider some other proposal it could refer the matter back to the Finance Committee.

163. The representative of the United States supported the amendment proposed by the representative of the United Kingdom. He had listened to the concerns expressed by the representative of Belgium but believed the proposal to be consistent with the

concerns he had raised. If the matter were referred forward by the Conference to the November session of the Governing Body any recommendations would ultimately come before the 1989 Conference in accordance with article 13 of the Constitution. For many years the programme, Financial and Administrative Committee and the Governing Body, in both of which the social partners were represented, had emphasised the difficult financial situation facing the Organisation. A decision by the Finance Committee to postpone the need for a substantial financial contribution from member States for one year would, he hoped, meet with the understanding and support of the social partners once again.

164. The representative of Sweden felt that a Working Capital Fund of \$12 million for 1988-89 was not sufficient and would probably mean that the Office would have to resort to external borrowing, an undesirable practice. He supported the original resolution and indicated that he would abstain in any vote on the amendment put forward by the representative of the United Kingdom.

165. The representative of Colombia suggested that, in the absence of any specific provision to the contrary, when the Conference took a decision on a programme and budget it implied that the level of the Working Capital Fund should remain at the same level, which indirectly fixed the level of the Fund on a provisional basis. The proposal put forward by the representative of the United Kingdom was consistent with this view and pointed the way toward a sensible and supportable solution, which would very probably be accepted by the plenary of the Conference. However, in the highly improbable event that the proposal was rejected by the plenary, it would be necessary for the Committee to reconvene to make a recommendation concerning the level of replenishment.

166. In reply to questions from the representatives of Burundi and Malaysia, the Financial Comptroller recalled the very detailed explanation of the functioning of the Working Capital Fund he had given at the previous sitting of the Committee. It was the Director-General's considered view that the Organisation needed a minimum of \$20 million to meet the effects of factors in 1988-89 which were beyond its control – in particular the rate of receipt of contributions. The Office had to face the likelihood that the proportion of uncollected contributions would go up as the biennium progressed. Moreover, for a number of reasons, expenditure was habitually greater in the second year of a biennium than in the first. It was therefore quite clear that extremely difficult cash-flow problems would arise over the course of the current biennium if the proposal to replenish the Working Capital Fund were not adopted.

167. In reply to a question from the representative of the United Kingdom concerning the procedure to be adopted should the plenary of the Conference not accept the Finance Committee's resolution leading to a reduction in the replenishment of the Working Capital Fund, the Assistant Legal Adviser explained that it was open to any delegate in the plenary, by way of a motion as to procedure under paragraph 2.2 of article 15 of the Standing Orders of the International Labour Conference, to propose that the Conference refer the matter back to the Finance Committee.

168. The Committee then turned to the adoption of the resolution for the reimbursement of the Working Capital Fund.

169. The representative of Colombia proposed that the first paragraph of the preamble to the resolution should be amended to reflect the wording of the Governing Body decision referred to, so that it would read as follows:

“The General Conference of the International Labour Organisation,

Noting that the Governing Body, at its 240th (May-June 1988) Session, endorsed in principle the introduction in 1990-91 of a system of Swiss franc assessments combined with forward purchasing of the biennium's dollar requirements and agreed that the final decision should be taken at the 241st Session of the Governing Body in November 1988 based on a more detailed proposal presented by the Director-General with consequential changes in the Financial Regulations and Financial Rules,”.

This amendment was adopted.

170. The Committee then proceeded to a record vote on the amendment proposed by the representative of the United Kingdom. The result of the vote was as follows: in favour of the amendment – 25; against the amendment – 26; abstentions – 29; the quorum was 54; the proposed amendment was therefore not adopted. Details of the voting on this resolution are set out in Appendix V.

171. The representative of Switzerland seconded an amendment proposed by the representative of Belgium, designed to lower the amount of replenishment of the Working Capital Fund to \$6 million, by replacing “\$17 million” by “\$19 million” in paragraphs 1 and 2 and replacing the last words of paragraph 2 by “will amount to \$6,059,627”.

172. The representative of Colombia stated that the Latin American and Caribbean group maintained its position that it would have been preferable not to replenish the Working Capital Fund at all, since the elements on which the proposed replenishment of the Fund was based had not been made perfectly clear. However, the group respected the wish of the majority concerning the partial replenishment of the Fund. As the figure proposed by Switzerland was lower, his group would support it.

173. The representative of Denmark felt that the Committee should have confidence in the Director-General's evaluation of \$20 million as the necessary level for the Working Capital Fund. He was prepared to accept the reimbursement of \$8 million and would not accept lowering it. The representatives of Zimbabwe, France and Burundi concurred with this view.

174. The Committee then proceeded to a vote by show of hands on the amendment proposed by the representative of Belgium. The result of the vote was as follows: in favour of the amendment – 32; against the amendment – 39; abstentions – 9; the quorum was 54; the amendment failed for lack of a two-thirds majority.

175. The Committee then proceeded to a record vote on the resolution for the proposed reimburse-

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

The General Conference of the International Labour Organisation,

In accordance with Article III of the Statute of the Administrative Tribunal of the International Labour Organisation,

Extends the terms of office of the Rt. Hon. Sir William Douglas (Barbados) and Mr. Edilbert Razafindralambo (Madagascar) as deputy judges of the Tribunal for a further period of three years.

Resolution concerning the proposed incentive scheme for early payment of member States' assessed contributions

The General Conference of the International Labour Organisation,

Recalling that in accordance with article 10, paragraph 1, of the Financial Regulations, member States' assessed contributions for each calendar year are due and payable on 1 January of that year,

Noting that delays in the payment of assessed contributions by some member States have prejudiced the implementation of the Organisation's programme in a timely and orderly manner and placed those member States which pay their contributions in a timely manner at a disadvantage,

Recalling the concerns expressed by the Conference, the Governing Body and the Director-General with regard to the late payment of assessed contributions,

Agreeing that some form of incentive should be provided to member States that pay their assessed contributions in a timely manner;

1. Decides that an incentive scheme based on the setting aside of interest earned on temporarily surplus regular budget funds in any year shall be introduced as from 1 January 1989 for a two-year trial period;

2. Decides further that during this trial period 40 per cent of interest earned on temporarily surplus regular budget funds in each year shall be paid into the Working Capital Fund and that the remainder shall be set aside to provide a total incentive amount available for distribution to those member States which have paid in full their assessed contributions for the current year by 31 December of that year. The total incentive amount so established in each year will be distributed to eligible member States under an incentive points system based on an "S" curve formula which will take into account the dates and amounts of payments of current year's contributions by member States.

Resolution concerning the Financial Report and Audited Financial Statements for 1986-87

The General Conference of the International Labour Organisation,

Decides to adopt the Financial Report and Audited Financial Statements for 1986-87 in accordance with article 29 of the Financial Regulations.

Resolution concerning reduction in the Programme and Budget for 1988-89

The General Conference of the International Labour Organisation,

Recalling that the 73rd Session of the Conference adopted the Programme and Budget for 1988-89 on the understanding that programme reductions to reduce the overall level of the budget would be worked out for approval by the Conference at its present session,

Decides to make programme reductions of \$1.9 million as detailed by major programme in Appendix II to this report.

ment of the Working Capital Fund. The result of the vote was as follows: in favour of the resolution – 60; against the resolution – 5; abstentions – 18. The necessary two-thirds majority having been achieved, the Committee accordingly recommends that the Conference adopt this resolution, the text of which appears at the end of this report. Details of the voting on this resolution are set out in Appendix VI.

176. The representative of Australia explained that his vote against the resolution, and against the amendment, had been motivated by the belief that there was no need for reimbursement of the Fund at this time. In the light of its acceptance, and anticipating that a mechanism for dealing with the currency fluctuation problem would be accepted by the Governing Body in November, he felt it should be stressed that neither in 1990 nor in the years after that, would the Organisation (notwithstanding article 21 of the Financial Regulations) again need to ask for such a replenishment of the Fund. If it were to do so, this would be tantamount to a confirmation of his fear that the Working Capital Fund was working not just as a cash flow mechanism, but as a way of passing on to other member States the deficits caused by the failure of some member States to pay their dues. Such a practice would be contrary to equity and would not, in any circumstances, be acceptable to the Australian Government.

177. The representative of Colombia pointed out that the members of his group had abstained in the vote because they disagreed with the amount, but respected the decision of the Committee concerning the replenishment. They felt that for one year no reimbursement was needed, and that more clarification was required of the elements on which the reimbursement was based. They would therefore have preferred postponement of the decision. This view was shared, in his estimation, by members of a group representing 62.7 per cent of the contributions to the budget.

178. The Committee then proceeded to a record vote on the resolution concerning additional assessments for 1988-89 in respect of budget exchange rate adjustments. The result of the vote was as follows: in favour of the resolution – 54; against the resolution – 18; abstentions – 11. The quorum of 54 being reached and the necessary two-thirds majority having been achieved, the Committee accordingly proposes to the Conference for adoption the resolution, the text of which appears at the end of this report. Details of the voting on this resolution are set out in Appendix VII.

179. The representative of the Netherlands still believed that the Organisation could absorb more of the losses. He hoped that it was clear that the Working Capital Fund should only be used for cash flow, not for covering shortfalls due to exchange rate losses or to non-payment of contributions by member States; if necessary, the Financial Regulations should be amended accordingly.

180. He further noted that the Organisation would be protected against exchange rate losses in the future, and hoped that the proposed system for protection against such losses would go into effect in 1989. The Office should prepare a contingency plan in case, in November, it should appear that member States would not be making payment in full and on time. In such a case, severe cuts in programme delivery might appear inevitable.

181. A table showing the summarised budget of expenditure and income for 1988-89 is appended to this report (Appendix I), and a summary of the proposed expenditure budget for 1988-89 by major programme is also appended (Appendix II). A statement showing the contributions due from each member State in 1989 is also appended (Appendix III).

Geneva, 13 June 1988.

*(Signed) D.M.P.B. DASANAYAKE,
Chairman and Reporter.*

Resolution concerning reimbursement to the Working Capital Fund in 1989

The General Conference of the International Labour Organisation,

Noting that the Governing Body, at its 240th (May-June 1988) Session, endorsed in principle the introduction in 1990-91 of a system of Swiss franc assessments combined with forward purchasing of the biennium's dollar requirements and agreed that the final decision should be taken at the 241st Session of the Governing Body in November 1988, based on a more detailed proposal presented by the Director-General with consequential changes in the Financial Regulations and Financial Rules,

Expressing the hope that firm proposals in respect of this problem will be made by the Governing Body within the framework of the programme and budget proposals for the 1990-91 biennium;

1. Decides that, as an exceptional measure and in derogation of article 21, paragraph 2 of the Financial Regulations, the amount due to be added to Part III of the budget (Working Capital Fund) in 1989 in order to reimburse the Fund for withdrawals made to finance the excess of budgetary expenditure over budgetary income in 1986-87 be reduced by \$17 million, thereby reducing by a corresponding amount the additional assessments which would otherwise be made on member States in 1989 for that purpose;

2. Notes that, taking account of the \$17 million, the resulting additional assessment for 1989 required under article 21, paragraph 2 of the Financial Regulations will amount to \$8,059,627.

Resolution concerning the Programme and Budget for 1988-89

The General Conference of the International Labour Organisation,

Recalling that the rate of exchange between the United States dollar and the Swiss franc (the "budget rate") for the 1988-89 Programme and Budget was fixed at 1.60 Swiss francs for 1 US dollar,

Noting the depreciation of the US dollar in relation to the Swiss franc since that rate was fixed and in particular the adverse trend over the first five months of the 1988-89 biennium,

Considering the consequential need to cover the additional costs that have arisen and are likely to continue to arise during the execution of the programme adopted for 1988-89;

1. Decides to modify the budget rate for the 1988-89 biennium from 1.60 to 1.43 Swiss francs to the dollar and accordingly to add an amount of \$26 million under Part IV (Effects of exchange rate adjustments) to the budgets of expenditure and of income for 1988-89, it being understood that any additional costs arising from the value of the dollar being lower than the revised budget rate of 1.43 Swiss francs to the dollar will be met through adjustments within the level of the revised Programme and Budget for 1988-89;

2. Approves the revised budget of expenditure and income for the 61st financial period ending 31 December 1989, in the amount of US\$357,023,033, resulting from the present resolution and the resolutions adopted at the present session of the Conference concerning programme reductions and reimbursements to the Working Capital Fund, as set out in Appendix I to this report.

APPENDIX I

[illegible]

¹ Including part of the 1982-83 cash surplus (\$115,911) deducted pro rata from the contributions of Member States which have completed payment of their 1983 contributions since December 1983.

APPENDIX II

REVISED EXPENDITURE BUDGET FOR 1988-89 BY MAJOR PROGRAMME (in United States dollars)

Item	Title	Approved Budget	Adjustments	Revised Budget
Part I. Ordinary Budget				
<i>A – Policy-Making Organs</i>				
10	International Labour Conference	11 204 420	(340 000)	10 864 420
20	Governing Body	2 204 300	—	2 204 300
30	Major Regional Meetings	1 282 865	—	1 282 865
	Total ...	14 691 585	(340 000)	14 351 585
<i>B – General Management</i>				
40	General Management	7 060 788	(27 000)	7 033 788
<i>C – Technical Programmes</i>				
50	International Labour Standards and Human Rights	10 405 495	(22 000)	10 383 495
55	Promotion of Equality	3 869 704	(21 000)	3 848 704
60	Employment and Development	12 197 504	(46 000)	12 151 504
70	Training	10 384 505	(34 000)	10 350 505
75	International Centre for Advanced Technical and Vocational Training, Turin	2 800 000	—	2 800 000
80	Industrial Relations and Labour Administration	6 807 499	(22 000)	6 785 499
90	Working Conditions and Environment	11 634 597	(30 000)	11 604 597
100	Sectoral Activities	14 962 316	(30 000)	14 932 316
110	Social Security	4 497 133	(18 000)	4 479 133
115	International Social Security Association	418 800	—	418 800
120	Labour Information and Statistics	12 716 077	(16 000)	12 700 077
130	International Institute for Labour Studies	3 650 000	—	3 650 000
	Total ...	94 343 630	(239 000)	94 104 630
<i>D – Service and Support Activities</i>				
150	Programming and Co-ordination of Technical Co-operation	2 388 866	(14 000)	2 374 866
160	Personnel	10 669 069	(70 000)	10 599 069
165	Personnel Information and Payroll System	862 901	(233 000)	629 901
170	Financial and Central Administrative Services	36 224 629	(396 000)	35 828 629
180	Editorial and Document Services	35 822 834	(197 000)	35 625 834
190	Legal Services	1 881 119	(6 000)	1 875 119
200	Programming and Management	3 744 860	(20 000)	3 724 860
210	Information Systems	8 234 545	(6 000)	8 228 545
	Total ...	99 828 823	(942 000)	98 886 823
<i>E – Relations</i>				
220	Relations and Meetings	12 547 498	(113 000)	12 434 498
225	Employers' Activities	2 814 541	(5 000)	2 809 541
230	Workers' Activities	8 734 728	(19 000)	8 715 728
235	Public Information	3 834 492	(22 000)	3 812 492
240	Liaison with the United Nations, New York	1 516 384	(8 000)	1 508 384
	Total ...	29 447 643	(167 000)	29 280 643
<i>F – Regional Services</i>				
250	Field Programmes in Africa	23 058 964	(64 000)	22 994 964
260	Field Programmes in the Americas	20 675 238	(50 000)	20 625 238
270	Field Programmes in Asia and the Pacific	20 947 080	(41 000)	20 906 080
280	Field Programmes in Europe	5 751 298	(16 000)	5 735 298
285	Field Programmes in Arab States	4 091 743	(13 000)	4 078 743
	Total ...	74 524 323	(184 000)	74 340 323
<i>G – Other Budgetary Provisions</i>				
290	Other Budgetary Provisions	6 045 495	(810)	6 044 685
	Sub-Total ...	325 942 287	(1 899 810)	324 042 477
	Adjustment for Staff Turnover	(1 989 773)	—	(1 989 773)
	Total of Part I ...	323 952 514	(1 899 810)	322 052 704

Item	Title	Approved Budget	Adjustments	Revised Budget
Part II. Unforeseen Expenditure				
295	Unforeseen Expenditure	875 000	—	875 000
Part III. Working Capital Fund				
296	Working Capital Fund	—	8 059 627	8 059 627
Part IV. Effects of Exchange Rate Adjustments				
297	Effects of Exchange Rate Adjustments	—	26 000 000	26 000 000
	Effective Working Budget (Parts I-IV)	324 827 514	32 159 817	356 987 331
Part V. Undistributed Reserve				
298	Undistributed Reserve	32 486	3 216	35 702
	Total (Parts I-V) ...	324 860 000	32 163 033	357 023 033

APPENDIX III

INCOME BUDGET FOR 1988-89 STATEMENT OF CONTRIBUTIONS DUE FROM MEMBER STATES FOR 1989 (in United States dollars)

State (French alphabetical order)	Amount due for 1989	Percentage 1988-89	State (French alphabetical order)	Percentage 1988-89	Amount due for 1989
1. Afghanistan	19 459	0.01	77. Kenya	0.01	19 459
2. Algeria	272 430	0.14	78. Kuwait	0.29	564 320
3. Germany (Fed. Rep. of)	16 092 845	8.27	79. Lao, People's Dem. Rep.	0.01	19 459
4. Angola	19 459	0.01	80. Lesotho	0.01	19 459
5. Antigua and Barbuda	19 459	0.01	81. Lebanon	0.01	19 459
6. Saudi Arabia	1 887 553	0.97	82. Liberia	0.01	19 459
7. Argentina	1 206 477	0.62	83. Libyan Arab Jamahiriya	0.26	505 942
8. Australia	3 230 245	1.66	84. Luxembourg	0.05	97 297
9. Austria	1 439 988	0.74	85. Madagascar	0.01	19 459
10. Bahamas	19 459	0.01	86. Malaysia	0.10	194 593
11. Bahrain	38 919	0.02	87. Malawi	0.01	19 459
12. Bangladesh	38 919	0.02	88. Mali	0.01	19 459
13. Barbados	19 459	0.01	89. Malta	0.01	19 459
14. Belgium	2 296 199	1.18	90. Morocco	0.05	97 297
15. Belize	19 459	0.01	91. Mauritius	0.01	19 459
16. Benin	19 459	0.01	92. Mauritania	0.01	19 459
17. Byelorussian SSR	661 616	0.34	93. Mexico	0.89	1 731 879
18. Burma	19 459	0.01	94. Mongolia	0.01	19 459
19. Bolivia	19 459	0.01	95. Mozambique	0.01	19 459
20. Botswana	19 459	0.01	96. Namibia	0.01	19 459
21. Brazil	2 724 303	1.40	97. Nepal	0.01	19 459
22. Bulgaria	311 349	0.16	98. Nicaragua	0.01	19 459
23. Burkina Faso	19 459	0.01	99. Niger	0.01	19 459
24. Burundi	19 459	0.01	100. Nigeria	0.19	369 727
25. Cameroon	19 459	0.01	101. Norway	0.54	1 050 802
26. Canada	5 974 007	3.07	102. New Zealand	0.24	467 023
27. Cape Verde	19 459	0.01	103. Uganda	0.01	19 459
28. Central African Republic	19 459	0.01	104. Pakistan	0.06	116 756
29. Chile	136 215	0.07	105. Panama	0.02	38 919
30. China	1 537 285	0.79	106. Papua New Guinea	0.01	19 459
31. Cyprus	38 919	0.02	107. Paraguay	0.02	38 919
32. Colombia	252 971	0.13	108. Netherlands	1.74	3 385 920
33. Comoros	19 459	0.01	109. Peru	0.07	136 215
34. Congo	19 459	0.01	110. Philippines	0.10	194 593
35. Costa Rica	38 919	0.02	111. Portugal	0.18	350 267
36. Côte d'Ivoire	38 919	0.02	112. Qatar	0.04	77 837
37. Cuba	175 134	0.09	113. German Democratic Republic	1.33	2 588 088
38. Denmark	1 401 070	0.72	114. Romania	0.19	369 727
39. Djibouti	19 459	0.01	115. United Kingdom	4.87	9 476 682
40. Dominican Republic	58 378	0.03	116. Rwanda	0.01	19 459
41. Dominica	19 459	0.01	117. Saint Lucia	0.01	19 459
42. Egypt	136 215	0.07	118. San Marino	0.01	19 459
43. El Salvador	19 459	0.01	119. Sao Tome and Principe	0.01	19 459
44. United Arab Emirates	350 267	0.18	120. Senegal	0.01	19 459
45. Ecuador	58 378	0.03	121. Seychelles	0.01	19 459
46. Spain	3969 699	2.04	122. Sierra Leone	0.01	19 459
47. United States	48 648 259	25.00	123. Singapore	0.10	194 593
48. Ethiopia	19 459	0.01	124. Somalia	0.01	19 459
49. Fiji	19 459	0.01	125. Sudan	0.01	19 459
50. Finland	972 965	0.50	126. Sri Lanka	0.01	19 459
51. France	12 415 037	6.38	127. Sweden	1.25	2 432 414
52. Gabon	58 378	0.03	128. Switzerland	1.12	2 179 443
53. Ghana	19 459	0.01	129. Suriname	0.01	19 459
54. Greece	856 209	0.44	130. Swaziland	0.01	19 459
55. Grenada	19 459	0.01	131. Syrian Arab Republic	0.04	77 837
56. Guatemala	38 919	0.02	132. Tanzania, United Rep. of	0.01	19 459
57. Guinea	19 459	0.01	133. Chad	0.01	19 459
58. Guinea-Bissau	19 459	0.01	134. Czechoslovakia	0.70	1 362 151
59. Equatorial Guinea	19 459	0.01	135. Thailand	0.09	175 134
60. Guyana	19 459	0.01	136. Togo	0.01	19 459
61. Haiti	19 459	0.01	137. Trinidad and Tobago	0.04	77 837
62. Honduras	19 459	0.01	138. Tunisia	0.03	58 378
63. Hungary	428 105	0.22	139. Turkey	0.34	661 616
64. Solomon Islands	19 459	0.01	140. Ukrainian SSR	1.28	2 490 792
65. India	681 076	0.35	141. USSR	10.21	19 867 950
66. Indonesia	272 430	0.14	142. Uruguay	0.04	77 837
67. Iran, Islamic Republic of	1 225 936	0.63	143. Venezuela	0.60	1 167 558
68. Iraq	233 512	0.12	144. Yemen	0.01	19 459
69. Ireland	350 267	0.18	145. Democratic Yemen	0.01	19 459
70. Iceland	58 378	0.03	146. Yugoslavia	0.46	895 128
71. Israel	428 105	0.22	147. Zaïre	0.01	19 459
72. Italy	7 394 536	3.80	148. Zambia	0.01	19 459
73. Jamaica	38 919	0.02	149. Zimbabwe	0.02	38 919
74. Japan	21 132 804	10.86			
75. Jordan	19 459	0.01			
76. Democratic Kampuchea	19 459	0.01			
				100.00	194 593 033

ANNEXE IV/APPENDIX IV/ANEXO IV

RECORD VOTE IN THE FINANCE COMMITTEE OF GOVERNMENT REPRESENTATIVES ON THE RESOLUTION FOR THE INTRODUCTION OF AN INCENTIVE SCHEME FOR EARLY PAYMENT OF MEMBER STATES' ASSESSED CONTRIBUTIONS

Pour/For/En pro (50)

Algérie/Algeria/Argelia	Canada/Canada/Canadá	Hongrie/Hungary/Hungría	Qatar
Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania República Federal de	République centrafricaine/Central African Republic/República Centroafricana	Inde/India/India	République démocratique allemande/German Democratic Republic/Rep. Dem. Aleman
Arabie saoudite/Saudi Arabia/Arabia Saudita	Chine/China/China	Indonésie/Indonesia/Indonesia	Royaume-Uni/United Kingdom/Reino Unido
Australie/Australia/Australia	Danemark/Denmark/Dinamarca	Irlande/Ireland/Irlanda	Sénégal/Senegal/Senegal
Autriche/Austria/Austria	Egypte/Egypt/Egipto	Italie/Italy/Italia	Somalie/Somalia/Somalia
Bahamas	Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos	Kenya	Sri Lanka
Bahrein/Bahrain/Bahrein	Espagne/Spain/España	Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriyah Araba Libia	Suède/Sweden/Suecia
Belgique/Belgium/Bélgica	Finlande/Finland/Finlandia	Mongolie/Mongolia/Mongolia	Suisse/Switzerland/Suiza
RSS de Biélorussie/Byelorussian SSR/RSS de Bielorrusia	France/France/Francia	Népal/Nepal/Nepal	Tchécoslovaquie/Czechoslovakia/Checoslovaquia
Botswana	Grèce/Greece/Grecia	Nigéria/Nigeria/Nigeria	Tunisie/Tunisia/Túnez
Bulgarie/Bulgaria/Bulgaria	Guinée/Guinea/Guinea	Norvège/Norway/Noruega	Turquie/Turkey/Turquía
Burundi	Honduras	Pays-Bas/Netherlands/Países Bajos	RSS d'Ukraine/Ukrainian SSR/RSS de Ucrania
		Portugal	URSS/USSR/URSS

Contre/Against/En contra (6)

Brésil/Brazil/Brasil	Ghana	Venezuela
Equateur/Ecuador/Ecuador	Philippines/Philippines/Filipinas	Zambie/Zambia/Zambia

Abstentions/Abstentions/Abstenciones (8)

Chili/Chile/Chile
Colombie/Colombia/Colombia
Cuba
Etats-Unis/United States/Estados Unidos
Rep. islamique d'Iran/Islamic Republic of Iran/Rep. Islamica del Irán
Japon/Japan/Japón
Pérou/Peru/Perú
Yougoslavie/Yugoslavia/Yugoslavia

ANNEXE V/APPENDIX V/ANEXO V

RECORD VOTE IN THE FINANCE COMMITTEE OF GOVERNMENT REPRESENTATIVES ON THE PROPOSED AMENDMENT TO THE RESOLUTION CONCERNING REIMBURSEMENT TO THE WORKING CAPITAL FUND IN 1989

Pour/For/En pro (25)

Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania República Federal de	Canada/Canada/Canadá	Rép. islamique d'Iran/Islamic Republic of Iran/Rep. Islámica del Irán	Panama/Panama/Panamá
Argentine/Argentina/Argentina	Chili/Chile/Chile	Italie/Italy/Italia	Pays-Bas/Netherlands/Países Bajos
Australie/Australia/Australia	Colombie/Colombia/Colombia	Jamaïque/Jamaica/Jamaica	Pérou/Peru/Perú
Bahamas	Cuba	Japon/Japan/Japón	Royaume-Uni/United Kingdom/Reino Unido
Bolivie/Bolivia/Bolivia	Equateur/Ecuador/Ecuador	Mexique/Mexico/México	Uruguay
Brésil/Brazil/Brasil	Etats-Unis/United States/Estados Unidos	Nicaragua	Venezuela
	Guatemala		

Contre/Against/En contra (26)

Angola	Inde/India/India	Niger/Niger/Níger	Swaziland/Swaziland/Swazilandia
Botswana	Kenya	Nigéria/Nigeria/Nigeria	Tanzanie, République-Unie de/Tanzania, United Republic of/Tanzania, Rep. Unida de
Burkina Faso	Koweït/Kuwait/Kuwait	Ouganda/Uganda/Uganda	Tchad/Chad/Chad
Burundi	Lesotho	Rwanda	Zambie/Zambia/Zambia
Cameroun/Cameroon/Camerún	Mali/Mali/Mali	Sénégal/Senegal/Senegal	Zimbabwe
Egypte/Egypt/Egipto	Maroc/Morocco/Marruecos	Somalie/Somalia/Somalia	
Ghana	Népal/Nepal/Nepal	Soudan/Sudan/Sudán	

Abstentions/Abstentions/Abstenciones (29)

Algérie/Algeria/Argelia	Finlande/Finland/Finlandia	Nouvelle-Zélande/New Zealand/Nueva Zelandia	Suisse/Switzerland/Suiza
Autriche/Austria/Austria	France/France/Francia	Philippines/Philippines/Filipinas	Tchécoslovaquie/Czechoslovakia/Checoslovaquia
Belgique/Belgium/Bélgica	Grèce/Greece/Grecia	Pologne/Poland/Polonia	Turquie/Turkey/Turquía
RSS de Biélorussie/Byelorussian SSR/RSS de Bielorrusia	Hongrie/Hungary/Hongría	Portugal	RSS d'Ukraine/Ukrainian SSR/RSS Ucrania
Chine/China/China	Indonésie/Indonesia/Indonesia	Qatar	URSS/USSR/URSS
Danemark/Denmark/Dinamarca	Islande/Iceland/Islandia	République démocratique allemande/German Democratic Republic/Rep. Dem. Alemana	Yougoslavie/Yugoslavia/Yugoslavia
Espagne/Spain/España	Malaysia/Malaysia/Malasia	Suède/Sweden/Suecia	
	Mongolie/Mongolia/Mongolia		
	Norvège/Norway/Noruega		

ANNEXE VI/APPENDIX VI/ANEXO VI

RECORD VOTE IN THE FINANCE COMMITTEE OF GOVERNMENT REPRESENTATIVES ON THE RESOLUTION CONCERNING REIMBURSEMENT TO THE WORKING CAPITAL FUND IN 1989

Pour/For/En pro (60)

Algérie/Algeria/Argelia	Egypte/Egypt/Egipto	Népal/Nepal/Nepal	Somalie/Somalia/Somalia
Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania República Federal de	Espagne/Spain/España	Niger/Niger/Niger	Soudan/Sudan/Sudán
Angola	Finlande/Finland/Finlandia	Nigéria/Nigeria/Nigeria	Sri Lanka
Autriche/Austria/Austria	France/France/Francia	Norvège/Norway/Noruega	Suède/Sweden/Suecia
Bangladesh	Ghana	Nouvelle-Zélande/New Zealand/Nueva Zelandia	Suisse/Switzerland/Suiza
Belgique/Belgium/Bélgica	Grèce/Greece/Grecia	Ouganda/Uganda/Uganda	Swaziland/Swaziland/Swazilandia
RSS de Biélorussie/Býelorussian SSR/RSS de Bielorrusia	Hongrie/Hungary/Hungria	Pays-Bas/Netherlands/Países Bajos	Tanzanie, République-Unie de/Tanzania, United Republic of/Tanzania, Rep. Unida de
Botswana	Inde/India/India	Philippines/Philippines/Filipinas	Tchad/Chad/Chad
Burkina Faso	Islande/Iceland/Islandia	Pologne/Poland/Polonia	Tchécoslovaquie/Czechoslovakia/Checoslovaquia
Burundi	Italie/Italy/Italia	Portugal	Turquie/Turkey/Turquía
Cameroon/Cameroon/Camerún	Kenya	Qatar	RSS d'Ukraine/Ukrainian SSR/RSS de Ucrania
Canada/Canada/Canadá	Koweït/Kuwait/Kuwait	République démocratique allemande/German Democratic Republic/Rep. Dem. Alemana	URSS/USSR/URSS
Chine/China/China	Lesotho	Rwanda	Zambie/Zambia/Zambia
Danemark/Denmark/Dinamarca	Malaysie/Malaysia/Malasia	Sénégal/Senegal/Senegal	Zimbabwe
	Mali/Mali/Mali		
	Maroc/Morocco/Marruecos		
	Mauritanie/Mauritania/Mauritania		
	Mongolie/Mongolia/Mongolia		

Contre/Against/En contra (5)

Australie/Australia/Australia	Bolivie/Bolivia/Bolivia	Royaume-Uni/United Kingdom/Reino Unido
Bahamas	Etats-Unis/United States/Estados Unidos	

Abstentions/Abstentions/Abstenciones (18)

Argentine/Argentina/Argentina	Equateur/Ecuador/Ecuador	Jamaïque/Jamaica/Jamaica	Pérou/Peru/Perú
Brésil/Brazil/Brasil	Guatemala	Japon/Japan/Japón	Uruguay
Chili/Chile/Chile	Indonésie/Indonesia/Indonesia	Mexique/Mexico/México	Venezuela
Colombie/Colombia/Colombia	Rep. islamique d'Iran/Islamic Republic of Iran/Rep. Islámica del Irán	Nicaragua	Yougoslavie/Yugoslavia/Yugoslavia
Cuba		Panama/Panama/Panamá	

ANNEXE VII/APPENDIX VII/ANEXO VII

RECORD VOTE IN THE FINANCE COMMITTEE OF GOVERNMENT REPRESENTATIVES ON THE RESOLUTION CONCERNING THE PROGRAMME AND BUDGET FOR 1988-89

Pour/For/En pro (54)

Algérie/Algeria/Argelia	Danemark/Denmark/Dinamarca	Mali/Mali/Mali	Rwanda
Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania República Federal de	Egypte/Egypt/Egipto	Maroc/Morocco/Marruecos	Sénégal/Senegal/Senegal
Angola	Espagne/Spain/España	Mauritanie/Mauritania/Mauritania	Somalie/Somalia/Somalia
Australie/Australia/Australia	Finlande/Finland/Finlandia	Népal/Nepal/Nepal	Soudan/Sudan/Sudán
Autriche/Austria/Austria	France/France/Francia	Niger/Niger/Niger	Sri Lanka
Bangladesh	Ghana	Nigéria/Nigeria/Nigeria	Suède/Sweden/Suecia
Belgique/Belgium/Bélgica	Grèce/Greece/Grecia	Norvège/Norway/Noruega	Suisse/Switzerland/Suiza
Botswana	Inde/India/India	Nouvelle-Zélande/New Zealand/Nueva Zelandia	Swaziland/Swaziland/Swazilandia
Burkina Faso	Islande/Iceland/Islandia	Ouganda/Uganda/Uganda	Tanzanie, République-Unie de/Tanzania, United Republic of/Tanzania, Rep. Unida de
Burundi	Italie/Italy/Italia	Pays-Bas/Netherlands/Países Bajos	Tchad/Chad/Chad
Cameroun/Cameroon/Camerún	Japon/Japan/Japón	Philippines/Philippines/Filipinas	Turquie/Turkey/Turquia
Canada/Canada/Canadá	Kenya	Portugal	Zambie/Zambia/Zambia
Chine/China/China	Koweït/Kuwait/Kuwait	Qatar	Zimbabwe
	Lesotho		
	Malaysie/Malaysia/Malasia		

Contre/Against/En contra (18)

Argentine/Argentina/Argentina	Colombie/Colombia/Colombia	Rép. islamique d'Iran/Islamic Republic of Iran/Rep. Islámica del Irán	Pérou/Peru/Perú
Bahamas	Cuba	Mexique/Mexico/México	Royaume-Uni/United Kingdom/Reino Unido
Bolivie/Bolivia/Bolivia	Equateur/Ecuador/Ecuador	Nicaragua	Uruguay
Brésil/Brazil/Brasil	Etats-Unis/United States/Estados Unidos	Panama/Panama/Panamá	Venezuela
Chili/Chile/Chile	Guatemala		

Abstentions/Abstentions/Abstenciones (11)

RSS de Biélorussie/Byelorussian SSR/RSS de Bielorrusia	Pologne/Poland/Polonia	RSS d'Ukraine/Ukrainian SSR/RSS Ucraina
Hongrie/Hungary/Hungria	République démocratique allemande/German Democratic Republic/Rep. Dem. Alemana	URSS/USSR/URSS
Indonésie/Indonesia/Indonesia	Tchécoslovaquie/Czechoslovakia/Checoslovaquia	Yougoslavie/Yugoslavia/Yugoslavia
Jamaïque/Jamaica/Jamaica		
Mongolie/Mongolia/Mongolia		

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Action Taken on the Declaration concerning the Policy of Apartheid in South Africa

Report of the Committee on Apartheid

1. The Committee was established in accordance with paragraph 4 of the Declaration concerning the Policy of Apartheid in South Africa, which was adopted by the Conference at its 67th Session (1981). It was established, inter alia, for the purpose of monitoring action against apartheid.

2. The Committee was composed of 54 members with the right to vote (20 Government members, 14 Employers' members and 20 Workers' members). It also included 18 Employers' deputy members and 20 Workers' deputy members. In accordance with the usual procedure, equal voting for the three groups were assured by the appropriate system of weighted voting. The United Nations, the OAU, a number of Government members and some non-governmental organisations with consultative status as well as the African National Congress of South Africa (ANC) and the Pan-Africanist Congress of Azania (PAC) were represented by observers.

3. At its opening sitting the Committee elected its Officers as follows:

Chairman: The Hon. Nkomo (Zimbabwe)

Vice-Chairmen: Mr. Hernandez, Employers' member (Philippines)

Mr. Mercier, Workers' member (Canada)

The Committee also elected as Reporter: Mr. Vollebaek, Government member (Norway).

4. The Committee held six sittings. Its mandate was to examine the *Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa* which dealt, inter alia, with developments regarding the situation in South Africa in respect of labour and social matters, and contained an analysis of the information provided by governments, employers' and workers' organisations on measures taken against apartheid as foreseen in paragraph 5(b) of the Declaration as well as on international action against apartheid. A further document complemented the Special Report by providing a brief summary of (i) the principal events which had occurred in South Africa concerning labour matters; and (ii) information supplied by governments, employers' and workers' organisations since the completion of the Special Report. The Committee also had before it the report of the Tripartite Conference on Action against Apartheid which had taken place in Harare, Zimbabwe, from 3 to 6 May 1988 which contained a draft for the updating of the Declaration on Apartheid to be considered in relation to the item which had been

included in the agenda of the Conference by the Governing Body of the ILO at its 238th Session in November 1987, following the recommendations of the Committee to the 73rd Session of the Conference. In addition, the Committee had before it the report of the Governing Body Committee on Discrimination at its 240th Session in May 1988 and a document submitted to the Committee following a decision of the ILO Governing Body at its 240th Session in May 1988 containing a report entitled *Banking Facilities in the ILO*, approved by the Programme, Financial and Administrative Committee of the Governing Body at that session. This related to the question referred to in paragraph 10, under Part V "ILO action" in the Conclusions of the Committee on Apartheid of the 73rd Session of the Conference in 1987.

5. The representative of the Secretary-General drew attention to the crucial task of updating the ILO Declaration concerning the Policy of Apartheid in South Africa that would be undertaken by the Committee on Apartheid during the current 75th Session of the International Labour Conference. He referred to some of the proposed new elements in the Declaration, contained in *Provisional Record* No. 3 of the Conference. It had been recommended, for example, that the Committee should be known as the "Conference Committee on Action against Apartheid", the Declaration as "the Declaration concerning Action Against Apartheid in South Africa and Namibia", and the appendix as "the Programme of Action against Apartheid". He pointed to the preparatory work done at the Tripartite Conference on Action against Apartheid, convened in Harare, 3-6 May 1988, on the decision of the Governing Body at its 238th Session (November 1987) and on the recommendation of the Committee on Apartheid at the 73rd Session (June 1987) of the International Labour Conference. He observed that the decision to place the updating of the Declaration on the agenda of the Conference could not have come at a more appropriate time owing to the current gravity of the situation in South Africa and Namibia. The situation now required urgent action not only by the ILO but also by governments and employers' and workers' organisations. The Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa, to be discussed by the Committee, demonstrated clearly the deterioration of the plight of the Black workers and the repressive measures adopted against their organisations. Furthermore, it analysed the information supplied by the ILO tripartite membership and by the

international organisations on action taken by them against apartheid. By examining this information, the Committee could indicate what needed to be done to speed up the process of bringing an end to apartheid.

6. The Chairman expressed the hope that the Committee would adopt an unequivocal programme of action against apartheid which would clearly indicate to the Government of South Africa that the governments, employers and workers of the world reject the obnoxious system of apartheid. The fact that human rights constituted the theme of the Director-General's Report to the Conference made the work of the Committee more pertinent since the apartheid system in South Africa denied basic human rights to the majority of the country's population. He referred to the numerous security and emergency regulations which constrained and oppressed Blacks and the trampling of trade union rights in South Africa. The "so-called" reform programme of the South African Government should not deceive the Committee, since the essence of the apartheid system remained intact. Internally, the ruthless application of the emergency and security regulations ensured that the privileged few enjoyed the system's benefits, while externally the racist regime carried out acts of destabilisation against the front-line States. He drew attention to the significant role being played by the ILO in the struggle against apartheid, such as its adoption of the Declaration concerning the Policy of Apartheid in South Africa in 1964, which was updated in 1981. This Declaration testified to the international community's abhorrence of the apartheid system. He expressed the hope that the Committee would tighten and update the Declaration to enable it to reflect the developments that had occurred since the last updating in 1981. He paid tribute to the delegates who participated in the Tripartite Conference on Action against Apartheid, in Harare, for coming up with a proposed Declaration concerning Action against Apartheid in South Africa and Namibia which would guide the work of the Committee. The tightening and updating of the Declaration would further advance the ILO's rightful place in the fight against apartheid, and the implementation of the proposed Programme of Action against Apartheid would help to dismantle the abhorrent system.

7. On behalf of the Workers' members, the Workers' Vice-Chairman observed that the work of the Committee demonstrated its credibility with the Black workers in South Africa. He emphasised that the Black workers were embarking on solidarity action to protest against the South African Government's Labour Relations Amendment Bill which would introduce restrictions on the activities of the trade unions and would limit their right to strike, and define unfair labour practices in an anti-trade union manner. Furthermore, the Bill gave the responsible minister the right to introduce any changes he wanted at any time in the definition. The Bill could also encourage employers to recognise the minority racial trade unions based on the principle of "divide and rule". He gave several examples of the arrest of trade unionists for reasons which could only be pretexts. He reminded the Committee that the ILO existed to defend trade union rights, an integral part of which were the rights to freedom of association and expression which were completely suppressed in

South Africa. Owing to the fact that Black workers did not have the right to vote in South Africa, they could only express their views through the trade unions. He also pointed to the threats by employers against the workers who embarked on peaceful protests and cited several examples to illustrate this point. Since a number of employers, including those who presented a liberal image to the outside world, severely repressed their Black workers, the Workers' group requested the Employers' group in the Committee to provide precise information on the attitude of their members in this regard. He reiterated that the employers should use their influence over the South African Government to persuade it to renounce the proposed Labour Relations Amendment Bill which provided for serious infringements of freedom of association. He drew attention to another draft Bill which was deeply worrying the Workers, namely the Promotion of Orderly Internal Politics Bill aimed at preventing external solidarity funds from being brought into the country to assist the anti-apartheid organisations. The Workers were afraid that this Bill could be used against the Black trade unions. The Special Report of the Director-General indicated that many governments made funds available to support organisations which were geared to improving the conditions of the Black majority in South Africa and the victims of apartheid. In their response, the European Community appeared to give more importance to such "positive" measures than to "negative" measures such as economic sanctions. It was disquieting to note the Government of South Africa's statement that the Promotion of Orderly Internal Politics Bill was geared to controlling the funds coming from external sources as well as to keeping under surveillance the use of such funds for politically subversive ends or for illegal activities. What concerned the Workers was the fact that virtually all trade union-connected activities, including humanitarian aid for victims of apartheid, would be included in this definition if the Government so decided. The Workers' group would like to know the steps envisaged by the Governments of the European Community or other governments to implement measures geared to putting pressure on the South African Government to abandon the introduction of restrictions which were aimed at strangling every democratic movement in the country. He observed that it was necessary for the Committee to specify effective action to be taken by each of the tripartite constituents against this challenge of legislative measures in South Africa. Regarding the main task of the Committee for this year which was to update the Declaration and the Programme of Action, he noted that this task would be facilitated by the work already undertaken by the Tripartite Conference on Action against Apartheid in Harare. He regretted to have to point out that if half of the recommendations in the Declaration and in the Programme of Action had been followed by the ILO constituents, there would not have been any need to convene another session of the Committee. In this context, he indicated the Workers' disappointment in the replies supplied by the States which could play a key role in the dismantling of apartheid. In spite of the quality of the Special Report's analysis of the situation in South Africa and Namibia, the Report did not contain any real evaluation of the implementation of the Declaration and the Programme of Action. He observed that

a certain routine was followed in the replies which were stereotyped and did not contain substance regarding the actual measures implemented or not implemented. Consequently, the Workers' group would like to put greater emphasis on the setting up of a central mechanism to monitor the application of the recommendations adopted by the Committee. He regretted the fact that the countries of the European Community had again provided a collective response, with the exception of Denmark, Ireland and Italy, which supplied individual replies in addition. It was almost unbelievable that only 20 governments, including five of the industrialised countries – Australia, Austria, Ireland, Japan and Sweden – could mention positive action in relation to Part II paragraph 6 on Government action in the Programme of Action, dealing with the withholding of recognition of the Bantustans, denial of the establishment of representative offices and the entry of representatives of Bantustans into their territories, the prohibition of new investments in and the demand for the withdrawal of existing investment from these areas. Furthermore, paragraph 9 was only referred to in four replies even though it only concerned the lifting of all impediments preventing trade unions from participating in solidarity action with the workers engaged in the anti-apartheid struggle. It was clearly indicated in the Special Report that no progress had been achieved towards the dismantling of apartheid. The state of emergency reintroduced during the preceding year would certainly continue this year and all types of restrictive measures would only grow. The Workers' group supported the view expressed by the Director-General in the Special Report that only concerted and targeted international pressures on the South African Government's areas of greatest vulnerability could bring about a reversal of the apartheid policy by peaceful means. He emphasised that the gold market played a significant role in the maintenance of the South African regime. The Workers' group called on the ILO to undertake an expert study on this subject. He also referred to the solidarity demonstrated by the banks when the ILO had made inquiries to identify another bank to be used by the ILO in place of the Union Bank of Switzerland (UBS). A more global approach needed to be adopted to put pressure on all the banks involved in trade with South Africa. The possibility of putting pressure on the consortium of banks which, within the next two months, would be negotiating with South Africa on the loans granted to it should be examined carefully. He identified the field of energy as another vulnerable area. He noted that Italy, which was the greatest importer of South African coal, had declared itself favourably disposed towards an embargo on coal imports from South Africa if the 12 European countries could agree on this point. Italy should be informed that it could set an example by promoting this action vigorously among the 12 countries or else adopt a coal embargo unilaterally as had France and Denmark. He emphasised that the goal of action to be undertaken was to adopt comprehensive and mandatory sanctions. The Workers favourably acknowledged the efforts made by the United States Congress towards the promotion of sanctions which, to a large extent, reflect the recommendations in the ILO Declaration and in the Programme of Action. It was, however, difficult to understand the reasons for the United States' veto of

the adoption of such sanctions in the Security Council. In a special appeal to the Workers, he expressed the hope that in the future no employer in South Africa, nor any commercial agency which violated the known international standards or which collaborated with the Government of South Africa, would be confident that "very little real pressure would be exercised to its disadvantage".

8. On behalf of the Employers' members, the Employers' Vice-Chairman emphasised the function of the Committee which, in consonance with paragraph 5(a) of the Declaration, related to the monitoring of action taken against apartheid. He expressed the Employers' appreciation of the efforts made by the Government, workers and employers of Zimbabwe in hosting the Tripartite Conference on Action against Apartheid, and noted that Zimbabwe was shining example of how people of different races could work together in harmony and co-operate for their mutual welfare and benefit. He congratulated the Director-General on his Special Report for providing comprehensive information on recent developments in labour and social matters not only in South Africa but also in Namibia in accordance with the request of the 73rd Session (June 1987) of the International Labour Conference. The Special Report also contained an analysis of the information supplied by governments, employers and workers on action taken against apartheid. In addition, it examined international action against apartheid including activities carried out by the ILO in accordance with the conclusions of the Committee on Apartheid at the 73rd Session (June 1987) of the Conference. He observed that although the Report mentioned that replies had been received from 105 governments and 63 employers' and 103 workers' organisations, which indicated an increase in replies, this increase was not substantial and should not satisfy the tripartite members. The replies received were from less than two-thirds of the Members. Furthermore, they did not entirely cover the key and pertinent issues. He requested that specific ways should be identified to improve upon the replies submitted by the tripartite membership. He drew the Committee's attention to the specific activities undertaken against apartheid and in aid of its victims by employers' organisations which were mentioned in the Special Report. He mentioned, as an example, the co-operation between the Norwegian Employers' Confederation, the ILO and the Zambia Federation of Employers in a project on small enterprise development for refugees in Zambia. Several employers' federations had also transmitted, to their affiliates and associated organisations and enterprises, the recommendations for specific forms of action against apartheid contained in the conclusions adopted in the preceding year by the Committee on Apartheid. He made particular mention of the Japan Federation of Employers' Associations, NIKKEIREN, which had been engaged in developing awareness among Japanese employers of the problems brought about by apartheid and the anti-apartheid measures undertaken by the ILO and its constituent members. He reaffirmed the Employers' commitment to the fundamental principles relating to basic human rights enshrined in the Preamble to the ILO Constitution and in the Declaration of Philadelphia. In addition, the Employers were committed to supporting measures that would

bring pressure on the South African Government which had refused to promote basic human rights. He expressed the disappointment of the Employers' group that the South African Government had not heeded the voice of the international community, and reaffirmed the Employers' commitment to 'support programmes and policies urgently required for the total elimination of apartheid. He referred to some of the views he had expressed before the Committee, in June 1987, to the effect that despite colour differences, all men were equal and there were no superior races. Unfortunately, this fact was not recognised by the apartheid system. He was hopeful that apartheid would be eradicated since it sowed its own seed of destruction. He drew attention to the support given by the many different races and creeds to the Blacks in South Africa. He urged the ILO and its tripartite members to publicise more widely and constantly the evils of apartheid and the action undertaken by them against this inhuman system. He expressed earnest hope that the draft updated Declaration concerning Action against Apartheid in South Africa and its annexed Programme of Action against Apartheid would be favourably acted upon by the Committee.

9. The Government member of India expressed appreciation of the conclusions of the recent Tripartite Conference on Action against Apartheid and also support for the amendments proposed for the updating of the Declaration. He recalled that the Director-General of the ILO had been presenting the Special Report since 1964, and observed that the Special Report submitted to the Committee at the 75th Session of the International Labour Conference caused deep concern since it clearly revealed the magnitude of human rights' violations under the apartheid system and also demonstrated that the condition of the majority of South Africa's people had deteriorated considerably during the past year. Referring to the Pretoria regime's ongoing acts of repression including persistent trampling of trade union rights, harassment and torture of trade unionists, detention and killing of many people, he attributed the current turbulence in the labour field in South Africa to the perverse and inhuman system of apartheid. He informed the Committee about his country's long-standing total commitment to the struggle against apartheid. India had always been at the forefront of the international campaign against apartheid and it had also played a special role in support of the struggle of the Black majority in South Africa for freedom and human dignity. As early as in 1946, even before India had attained its independence, the Indian delegation had included a new item concerning South Africa's policy of racial discrimination on the agenda of the General Assembly. India was the first country to impose sanctions against South Africa. It did not maintain any relations with that country and strongly condemned the apartheid system as well as the banning in February 1988 of 17 anti-apartheid organisations in South Africa and the restrictions on COSATU. India regarded all modifications of the system, cosmetic or otherwise, as unacceptable. Apartheid had to go in its entirety. He called upon all governments and employers' and workers' organisations to join in imposing immediate, comprehensive and mandatory sanctions against South Africa, and urged the inter-

national community to act cohesively to ensure that such sanctions became a reality since they constituted the only peaceful means that could compel the South African regime to dismantle apartheid. He appealed to the governments which supported the apartheid regime to recognise that any delay in action would only lead to an increase in bloodshed. Drawing attention to the fact that India chaired the AFRICA Fund which currently had contributions/pledges of over US\$250 million, he appealed to all governments, employers' and workers' organisations, non-governmental bodies and individuals to contribute to the Fund and thus help the front-line States in their struggle against the racist Pretoria regime. His Government was convinced that the apartheid system was doomed to collapse. With respect to Namibia, he reiterated India's outright condemnation of South Africa's illegal occupation of that country and reaffirmed his Government's support for the oppressed people of Namibia and for their sole, legitimate representative, SWAPO, in their just struggle for independence. He quoted the statement made by the Prime Minister of India at the Non-Alignment Summit in Harare that freedom in South Africa would brook no further delay. The choice was between liberty now with innocent lives saved or liberty later in a welter of blood.

10. The Workers' member of Bulgaria stated that a State which discriminated against the majority of its population because of their skin colour represented an extreme situation which touched on fundamental human rights in a year which marked the 40th anniversary of the Declaration of Human Rights. Despite the calls made, the racist regime continued its policy. The world, therefore, had to intensify its efforts in the fight against apartheid and the ILO had an important role to play in this endeavour. Apartheid remained in spite of the interventions made by all the world's States and, more importantly, by the political and trade union organisations. He demanded an explanation for apartheid's continued existence. He recalled the saying that "there was no smoke without fire". In this instance, the fire which fanned the evil apartheid system was produced by the transnational enterprises and the banks, which were referred to in a substantial part of the report that also specified many North American, British, Federal German and Swiss enterprises operating in South Africa. Everyone agreed with the general principle that apartheid was evil but to date the efforts achieved were not enough to eradicate it. In his opinion, it was essential to put pressure on the countries which derived profit from the Black manpower in the labour market and supported the apartheid system. Regarding the issue of banking services for the ILO, he expressed surprise that no progress had been achieved. He underlined the importance of the Programme of Action drafted by the recent tripartite conference in Harare and urged member States to supply annually information on measures taken against the apartheid system.

11. Speaking on behalf of the Nordic trade union movements which were affiliated to the ICFTU, the Workers' member of Norway expressed the belief that the persistent and co-ordinated efforts of the international trade union movement in support of the trade union movement in South Africa had had some impact. He observed that members of the Black

trade union movement in South Africa were themselves primarily responsible for the phenomenal growth that had occurred in their movement. It was also through their own effort and organisation that their movement was making its mark on history as the most important and strongest force fighting the apartheid system and struggling for a democratic society in South Africa. He however underlined the importance of the support provided by the unions outside South Africa and the need for outside pressure on the racist Government. He indicated that the Nordic unions and the ICFTU provided support to both COSATU and NACTU as well as to the other independent trade unions. He was happy to note that COSATU and NACTU had met on 1 June 1988 and had agreed on undertaking common solidarity actions on 6, 7 and 8 June against the new labour Bill and the collusion between the employers and the Government of South Africa. He was of the opinion that the efforts being made to destroy the trade union movement in South Africa would lead directly to violence, strife and even civil war and would make the prospects for peace very bleak. He indicated that those who had supported the formation and the growth of the Black union movement inside South Africa were committed not only to continuing their support but also to extracting and enhancing, from companies, employers and governments, especially in industrialised countries, support for the Black workers and their unions and resistance of the apartheid system. He attributed his unions' support of the unions in South Africa not only to moral and idealistic reasons but also to the fact that the future of the union movement in South Africa would reflect the future of the union movement in Africa, and the possible evolution of the trade union movement in the developing world in general as well as in the world at large. Furthermore, he perceived that in general the relationship between Whites and Blacks and indeed Africa and Europe was at stake. He was of the view that the current unsatisfactory situation of the unions in South Africa could explode at any time. The unions could not accept the Government's new labour Bill nor the views of the employers. They were bound to fight back. He stressed that in such a situation, the unions should not fight alone. In this context, what the Committee on Apartheid recommended to the International Labour Conference and what the latter also recommended to the world should be of considerable importance. He reaffirmed the unions' support to the union movement in South Africa and urged the Employers' group in the ILO to put pressure on their counterparts in South Africa to support democracy in that country which would guarantee them business in future. He called on governments to examine the situation closely and to adopt sanctions and other measures against the Pretoria regime. With respect to future developments in South Africa, he was of the view that the division between Whites and Blacks would deepen. He therefore urged governments, especially of the United Kingdom, the Federal Republic of Germany, Japan, the South-East Asian countries and to some extent Italy and France, to act immediately to avoid further deterioration in the situation. He recognised that some governments had made an effort in this direction and gave, as examples, the American legislators and the governments of the Nordic countries. With respect of the EEC's action against South Africa, he

appealed to the Governments of the United Kingdom and the Federal Republic of Germany to adopt a more progressive attitude. In this context, he reiterated the urgent need not only to emphasise sanctions, but also to set up priorities including the boycott of coal imports from South Africa, the closing of all credit facilities for South Africa and the ban on exports of oil and all materials for energy production in South Africa. He proposed that the Committee should recommend the Plenary of the Conference to take a vote on the ILO's adoption of this approach. He disclosed that some governments claimed that they did not export oil or arms to South Africa while they actually did so. He also drew attention to the fact that while the Governments of the Nordic countries had introduced bans on trading with South Africa, certain countries had been re-exporting Scandinavian goods to South Africa. He urged those countries to refrain from such acts. He also proposed that the Committee should recommend to the Plenary of the Conference to vote on the setting up of a monitoring mechanism by the ILO to monitor and report on the implementation of ILO Recommendations. If the United Nations also set up a monitoring system to oversee member countries' observance of the arms embargo, the ILO and the United Nations would be working hand in hand to exert real pressure on the South African racist Government. He urged the ILO to take a strong stand against the labour Bill in South Africa.

12. The Workers' member of the Islamic Republic of Iran observed that although apartheid was one of the easiest problems of the present era, it was also one of the most difficult. It was one of the easiest problems because it was generally accepted by all as the worst form of tyranny and aggression and it was also condemned by the majority of the world's people; it should therefore be easy to deal with. However, it was a difficult problem since it had become an incurable disease that had created suffering especially for the oppressed people of South Africa. He observed that apartheid and its oppression of workers in South Africa had continued in spite of the numerous speeches that had been made and declarations that had been adopted against the racist apartheid regime. He attributed this to the attitudes adopted by some governments, including the superpowers. The superpowers, with their great military resources, undertook expensive military operations to support their puppet governments, but were unwilling to adopt simple measures geared to solving the protracted problem of apartheid. He informed the Committee that during the Committee's meeting six years ago, one of the Committee's members had disclosed that some of the countries that had been buying oil from the Islamic Republic of Iran had been selling it to South Africa. This issue had been examined by the Iranian authorities who now insisted that all buyers of Iranian oil should submit a guarantee that they will not ship or sell the oil to South Africa. He appealed to other governments to adopt similar steps to contribute towards solving the problem within the shortest possible time. He also urged the Committee to specify concrete measures to be implemented by governments, workers' and employers' organisations which would ensure fruitful completion of the work that had begun at the Tripartite Conference on Action against

Apartheid in Harare. He suggested that all ILO member States that continued to co-operate with the racist South African regime should be temporarily suspended from membership.

13. The Workers' member of Mozambique said that his Government and the workers of Mozambique had at every opportunity manifested their opposition to apartheid and their concern about the explosive situation in the States affected by the regime, particularly in Angola and Mozambique. They also supported the decision of the Tripartite Conference on Action against Apartheid held in Harare in May 1988 to update the Declaration concerning Action against Apartheid in South Africa to reflect reality. The inhumane acts committed against Mozambique and Angola by the armed bandits of the apartheid regime were well known and the workers and Government of his country were dismayed by those countries and international organisations that continued to support it. This support constituted a continuous attack on the independence and democracy of the front-line States. Apartheid could not be reformed; it should be dismantled once and for all and disinvestment should be followed by a policy of investment in the front-line States. The workers of Mozambique endorsed what they had stated at the Harare Conference as shown in paragraph 54 of *Provisional Record* No. 3 of this International Labour Conference. The workers of Mozambique called upon the Director-General and Members of the ILO to make every effort to support Mozambique financially and materially in line with the Conclusions of the United Nations international conference on emergency assistance to Mozambique. The Committee should adopt the updated Declaration and Programme of Action against Apartheid as drafted in Harare and with the positive, practical action and goodwill of all, acting in the name of humanity, the apartheid regime would be erased from the history of mankind.

14. The Workers' member of France sadly remembered Dulcie September, representative of the ANC in France, who was murdered in Paris last spring. All workers and democratic people in his country, and in particular his organisation, the CGT, had been deeply distressed by this terrible event and had demonstrated their wish to join with organisations and anti-apartheid movements throughout the world in a last tribute. He agreed with the proposals put forward at the conference in Harare and presented in *Provisional Record* No. 3 concerning the proposed updating and renaming of the Declaration concerning Action against Apartheid, and trusted that these documents would be unanimously adopted at the 75th Session of the International Labour Conference. He deplored the fact that the Government of his country had not seen fit, once again, to send a separate report in reply to the ILO's questionnaire on measures taken against apartheid. He noted that the French Government had not only persisted in maintaining links with South Africa, but also had received Mr. R. F. Botha, the South African Foreign Minister. Moreover, in 1987, 70 French firms continued to trade with South Africa to the extent of several billion francs worth of goods including fuel, steel, textiles, food products, etc., and French banks continued to be among the heaviest investors in

South Africa. He also deplored the fact that a delegation of French right-wing and extreme right-wing members of Parliament had felt it necessary several months ago to sit in Pretoria and that on their return the members of this delegation had not hesitated to praise President Botha's courage and clear-sightedness. He hoped that the new French Government would have a different attitude and would declare itself decidedly in favour of the Declaration concerning Action against Apartheid in South Africa and Namibia and that it would apply the Programme of Action without delay.

15. The Government member of the Federal Republic of Germany said that the situation in South Africa became more critical by the hour: anti-apartheid organisations were still banned; the emergency legislation continued in force; there was no real freedom of the press and in February the authorities had silenced a further 17 organisations which opposed apartheid by peaceful means and had deprived COSATU of essential political rights. The situation had its origins in the apartheid regime which used force against all Black people, and segregated them into the so-called "homelands" flouting the basic principles of democracy. Apartheid could not be reformed and the aim of his Government was to seek its peaceful abolition based on the consent of all South Africans. To this end his Government sought to promote dialogue between the groups concerned, but the South African authorities refused to talk with the genuine representatives of the Black majority. His Government had continuing contact with these representatives, particularly those from trade unions and churches, the ANC and the Inkatha Movement. His Government was also prepared to dialogue with representatives of the White Government. But meaningful discussions inside South Africa could only take place when all political prisoners had been freed and when the prohibition of Black organisations – such as the ANC and PAC – had been lifted. As a member of the European Community, his Government attached importance to all positive measures that helped Black workers, such as social improvements carried out by companies from the Federal Republic of Germany operating in South Africa. The proposed South African law to prohibit financial donations from abroad to anti-apartheid organisations would affect the assistance provided by the Federal Republic of Germany to trade unions, churches and other organisations. The South African Government should abandon that policy. The Federal Republic of Germany and the other member States of the European Community did not accept the continued violation of human rights in South Africa. Apartheid extended beyond the frontiers of South Africa and undermined the economic and social development of the front-line States which, in turn, interfered with the prosperity of the whole of southern Africa. The Federal Republic of Germany was committed to the cause of Namibia and, in conjunction with the United States, Canada, France and the United Kingdom, advocated making effective the right of the people of Namibia to self-determination through internationally recognised elections. His Government deeply believed in the protection of human dignity as the sole guarantee of social peace and wished to see a state of affairs where South Africa, freed of apartheid and racial discrimination,

could take its place as a respected member of the family of nations.

16. The Workers' member of China described the interest of the 130 million workers of China in developments in southern Africa and their indignation at the worsening situation there. He cited many examples of the apartheid regime's racist and authoritarian policy, including the continued imprisonment and torture of Nelson Mandela and other political prisoners and trade unionists. The South African regime's attempt to extinguish the resistance of the peoples of southern Africa and ignore the condemnation of the international community was in vain. The development of the Black workers' movement in South Africa promoted by COSATU and NACTU and the widespread extensive strike action taken in recent months had provoked the admiration of the workers of China. The workers of China condemned South Africa's colonial rule in Namibia, its use of this country as a military base for the invasion of neighbouring States and the attacks it had carried out against SWAPO and trade union and student organisations, including the arrest of their leaders. They also condemned Pretoria's policy of aggression in other southern African countries, particularly Angola. These activities demonstrated that the authorities in South Africa were at the root of the instability in the region. The SADCC had called for comprehensive and mandatory sanctions against South Africa and had appealed to the international community for aid to help the countries in southern Africa revitalise their economies and to support them in their struggle. The workers and trade unions of China condemned South Africa's racist and aggressive policies both at home and abroad and firmly supported the peoples of Namibia in their struggle for independence. South Africa should accept United Nations Security Council resolution 435. The ILO had made major contributions against apartheid and all its Members should be called upon to implement the declarations and resolutions adopted by the International Labour Conference. The Tripartite Conference on Action against Apartheid held in Harare had been timely and successful and showed the solidarity of Government, Workers' and Employers' members with the peoples of the front-line States. The updating of the Declaration and the Programme of Action against Apartheid would contribute greatly to the struggle against apartheid.

17. The Government member of Norway said that the proposed Declaration concerning Action against Apartheid in South Africa and Namibia was of particular significance for the Committee and an important guide for other organisations, but the fact that so few changes had been made indicated that the goals and objectives of the 1964 Declaration and its 1981 updating had not yet been attained. With the help of the military, the police and vigilante groups, the Government of South Africa had increased its repressive measures against the Black majority in that country. This was a sign of weakness and not of strength. The international community should join the Nordic countries in their efforts to bring apartheid to an end by peaceful means. In fact, the Programme of Action stressed the need for economic measures to be taken against South Africa. His delegation agreed with this and also with the need to give economic support to the front-line and neighbouring

States to relieve their economic dependence on South Africa. Programmes of economic co-operation were a means of helping these countries. Norway had provided approximately US\$180 million in 1987 in addition to US\$24 million for humanitarian assistance to the victims of apartheid. Although Norway in no way accepted the policy of apartheid, it was not in a position to sever diplomatic relations with South Africa and, in spite of its law on the economic boycott of South Africa, there was no legal foundation on which the Government could comply with the recommendation requiring contracts to be denied to firms and enterprises having commercial relations with South Africa. He welcomed the emphasis given in the Special Report to Namibia and the importance the ILO attached to providing vocational and management training, and labour administration and workers' education through technical assistance programmes in the region. The ILO's activities complemented Norway's bilateral assistance efforts. There was a need for co-operation between the ILO and other organisations in the United Nations system to make more efficient use of available resources. He felt that more emphasis could have been given in the Special Report to analysing the effect of ILO activities. With regard to the Special Working Group on Banking Facilities in the ILO, the Director-General should continue to seek to diversify the deposit of ILO funds, and effect transactions with banks that did not have links with South Africa.

18. The Employers' member of the Islamic Republic of Iran asked what was meant by "action" in the Declaration concerning Action against Apartheid in South Africa and Namibia. Did it merely mean refraining from some measures, or did it mean "active participation" in an all-out campaign against the "Devil of the twentieth century": against a threat to all human values and dignity? This "devil" called for "active" rather than "passive" action. Part III of the Programme of Action against the Policy of Apartheid gave passive advice: to refrain from some measures which, though positive, lacked the necessary impetus for "active combat" that South Africa's apartheid regime demanded. He suggested – as a minimal "real action" – that a special international fund be created to help those struggling within South Africa and in the neighbouring States. The Islamic Managers' Association and the Industrial Managers' Association of the Islamic Republic of Iran were prepared to participate in this action. If the ILO had taken similar action against other forms of racial discrimination in the world, or at least verbally condemned them, the history of brutality against humanity might have been different.

19. The Government member of China commented on the ruthlessness of the action taken by the South African Government against the Black peoples in South Africa, Namibia and in the neighbouring countries. The Chinese Government supported the struggle of the peoples of South Africa and the front-line States for racial equality and basic rights and for independence and sovereignty and their right to regional peace and stability. It had always been the policy of the Chinese Government to strengthen solidarity and co-operation with African countries and to support the just struggle of the African people. The actions undertaken by the South African regime for many years proved that there was

no room for illusions. Practical actions against apartheid were needed and economic sanctions were a powerful weapon; imports of oil should be stopped because without oil there would be no communications within South Africa and the armoured vehicles used for suppression could not run. Since 1973, the OPEC countries had declared an embargo against South Africa, but still South Africa got all the oil it needed. The products of mining, one of the biggest economic activities in South Africa, were mostly exported. If certain countries did not buy these products a fatal blow would be struck against the economy of South Africa. However, the fact that all military, political, trade and other contacts were not cut off was an indication of the measure of support for the crimes of South Africa and provided the regime with the means to continue oppressing its people and aggressing the neighbouring States. The Director-General pointed out in his Special Report that opponents of sanctions maintained that economic progress for Blacks was the key to ending apartheid. Nevertheless, facts showed that in spite of the growth of the economy, Blacks had known relatively little economic advancement over the past 30 years and no significant political change. The economic development programme in the homelands appeared to compound the problem. The policy remained one of controlled Black progress within the confines of the system and not at the expense of that system. The Committee should approve the text of the updated Declaration and its appendix and submit it to the Plenary for approval. The ILO should mobilise the international community and member States to help the front-line States in their struggle against South Africa and honestly implement the various United Nations and ILO resolutions.

20. The Workers' member of Angola congratulated the Director-General on his Special Report which described the situation in South Africa and Namibia. He also congratulated the participants at the Harare Conference on the proposed Declaration which was before the Committee for discussion. Apartheid was destabilising the whole of southern Africa: the front-line States and particularly Angola and Mozambique were its number one target. Since independence 13 years previously, Angola had not known a single day of peace; it had been fighting to defend its freedom and territorial integrity against South African aggression. Angola had paid a very heavy material and human price that amounted to some US\$25 billion, over 60,000 dead, and incalculable numbers of disabled, orphaned and homeless. The previous year the South African Government had sent eight battalions, made up of 24,000 men armed with sophisticated weapons, into Angola. However, the aggressor had been defeated in that undeclared war which explained why the South African authorities had been in such a hurry to negotiate with the Angolans in London. The withdrawal of Cuban troops from Angola was the condition set by South Africa for granting independence to Namibia. His Government's position was clear. There must be: withdrawal of South African forces from Angola; implementation of Security Council resolution 435 of 1978; an end to all aggression against Angola; an end to aid to armed bandits trained and equipped by South Africa to attack Angola. Only when these conditions had been filled by South Africa would Cuban troops

leave Angola; that was Angola's contribution to the cause of the peoples of southern Africa. Angola would continue to support its brothers in Namibia and South Africa in their struggle for independence and for their basic democratic rights. He called upon delegates to join in the struggle against apartheid and to vote for the application of all sanctions aimed at eliminating it.

21. The Workers' member of the United Kingdom said that the unique evil of apartheid was well known in all its aspects. He therefore wished to concentrate on clarifying and emphasising necessary measures. There was a need to obtain fuller responses from those to whom the ILO addressed requests for information. For example, there was much in the statement from the European Community in the Director-General's report that was positive, but it was not specific enough. The mechanism of the European Community had been used in the past not as an instrument of economic advance but of political concealment. National responses should be obtained with the Community response for those measures taken both at the national and supra-national level. The question referred to on page 99 of the Director-General's Special Report on impediments to trade union action had been included in the Conclusions of the Committee in previous years; yet a response had never been received that faced the problem squarely. The question was to what extent workers were free to support the workers of South Africa. On the answer depended much of the support that could be given. Trade unions were anxious to act, but the legal system in the country concerned and the attitudes of employers in the industrial relations context were relevant in one British union. He had been fighting for years against legal obstacles to maintain an embargo against South Africa without success. This part of the Declaration needed detailed study. The law could prevent trade unions from taking action. This should be considered in the Declaration.

22. The Government member of Senegal noted that paradoxically the 40th Anniversary of the Universal Declaration of Human Rights coincided with the 40th anniversary of apartheid. Apartheid represented the total negation of the principles and objectives of the Declaration of Philadelphia since it was based on a belief in the superiority of the White minority over the Black majority. The racist philosophy of apartheid was a crime against humanity, but especially against the Blacks of South Africa and their organisations. Their union leaders were harassed and imprisoned and their trade union organisations – such as COSATU and NACTU – were banned. In defiance of international law and the rules of morality, the apartheid regime had arrogantly and aggressively attacked front-line States and interfered with their economic and social development. Apartheid persisted because it had the support and encouragement of other countries – a fact that his Government deplored. The OAU Declaration on southern Africa, adopted at its 23rd General Conference, and the Tripartite Conference in Harare had declared that the only peaceful means of overcoming this odious regime was through mandatory economic sanctions, a sentiment that Senegal firmly upheld. The suffering of millions of human beings whose dignity was being flouted was the responsibility of the Committee and of the international community.

23. The Observer of the Organisation of African Trade Union Unity (OATUU) said that apartheid was becoming more dangerous and the chance of a peaceful solution was slipping away. The Director-General's Special Report showed the seriousness of the situation and those opposed to economic sanctions could see how hypocritical and untenable was their position. They contributed to the survival of apartheid through the enormous profits derived at the expense of the Black workers of South Africa. The Governments of the United States, the United Kingdom, France, the Federal Republic of Germany, Italy and Japan should support and enforce economic sanctions against apartheid so as to destroy it peacefully. The role of international banking corporations in syndicating loans to the regime was a major reason for its survival. Disinvestment and prohibition of new investments should be enforced by all Government and Employers' members of the ILO. Trade union funds, including pension funds, should be withdrawn from banks which had links with South Africa and the ILO should find an alternative banking arrangement. The aggression by South Africa against the front-line States and the colonisation of Namibia should be condemned by the international community. The OATUU supported the position of the Workers' spokesman on the adoption of the updated Declaration concerning Action against Apartheid in South Africa and Namibia. Black trade unions inside South Africa should receive ILO and trade union support. The OATUU was working hard for the unification of COSATU and NACTU and other non-affiliated trade unions inside South Africa to ensure unity of action and the protection of Black workers' rights. Material and economic assistance was needed by the front-line States to rebuild their economies and stop their reliance on South Africa. He fully supported the updated Declaration and appealed to all ILO Members to implement it.

24. The Government member of the German Democratic Republic noted that the Tripartite Conference on Action against Apartheid had prepared the proposed Declaration and the Programme of Action which were now before the Committee. The debate at the Harare Conference had brought forward new evidence of the continuing deterioration of the situation for the Black majority in South Africa and of that in Namibia and the front-line States. His Government strongly approved the new version of the Declaration, particularly the consideration it gave to the occupation of Namibia and South Africa's policy of destabilisation of the front-line States. He hoped that the text would be accepted by the International Labour Conference and that it would unanimously be put into practice. He thanked the Director-General for his Special Report which, for the first time, analysed the situation in Namibia. Chapter I emphasised the complex situation caused by apartheid in southern Africa. However, in the light of recent international agreements, he hoped that even the problems of southern Africa could be solved by political means. He expressed the solidarity of the people of the German Democratic Republic with the trade union movement in South Africa which was working for the improved political, economic and social conditions of Black workers, and with the people of Namibia and the front-line States in their struggle for a solution to the problem. His

Government supported the ILO in its commitment against apartheid, contributed actively to implementing decisions taken, and agreed with the view expressed in the Special Report that only concerted and targeted international pressure on the Government of South Africa would bring about a reversal of the policy of apartheid. Compliance with Security Council resolution 435 was the only realistic basis for attaining the independence of Namibia.

25. The Workers' Vice-Chairman drew the Committee's attention to a news agency report which had just been handed to him concerning the success of the stay-away organised by COSATU and NACTU in protest against the South African Government's Labour Relations Amendment Bill and the ban on 17 anti-apartheid organisations. According to COSATU's estimates, up to 3 million workers had stayed away altogether and in Johannesburg alone; the independent Labour Monitoring Group had indicated that over 1 million workers had stayed away.

26. The Government member of Algeria drew attention to the fact that the ILO Declaration concerning Action against Apartheid was being updated at a very significant and symbolic time, since this year marked the 40th anniversary of the Universal Declaration of Human Rights. He recognised that the Tripartite Conference in Harare had facilitated the work of the Committee. There was consensus among all the delegates at the Conference to undertake decisive action to enable the victims of apartheid, the Black independent trade unions and the liberation movement to benefit from justice and freedom. The Committee was receiving respect today which was largely merited because it was strengthening the cause of the Black workers in South Africa and boosting their hope for justice and liberty and also contributing to the success of their legitimate fight against apartheid. He referred to the items on the agenda of the Committee's work, stressing that they related to the full range of the violation of the Black workers' rights. For example, there was reference to the illegal occupation of Namibia and several violations of human rights in South Africa. Numerous efforts were being undertaken so that freedom, justice and peace would triumph in South Africa. He recalled the decision of the non-aligned countries to establish the AFRICA Fund with the twofold objective of applying comprehensive and mandatory sanctions against the South African regime and assisting the front-line States to cope with the possible impact of such sanctions on their economies. He indicated that South Africa had not heeded the calls of the international community and the Black workers were still hoping for the achievement of their fundamental human rights. He recalled that despite the fact that South Africa's mandate over Namibia was revoked in 1966, it continued to occupy the country even though this occupation had been declared illegal by the International Court of Justice. In maintaining support for the fundamental principles of the Declaration of Philadelphia concerning the equality of human beings, it should be stressed that the ILO had always expressed its disapproval of the lack of attainment of human rights by the Black workers in South Africa. However, none of these numerous calls had influenced the tenets of apartheid. Nor had a new attempt been made to redesign a new system. The pillage of Namibia's natural resources, repeated mili-

tary aggression and destabilisation of the front-line States continued. Support for the victims of apartheid should be closely linked to support for the just struggle of the people of Namibia for their independence. The attack on the apartheid racist regime which had institutionalised the disgraceful system of separate development for the different races should be intensified. There was no doubt that apartheid sowed its own seeds of destruction and that the changing of the system was inevitable. While waiting for this to occur, it was essential for the tripartite members individually and collectively to increase pressure on the regime, including the imposition of comprehensive and mandatory sanctions to force the South African Government to accept the international community's appeals. He drew attention to the fact that Nelson Mandela represented a symbol in the just struggle towards which the Committee should direct itself more forcefully to show more clearly its determination and conviction in the fight against the racist Pretoria regime.

27. The Workers' Vice-Chairman requested the ILO Secretariat to indicate the source of its statement (on page 85 of English and page 94 of the French versions) of the Special Report that "subsequent attempts have been made to form trade unions, one reputed to have been with the assistance of certain Western trade union movements...". In response, the representative of the Secretary-General informed the Committee that the source was *The Namibian* which was a weekly newspaper published in Windhoek. He also referred to the slight difference between the English and French texts of the Special Report on this issue and apologised for it. Both the Workers' Vice-Chairman and the Workers' representative of the United Kingdom expressed dissatisfaction with the specific word "reputed" which was used in the statement referred to in the Special Report and expressed doubts about the justification for including this matter on the basis of such inadequate evidence. It was agreed that the Secretariat would change the word "reputed" to "reported".

28. The Employers' member of Namibia recalled that it was only a few years ago that the Namibians and comrades in Zimbabwe had shared the same platforms as members of national liberation movements of their respective countries. While the Zimbabweans had achieved independence, the Namibians continued to be slaves of the apartheid South African regime. Zimbabwe had proved beyond doubt that, given the opportunity, they could manage their own affairs better than the colonial rulers. He informed the Committee about developments in Namibia during the past year. The atrocities he had mentioned at the Committee's meeting last year had not only continued but had worsened. Various forms of torture and harassment of innocent civilians had intensified; people's teeth were forcefully extracted; they were suffocated; there were arrests and disappearances of individuals; schools were destroyed, churches were vandalised and clergymen subjected to brutal treatment; villages and businesses suspected of being sympathetic to freedom fighters were destroyed; and women, including the young, were raped. The imposition of martial law and a curfew over a greater part of Namibia had compounded the situation. For example, people were shot dead under the pretext that they had broken the curfew. He

reiterated the belief of the people of Namibia in sanctions and called for comprehensive and mandatory sanctions against the racist South African regime. They were clearly aware of the implications of their demand – that it would hurt them as well as the racist regime – but were prepared to make such a sacrifice. There would, for example, be loss of jobs and various forms of hardship. They were also aware that there was no easy way to freedom and independence. They were prepared to suffer a little more in order to achieve lasting peace, justice, freedom, independence and prosperity. Sanctions were about the only remaining peaceful means to bring about change. Those against them were willingly or unwillingly opting for violence. He drew the Committee's attention to the fact that 60 per cent of the profits of the multinational companies operating in Namibia was repatriated out of the country before tax and the remaining 40 per cent served as company expenses. Thus, there was little reinvestment of the profits of the multinationals in Namibia to benefit the local population. The multinationals also exploited the Namibian workers' cheap labour and, therefore, were able to reap huge profits. They harassed and dismissed their Black workers, especially trade union members. These companies had thus adopted an anti-trade union approach. The royalties paid by the multinationals to the South African colonial regime helped to finance the administration and its military activities and thus contributed to the maintenance of the status quo. The foreign companies were therefore viewed by the Namibian people as sabotaging their independence and as accomplices of the racist regime. Discriminatory laws were rampant in Namibia. An example was the Group Areas Act which had to be recognised by the multinational companies. He stressed that Namibia would need foreign investments, and foreign companies to operate there after its independence. This would, however, be done through arrangements between the legitimate independent sovereign State of Namibia and the companies concerned. Regarding the Director-General's Special Report, he expressed his satisfaction with its coverage of Namibia and hoped that there would be a full separate chapter on Namibia in the near future. He expressed support for the draft Declaration and the Programme of Action.

29. The Observer of the Palestine Liberation Organisation (PLO) expressed satisfaction with the Special Report and the draft Declaration that emerged from the Tripartite Conference in Harare. He deplored the fact that every year the Committee met but no concrete results had been achieved. The draft Declaration and the Programme of Action prepared in Harare constituted moral weapons that could be used to force the apartheid regime to heed the voice of the international community. He pointed to the delaying tactics adopted by some groups. He indicated that if the Declaration and the Programme of Action were considered as valuable, every effort should be made to implement their recommendations, especially those relating to sanctions. He appealed to the ILO to allocate sufficient funds to the anti-apartheid programme, and stressed that the PLO, which itself was a liberation movement, was prepared to share its resources to support the liberation movements in South Africa. He observed similarity between the struggle the PLO had launched

since 1965 and that of the Black majority in South Africa and Namibia. He praised the Special Report for its survey of recent developments in labour and social matters in South Africa and Namibia and its analysis of the replies provided by tripartite members. However, he observed that some of the measures adopted by the tripartite members were not up to the level expected, and noted that only the Government of the United Kingdom was mentioned in the Special Report as being opposed to sanctions. Another area of concern related to the collaboration between some States and South Africa in the nuclear field. He disclosed that several of the countries which made speeches against the apartheid regime also supported it. The Declaration clearly showed that apartheid was the source of the industrial disputes in South Africa and Namibia and it also emphasised that support should be extended to the front-line States.

30. The Employers' member of the United Kingdom provided some information concerning the attitude of British business to the policy of apartheid. They were totally opposed to apartheid which was referred to as a system that institutionalised and enshrined discrimination on the grounds of race. They believed that hopes for a prosperous South African economy in the future depended on the increasing prosperity of its Black people who were currently denied education, skills training and advancement, which were essential for this prosperity to be achieved and maintained. British enterprises were convinced that by staying in South Africa they could maintain the process of improving the working conditions, education and skills of Black workers, and felt that they would be abandoning this responsibility to their employees by leaving South Africa. He referred to the statement made recently by the President of the British Industry Committee on South Africa to the effect that by staying in South Africa, which required determination, patience and understanding, British industry would be making the only effective contribution foreigners could make towards the peaceful solution of the South African problem. He also emphasised that British business remained opposed to the imposition of mandatory economic sanctions since it believed that this would endanger the economy upon which the future of all South Africa's people depended. He explained that those who advocated sanctions intended their target to be not the country of South Africa as a whole but its White ruling hierarchy. However, experience had shown that the actual impact of sanctions on White South Africans was minimal as the Whites had the political power to deflect the cost of sanctions to others. Furthermore, sanctions had a counterproductive effect on the thinking of the Government of South Africa. The imposition of mandatory economic sanctions would also slow down the growth of the economy. The job losses, which would follow, would be concentrated amongst the Blacks who constituted the majority of the workforce. The burden would fall most heavily upon the unskilled. The decline in the South African economy would further have harmful effects on a number of its neighbouring States through reduction of markets and the need for migrant workers. Sanctions would therefore be an impediment. They would more likely intensify violence than facilitate negotiation. The South African

Government's heavy-handed actions within and beyond its frontiers would increase and their determination to resist change would be strengthened. He reiterated the point that labour power was the greatest non-violent weapon at the disposal of Black South Africans and its strength depended on an increasingly better educated and better skilled participation. The South African economy alone could produce the wealth that was needed to ensure improved employment and social opportunities for all its peoples. He referred to the statement made by the President of the South Africa Black Taxi Association (SABTA) to the United States Congress regarding sanctions, which expressed belief in progress being achieved through the creation of jobs and wealth. This would bring about a political influence that could not be resisted by any government. He ended by stating that with the reservations he had expressed on sanctions, British industry could support the draft updated Declaration and the Programme of Action that had emerged from the Conference in Harare.

31. The Observer of the African National Congress of South Africa (ANC) stressed that the South African regime was an illegal structure which had been imposed upon the people of the land and kept in power by force. He emphasised that the regime enjoyed the protection of Western powers who were not ashamed to veto peaceful action that could be imposed on this Government by the Security Council. They included governments who proclaimed their adherence to the principle of human rights. He drew attention to the regime's aggression against the independent front-line African States and its killing and kidnapping of ANC members. The prisons in South Africa overflowed with people, including children, who had been arrested by the sadistic regime. Ten thousand people were reported to have been imprisoned without trial. He referred to the death and destruction caused by the security forces in the Black townships. South Africa was a leading practitioner and advocate of capital punishment. Those who controlled finance were also allies of the Pretoria regime. He indicated that it was the money which this Government was able to mobilise from outside which financed its various forms of aggression and evil deeds. He was of the view that no decent statesman and international organisation should associate himself/itself with a bank which maintained strong support for a regime which carried out such oppression against the majority of its people. He also spelt out the significant role which employers had been playing. The employers always called in the army when the workers went on strike, and threatened to sue the unions. He therefore appealed to the employers in the Committee to do their utmost to assist the oppressed workers of South Africa to avoid being targeted by the Blacks as part and parcel of the oppressive machinery to be destroyed later. He drew the Committee's attention to several of the implications of the Labour Relations Amendment Bill, which he perceived as one further attempt by the racist regime to eliminate the trade unions. The regime had an anti-working class mentality. In this context, he reminded the Committee about the many atrocities the regime had committed against Black workers in that country. He observed that this Bill would entrench that situation. It would completely weaken the trade union movement and prevent it from exercising its

role as a legal instrument which championed the rights of workers and constituted a component of the struggle against exploitation. The Bill wanted workers to accept low wages and poor working conditions without the rights of bargaining properly. It would thus enable employers to continue with the exploitation of workers. Politically, the Bill sought to confine the trade unions to only shopfloor matters and to end their involvement in the mass democratic movements. He spelt out the various demands on the Black workers' very limited wages and the diverse constraints suffered by them. He was of the view that it would be naive to expect the Black worker in South Africa not to be politicised so that he could express his dissatisfaction with the oppression suffered by him at the workplace and at home. The Bill would also ban sympathy and secondary strikes which would prevent the workers from acting collectively to force the employers to concede to their demands. It would also limit primary strikes as the Bill only recognised strikes by workers who were "directly involved" in the issue concerned. Male workers would therefore be prohibited from striking over the issue of maternity benefits since not being females they would not be directly affected by it. The Bill would thus undermine the basic principle of trade unionism relating to collective action. The Bill's stipulation that workers could not strike on the same issue over a period of 15 months would not only prohibit intermittent strikes but would also render workers open to unfair dismissals and retrenchments in addition to the lower wages, so that they would be at the mercy of their bosses and the Government.

The Bill would also undermine grievance, dispute and retrenchment procedures which were operational in many factories. Workers would be dismissed and retrenched with impunity. It would thus encroach on industrial relations in the country. The complicated and unworkable procedures that workers would be required to go through before undertaking a legal strike would make such a strike almost impossible. For example, the manpower department would have to be notified within 21 days of the start of a dispute and this requirement conflicted with the stipulations of the agreements already entered into by the unions with employers. The new law would empower the inspector to extend the required period at the request of the employers for any length of time to prevent a strike. Even if the workers eventually embarked on strike action, the employers would be at liberty to go court to interdict the unions and to stop the action. After strike action, the employers would have the right to re-employ only selectively instead of unconditionally reinstating all affected workers in terms of the concession fought for and won by the workers in the past. The Bill would also empower the employers to sue and confiscate the property of a union, whose members went on strike, to compensate for production loss. He indicated that under the tutelage of SACTU, South African workers had learnt to use their militancy to compel employers to make certain concessions. The unions had also used the Industrial Courts and had scored many victories there. The new Bill would emasculate the Industrial Courts and establish new courts called the Special Labour Courts to review decisions of the Industrial Courts. The process of appeals would be laden with considerable bureaucracy and would be long drawn out as workers would be expected to wait

for three years for the outcome of an appeal. He explained that one of the principles on which COSATU was founded was the formation of broad-based industrial unions which brought together all the unions organised in one industry for purposes of effectiveness and collective action. The Bill would, however, deny a trade union, which had a strongly organised presence, the right to negotiate on behalf of the workers at the workplace. It would therefore encourage splinter unions to mushroom since the Bill provided recognition of minority unions. Unions which consistently demanded rights for their members would be perceived to be engaging in unfair labour practices. The Bill sought to do away with the requirement in the past that a union had to prove its support in the form of having sufficient representativeness in the industry where it sought admission. He observed that since the Bill was being introduced in the wake of the disintegration of TUCSA, it could be seen as an open protection for Whites-only racial trade unions which had previously enjoyed the absolute monopoly of negotiating with employers. It would also stop the current increasing realisation by some White workers that their lot lay with their Black working class colleagues and that they should support non-racial unions. He therefore foresaw the emergence of racial unions representing not only the Whites but also the Coloured and Indian workers. He stressed that this attempt to frustrate the unification of the working class should be stopped at all costs. He disclosed that COSATU had tried to organise a meeting with the employers to discuss the implications of the Bill and the employers had failed to recognise its unfavourable effects and had therefore refused to reject it. He informed the Committee about other measures adopted by some of COSATU's affiliates. For example, PPWAWU had produced anti-Bill stickers which members wore on their overalls and pasted on factory walls. COSATU had resolved that all these affiliates should adopt the PPWAWU campaign. More militant action awaited the employers. He appealed for solidarity in stopping the passage of the new Bill into law and indicated that the ANC had also called upon South Africans and their workers to oppose the Bill.

32. The Workers' member of the USSR also confirmed that the situation in South Africa was worsening and becoming more complicated and that it was a serious threat to international security. Urgent action was, therefore, required to eradicate the apartheid system as clearly indicated in the Special Report. He was of the view that information was needed on the effects of the various recommendations on South Africa. He drew attention to South Africa's destabilisation attempts against the front-line States, and stated his support for the recent mass strike by the Black workers. Stressing that the ILO had a great role to play within the international community's overall action to end apartheid, he expressed satisfaction with the outcome of the Conference in Harare and indicated that it could serve as a solid basis for the creation of a healthy situation in South Africa. The few Employers' and Government delegates who were against the adoption of the draft Declaration and Programme of Action represented some of the chief supporters of the apartheid regime. He urged the Committee to recognise the grave situation in South Africa and to adopt the Declaration and to put

it into effect. He reiterated that the victims of apartheid and the front-line States were all willing to make sacrifices and therefore there was no reason for not adopting sanctions. He called upon the ILO to ensure the strict implementation of the Declaration and stressed that the Special Report should in future provide an objective account of the progress made by the ILO towards this implementation. Finally, he urged member States of the European Community to provide individual replies in this same way as the other ILO member States.

33. The Government member of Ghana congratulated the Director-General for his Special Report which highlighted the evil of apartheid. The Government of South Africa concentrated on silencing all Black opposition and failed to seek realistic solutions to socio-political problems, namely by allowing majority rule: one man one vote. Repressive powers remained entrenched as evidenced by the treatment of Mr. Govan Mbeki after his release from Robben Island after 23 years. The stability of neighbouring countries had been undermined and the grave economic and social problems of the region had been aggravated. Only international pressure on the South African Government's areas of vulnerability could reverse apartheid by peaceful means. However, opponents of mandatory and comprehensive sanctions maintained that the economic progress of Blacks through growth in the economy was the key to ending apartheid, in spite of the fact that economic progress had brought them very little economic or political advancement in 30 years. The economic development of the homelands had only increased opportunities for the exploitation of cheap labour and had enhanced the profits of the Government. Gains in employment had been to the advantage of White society and had not enhanced the well-being of the majority of Blacks. The Government's policy was to control Black progress within the system and not at its expense. Organisations like the UDF and COSATU had been restricted in their activities; the Government had maintained a policy that destabilised the front-line States; and the occupation and plunder of Namibia continued in violation of United Nations resolutions and the United Nations Decree on the Protection of the Natural Resources of Namibia. The proposed amendments to the Labour Relations Act in South Africa would make the situation even more serious. The international community should intensify its efforts; the role of the United Nations should be strengthened; and comprehensive and mandatory sanctions should be immediately implemented. Decisions and resolutions of the ILO, the OAU and other organisations should be fully implemented and embargos upheld on arms dealing and co-operation in the production and development of nuclear and other weapons. There was increasing international willingness to isolate South Africa, and Ghana paid tribute to those countries that had sought a united solution to end apartheid. It was disheartening, however, that 31 countries still maintained trade links with South Africa and that all leading industrialised nations had economic relations with that country. His Government was concerned about the ambivalence of those that offered relief to migrant apartheid victims while maintaining a policy of support to that regime. Apartheid was the Nazism of today; any advantages obtained were soiled with

the blood of South African workers. The ILO should urge the international community to act.

34. The Government member of the United States endorsed the request the Chairman had made earlier to the effect that the Conference should send an effective message to the South African Government that the governments, workers and employers of the world condemned apartheid. The injustice of apartheid was the root cause of the economic misery and instability in southern Africa. The United States rejected the theory and practice of racial domination and repression by which it was enforced. Helping to find an end to apartheid and assisting South Africans of all races who were working to create a non-racial democratic society in South Africa were fundamental objectives of United States foreign policy, which were briefly: a constitutional order establishing equal political, economic and social rights for all South Africans; a democratic electoral system with multi-party participation and universal adult franchise; effective constitutional guarantees of basic human rights for all South Africans as provided for in the Universal Declaration of Human Rights; the rule of law safeguarded by an independent judiciary with the power to enforce rights guaranteed by the Constitution to all South Africans; a constitutional allocation of powers between a national government and its constituent regional and local jurisdictions; an economic system that guaranteed economic freedom, allocated government social and economic services fairly and enabled all South Africans to realise the fruits of their labour, acquire and own property and attain a decent standard of living. All Americans sought a South Africa based on these universal principles of freedom, justice and equality. In the United States and in the Committee, debate had never been over ends but over the means by which apartheid would be eliminated. Although apartheid repelled and angered his Government, they did not believe it could be defeated by punitive economic sanctions or by isolating South Africa from the outside world. There was no evidence that economic hardship, which would be primarily borne by Blacks, would induce the rulers of South Africa to see the error of their ways and relinquish power; rather it would strengthen the forces of reaction and unleash whatever violence those forces deemed necessary to maintain control. That was where his Government dissented – and chose respectfully to exercise the right to dissent – from what was apparently the consensus in the Committee in favour of mandatory sanctions. First, it was not within the mandate of the ILO to call for such mandatory sanctions. In addition to its training and assistance programmes, there were other measures within the competence of the ILO which it could effectively take against apartheid and which it had so far refrained from doing; he had referred to them last year. There were some healthy signs that this might be changing. Secondly, there were grave doubts that sanctions would have a salutary effect on South Africa's policies even if they could be effectively implemented on a worldwide basis, which was doubtful. There had been a debate in the United States which had led to the Comprehensive Anti-Apartheid Act of 1986 which, although opposed by the executive branch, was now the law of the land which the Executive was duty bound to implement. The Act had been characterised by the General Ac-

counting Office of the United States Congress as containing the most comprehensive sanctions among major industrialised countries. The proponents of the Act had hoped to achieve the rapid dismantling of apartheid. Unfortunately, their expectations had not been realised and, as a direct consequence of the Act, the South African Government had retreated further, isolating itself from world opinion. One result had been, in the intervening months, such things as a lessening of responsiveness to queries on human rights, disinvestment by United States firms and a cut of 50 per cent of United States firms in South Africa, which had slowed the progress of positive change in areas such as workplace conditions, career opportunities and health, housing and education projects. In many cases the social responsibility programmes initiated by United States firms based on principles required by law had been cut back or eliminated by the Afrikaner owners that took over these firms. The political situation in South Africa had continued to deteriorate since the last International Labour Conference in a reaction to international pressures and in response to the forces to the right in the White political spectrum. In the last few months the South African Government had carried out a series of actions and passed legislation that had already been referred to, including the banning of the 17 black opposition groups, amongst which were the UDF and COSATU, the introduction of new labour legislation, and so forth. But the backward, deteriorating movement in South Africa had led to a new call for even tougher sanctions in the United States Congress. The House of Representatives was expected to pass a Bill by the end of this month. However, apartheid would be defeated only when its victims gained the economic and political power to liberate themselves. The few positive changes that had occurred in South Africa in recent years, such as the abolition of the pass laws and job reservation, had come about largely when Blacks had attained enough economic power to make such discriminatory laws unenforceable. More Black economic power meant more power to break down the structure of apartheid. Indiscriminate sanctions meant less Black economic power. Carefully charted sanctions had played a role in bringing home to supporters of the South African status quo the cost to be borne by them from being isolated from the civilised world. But just as important were positive measures designed to advance black economic power, to strengthen apartheid's victims to wage a legal and moral struggle for a solution and to encourage and facilitate dialogue between South Africans of all races who were courageous enough to throw off the shackles of fear and mistrust that were the chief underpinnings of apartheid. Such measures were at the heart of his Government's policy for combating apartheid and, even as they continued to press the South African regime to abandon the path of racial dominance and repression, they would pursue every opportunity to assist Black South Africans to acquire the means for their own peaceful liberation. An opportunity now presented itself to the ILO to use its supervisory machinery in response to a complaint lodged against the Government of South Africa by Black trade unions. He endorsed any action by the ILO in this matter. He noted that hopeful progress was being made towards the solution of southern Africa's most severe and long-standing regional con-

flict. Thanks to serious negotiations now under way between South Africa, Angola and Cuba, which the United States was mediating, there was now a realistic opportunity to rid the region of foreign military forces, to secure Namibian independence and to achieve peace and stability in Angola. He believed that both Angola and South Africa had an objective interest in seeking a diplomatic alternative to the military confrontation that had persisted in the region for more than 13 years. A limited window of opportunity existed and the United States was seeking to capitalise on it. The recent London Conference was an important step in the right direction. All delegations had repeatedly underscored their desire to contribute to an early settlement and the South African Government unequivocally restated its commitment to United Nations Security Council resolution 435. It was vital that this momentum should not be lost, and he urged that a follow-up round should take place as soon as possible. It was equally important that all parties exercised military restraint as the negotiations unfolded. Attempts by any side to gain a temporary military advantage could undermine the promising diplomatic initiatives that were now under way. He called on African States to lend moral and diplomatic support to this effort to bring Namibia to independence and to remove foreign troops from the south-western African region.

35. The Government member of the Syrian Arab Republic, after sending greetings from the people of his country to those of Zimbabwe and other frontline States, stated that the least that could be said about apartheid in South Africa and Namibia was that it was inhuman and contrary to reason and logic. It was the product of imperialism and settler colonialism which had also been experienced in Asia and the new world. If good and evil were forces in the human experience, those who believed in apartheid constituted the evil part of mankind. His country had no diplomatic, economic, political or cultural relations with South Africa and did not even allow nationals of South Africa to come into the country since the South African regime was looked upon in the same light as the Zionist regime. When discussing ways of dealing with apartheid, those suffering also from racial discrimination in the new world and in the occupied Arab territories should not be forgotten. The Conference should not only listen to speeches and excuses, but should elaborate practical solutions to put an end to apartheid and other such regimes. The peoples of South Africa and Namibia had borne great suffering at the hands of the Pretoria regime and those supporting it economically, militarily and in the nuclear field, and at the hands of those transnational companies which were reaping profits from the blood and sweat of South African workers. Syrians found it hard to accept that people existed who believed and practised apartheid in this age of science and the exploration of space. The Conference had condemned the policy of apartheid many years ago. But it was still alive. Governments, employers and trade unionists should fight it with all the means at their disposal. They should impose mandatory sanctions. The United Nations Charter and the Covenants on Human Rights had been signed by all their countries and were binding both at home and abroad. Some of those States which were looking for excuses had already imposed sanctions in

an aggressive manner against other countries in the world. He proposed imposing economic, cultural, banking, military, communications and transport boycotts against South Africa and asked representatives of governments, workers and employers to make commitments in this direction.

36. The Government member of Indonesia stated that the situation in southern Africa was becoming increasingly critical and that the root cause was the racism and racial discrimination embodied in the system of apartheid. His Government condemned the South African regime for its policy of apartheid and was convinced that it could only be ended through mandatory sanctions and intensified international efforts to assist the non-White workers of South Africa. He appealed to members to increase pressure on South Africa. Working with various international bodies, his Government had played an active and positive role to achieve this end and endorsed and supported the results of the Tripartite Conference on Action against Apartheid and the Programme of Action should be translated into deeds. Indonesia would never establish diplomatic relations with South Africa as long as apartheid was maintained; it had issued legislation banning all relations with South Africa; visas were not issued to nationals wishing to visit that country nor to people who held travel documents issued by South Africa. Indonesia did not take part in any activity or event in which South Africa was participating.

37. The Workers' member of Namibia said that the ILO had shown its commitment to assisting the victims of apartheid by its concrete help in training South Africans and Namibians to prepare for a democratic future in their countries. Apartheid was incompatible with the principles of the ILO and each year the Special Reports provided detailed information about the violation of the basic rights of workers. In Namibia, wages for Whites were 18 times higher than those for Blacks. Most Blacks lived below the minimum subsistence level and the people in the Bantustans and rural areas faced grinding poverty. South African and transnational companies, white farmers, businessmen and professionals depended on the exploitation and control of Black labour through segregation, discrimination and particularly the sometimes violent suppression of workers' political and trade union rights. Last year the authorities had launched a series of attacks against the property, officials and members of unions affiliated to NUNW. Many were arrested, others were injured, one person died and much damage was done. SWAPO leaders and NUNW officials (John Pandeni, General Secretary of NAFU, Anton Lubowski, Treasurer of NUNW, Ben Ulenga, General Secretary of MUN, and Henrik Witbooi, Dan Tjongarero and Nico Bessinger of SWAPO and others) were detained. Jason Angula, SWAPO Secretary for Labour, was still in detention. The workers of Namibia strongly supported the updated Declaration and urged the ILO to reaffirm its condemnation of apartheid, recommend the adoption of mandatory sanctions against South Africa, encompass the principle of armed struggle in South Africa and Namibia and establish the periodical holding of a tripartite conference in a front-line State to be closer to the reality and provide moral and political support to the South African and Namibian peoples.

38. The observer of the Pan Africanist Congress of Azania (PAC) congratulated the Chairman and recalled that Zimbabwe had experienced racism, injustice and colonialism which had been defeated, although South Africa's proximity made Zimbabwe a target of racist aggression. The Director-General's Report demonstrated the ILO's commitment to the application of the Declaration concerning the Policy of Apartheid in South Africa. It was important to continue exposing the injustices in South Africa and to urge its total isolation. His movement had confidence in the resolve and commitment of the ILO and peace-loving people everywhere to work for the eradication of apartheid. The Report showed that there had been no amelioration of political and social conditions and that Black unions were prosecuted and suppressed through legislation such as the proposed Labour Relations Amendment Act. The Pretoria regime was pandering to right wing demands when it took action against 17 community organisations and restricted COSATU's activities. White workers were increasingly averse to the relaxation of discriminatory labour laws. Investors in South Africa had noted the disparities in education and experience between Blacks and Whites. The peace-loving people of the world had come to the assistance of the victims of apartheid, but this assistance was now also threatened by a newly introduced Bill. The situation in South Africa had been well covered in the Special Report and highlighted by numerous speakers; everyone agreed on the illegality of apartheid. But how did the protagonists of dialogue with the regime reconcile their profits with the suffering and killings inflicted on the African population, without this implying that they had a common purpose with apartheid? The PAC urged the Committee to translate the updated version of the Declaration into heightened and sharpened action against the regime.

39. The Government member of the USSR noted the important results achieved at the Tripartite Conference on Action against Apartheid which took place in Harare, and whose proposed Declaration and Programme of Action against Apartheid contained positive points for the updating of the Declaration. The Conference had been generally in favour of taking effective action against apartheid. The Director-General's Special Report reflected that and highlighted the dangers inherent in South Africa's policy of apartheid such as the catastrophic worsening of the Blacks' economic situation, the continued violent repressive measures, censorship of all kinds, and the inhuman Bantustan policy. The economic, social and labour situation in Namibia and the consequences of setting up the so-called autonomous government, which had in no way improved the situation, deserved the special mention given to them in the Special Report. The Special Report also permitted conclusions to be made about the ineffectiveness of the so-called Code of conduct for multinational enterprises and to assess the very critical role played by those countries which supported the racist regime. Reality confirmed that no positive changes had taken place in the South African regime. This was a real challenge to all those who struggled for equality and against the yoke of oppression. Apartheid had progressed from a merely subregional issue to one of global proportion. A solution to the South African problem would contribute to the creation of a com-

prehensive system of international peace and security. The ILO had a role to play in finding a solution. The Organisation had acquired considerable experience and the Declaration and Programme of Action, which she wholly supported, were an important basis for future action, but a monitoring system should be set up. She expressed the conviction that concrete results would not be obtained without renewed concerted efforts by the whole international community and without an end to economic, political and military links with the racist regime of South Africa. Such links had frustrated the efforts of the Security Council to try to apply comprehensive and mandatory sanctions in accordance with Chapter VII of the United Nations Charter. If the arms embargo was strictly observed, if there was systematic implementation of the United Nations and OAU Resolutions for the independence of Namibia and strong condemnation of the South African Government's aggression against the front-line States, if the patriotic forces in South Africa and Namibia led by the ANC and SWAPO were supported, apartheid would soon disappear and our efforts would not have been in vain. These noble objectives gave us optimism. The situation, however, continued to aggravate and there were no prospects for optimism. The recent ban on the political activities of some popular democratic organisations, including the UDF and COSATU, was only one of the numerous examples.

40. The Workers' member of the United Republic of Tanzania stated that although the Director-General's Special Report might have some shortcomings it provided a good basis for deliberation. The recommendations of the Tripartite Conference on Action against Apartheid held in Harare would also facilitate the work of the Committee. The sons and daughters of South Africa and Namibia continued to suffer and die for the crime of demanding their legitimate right to be free in their own land. Apartheid was spilling over into Mozambique, Angola, Botswana, Zimbabwe and other front-line States. Their economies were being strangled. Would the peoples of Africa be able to maintain a spirit of "suffering without bitterness"? Was there not a danger of a culture of hatred evolving? The peoples of Africa had participated in the fight against Nazism. Today, 43 years after that war had ended, Hitler's henchmen were still hunted as the world found it difficult to forget the evil that had occurred. Twenty-four years ago the International Labour Conference had adopted the Declaration condemning apartheid that was now being considered for a second updating. The statements made today were essentially the same as those made 24 years ago and yet apartheid was still very much alive and even more serious than it was then, when it had not yet extended to the neighbouring States. And the talk continued. There was a need to take stock of what had been achieved so far by the Declaration and what was constraining it, so that the constraint could be cleared. The major constraint, he felt, was dishonesty: the paying of lip service to the Declaration. If all who had voted for the Declaration had stood by their obligation to implement it, the situation would be different. ILO's monitoring system should require States to provide individual replies. The European Community, for example, was not a member of the ILO; however, its members were and they should answer. The questionnaire

should show what actions employers, workers and governments failed to do anything about. The report should reveal not only what was done against apartheid, but also what was done to support apartheid. He commended COSATU and all South African workers for their determination; the international community was supporting people who were prepared to support themselves.

41. The Government member of Zimbabwe thanked the Director-General for his Special Report. He pointed out that his country was on the front line of South African regional destabilisation: a result of Pretoria's policy to undermine the development of the States in the region and frustrate their efforts in support of the liberation movements. Zimbabwe was in the unenviable position of having South Africa for a neighbour. It was also landlocked, its only outlet to the sea being through Mozambique where marauding South African-sponsored RENAMO bandits made access difficult. His country, therefore, was at the mercy of Pretoria for the export and import of goods and needed the support of friendly nations to improve its position. However, Zimbabwe did not shrink from promoting the cause of the South African people as witnessed by the holding in Harare of the Tripartite Conference on Action against Apartheid where proposals were made for the updating of the Declaration concerning Apartheid in South Africa. It was also host to the Africa Rehabilitation Institute and the African Regional Labour Centre which, as part of the ILO's programme, provided training to South African and Namibian trade union cadres, among others. He stressed that those countries that resisted implementing the Declaration and the Programme of Action and the other peaceful measures urged by the international community through the United Nations system were giving economic and political support to the Pretoria regime. Those countries – most likely champions of human rights – urged them, in the name of justice, to cease from further support to the South African Government, knowing from experience what the support of the international community had meant when the Zimbabwean people had been dismantling the Smith regime. There were indications that the situation in South Africa was ready to explode. Black workers had heeded a call from their trade unions to boycott work, indicating that emergency regulations and security laws in South Africa no longer deterred those denied their rights. His Government hoped that the International Labour Conference would adopt the updated Declaration and send a clear message to Pretoria to completely dismantle the obnoxious system of apartheid.

42. The Workers' Vice-Chairman referred to the fact that the protest in which more than 3 million South African workers had been involved against the Labour Relations Amendment Bill geared to destroying the independent Black trade union movement had reached its third day. He stressed that already several of the Employers were adopting a policy of no work, no pay, and there had been threats of dismissals, workers had been killed or wounded. He requested the Employers' group to specify their position on the issue. He informed the Committee that the Workers' group had sent a telegram to South African employers to urge them to protect the system of industrial relations already ex-

isting in their country and to persuade the Government to abandon the Bill. COSATU had filed a complaint with the ILO, which would be referred to ECOSOC, as was quite right since South Africa was not a member of the ILO, and it showed that the proposed amendments constituted a violation of trade union rights and left no doubt about the true intentions of the South African authorities and the employers. South Africa was not a member of the ILO. The Employers' member of the United Kingdom had claimed that British companies had invested in South Africa to provide benefits for the Black workers and that some organisations were striving to do something about the South African situation. This was contradicted by facts. The Workers' Vice-Chairman referred to a study relating to the EEC Code of Conduct which showed that the wages paid by the majority of the United Kingdom companies to their

Black workers in South Africa were below the stipulated minimum levels. It was, therefore, surprising that the EEC continued to attach great importance to the Code of Conduct. It was significant that the trade unions in the South African metal industry had adopted, in collaboration with the unions in West Germany, a code of conduct for the German companies which was very different from that of the EEC. He referred to an intervention that had been made by the United States Government which had expressed hope in change occurring in the economic power of the Black workers. The Workers' group were of the view that this did not reflect the poverty, malnutrition and unemployment which prevailed in South Africa well before any sanction had been applied. All studies indicated that apartheid was responsible for the plight of Black workers and that it was only through the complete removal of this system that the workers could achieve economic power. The absence of global sanctions had been responsible for the deterioration of the situation in South Africa. The half-measures so far adopted could not convince the South Africa regime about the seriousness of the apartheid action. He informed the Committee that the Workers' group would be suggesting some amendments during the meeting of the Working Party to the Declaration and Programme of Action. He expressed full support for the two documents and hoped that the Governments and the Employers would do the same, in order not to delay the eradication of the apartheid system. He requested serious and concrete response from the Employers' group to the recent events in South Africa and also the identification of specific areas which could constitute targets for specific action. He read out the texts of the conclusions the Workers' group had prepared for discussion in the Working Party and insisted on the need to set up a monitoring mechanism.

43. The Workers' member of Yugoslavia expressed full agreement with the Special Reports, the Programme of Action and the proposals for inclusion in the conclusion of the Committee's report. The racist Pretoria regime was waging an increasingly bitter war against the Black people of South Africa and Namibia and also the front-line States. The acts committed by this regime constituted an affront to the international community and violated the Universal Declaration of Human Rights. It was, therefore, essential to intensify individual and collective efforts against the apartheid system. International

action needed to be reinforced and an attempt should be made to increase the application of sanctions and assistance to the Black people of South Africa and Namibia in their struggle, as well as to the front-line States. It was essential to examine with more attention the issue of setting up a mechanism for the more efficient monitoring of the application of the Declaration and the Programme of Action in order to be able to assess the action taken. There was too much indulgence and toleration for those who supported the apartheid regime. It was necessary to examine the channels for public information; the media needed to make more efforts to portray better the situation in South Africa and Namibia and the political and economic boycott of the regime and should also denounce those who were doing nothing against the apartheid system. Some countries had adopted important measures but they had not been sufficiently publicised. The Committee's conclusions should specify the setting-up of a very effective monitoring mechanism and the channels for public information. He reaffirmed the readiness of the unions in Yugoslavia to fully support all the measures relating to the struggle of the South African and Namibian people.

44. The Workers' member of the German Democratic Republic referred to the news about the killing of seven Black workers in South Africa during the current stay-away. He expressed the commitment of the trade unions in the German Democratic Republic to the anti-apartheid struggle, and noted the benefits of the Harare Conference for the current work of the Committee. He endorsed the proposals made by the Workers' Vice-Chairman for inclusion in the conclusions of the Committee, and requested that in future the Special Report should explore further the action of foreign banks in South Africa and Namibia. He observed that the Code of Conduct had not led to any attempt to dismantle apartheid, and regretted that those who were in a position to support the anti-apartheid programme had not done so and continued to avoid sanctions. He stressed that all human beings wanted peace and freedom, and urged the Committee to pay special attention to the human rights issue. He reiterated the fact that the apartheid regime had to be dismantled for human rights to be achieved in South Africa.

45. The Workers' member of Zimbabwe, speaking on behalf of the workers of Zimbabwe and other front-line States, expressed appreciation for the solidarity shown to them in their efforts to replace apartheid with democracy according to the principles of the ILO and the United Nations. He reaffirmed their support for implementing the recommendations of previous meetings on this matter in Geneva, Livingstone, Lusaka and Harare, and recalled addressing a meeting in June 1977 as a result of which he had been permanently banned from South Africa. This had not deterred him, but had reinforced his determination to bring about the liberation of that country as speedily as possible. In supporting the updated Declaration, the people of the front-line States counted on the solidarity and support of countries which had passed legislation in response to the call for comprehensive mandatory sanctions. There had been enough spoken condemnation of the Pretoria regime and its policy of apartheid and the occupation of

Namibia. Any further talk should concentrate on the immediate practical implementation of appropriate action by individuals, organisations and governments. Forty years of word-mongering was more than enough. Action should start, even if in a small way; it would grow. So-called peaceful solutions could only lead to a blood-bath. These were the two options. He categorically disagreed with those who were against mandatory economic sanctions and who said that they would hurt the Blacks more than the Whites. The experience of Zimbabwe had shown that, if it had not been for the United Nations mandatory sanctions, the war of liberation would have gone on much longer. He wished it placed on record that the front-line States of Zambia and Zimbabwe among others had, in 1986, decided to apply mandatory economic sanctions against South Africa knowing that they would probably be the victims of counter-sanctions because of their landlocked situation, but the rest of the world had not been on their side and it would have been meaningless. However, the front-line States were still determined to take the appropriate measures, if other nations would support them, and to this end sought to ensure the viability of the Beira Corridor and the participation of Zimbabwean and Tanzanian troops in Mozambique to protect the sea routes. He urged the Committee to adopt unanimously the updated Declaration and its Programme of Action.

46. The Government member of Cuba condemned the shameful crime of apartheid and the racist regime of South Africa which continued to commit the worst violations against human rights. He expressed his solidarity with the front-line States which were the focus of military aggression by the South African Government and its mercenaries, which aimed at destabilising those countries politically, economically and militarily. He supported the proposed Declaration and the Programme of Action prepared at the Harare Conference and expressed his thanks to the Director-General for his Special Report on the Application of the Declaration concerning the Policy of Apartheid in South Africa. To the knowledge of his Government there had been no improvement in the condition of the Black population, especially of the workers, and, as a result of their resistance to the fascist oppression, murder, torture and other cruel and degrading forms of treatment had increased. Tens of thousands of men, women and children continued to protest and the regime was not able to put a stop to the combat, which, with the help of SWAPO and ANC, the African population was waging for its freedom. His country stood by the principles of Security Council resolution No. 435 and would continue to support the Namibian people in their struggle for independence against apartheid.

47. The representative of the United Nations Special Committee against Apartheid stressed that this Committee attached great importance to the work of the ILO Committee on Apartheid and it had also participated at the recent ILO Tripartite Conference on Action against Apartheid in Harare. He observed that the draft updated Declaration which emerged out of this Conference could be an effective framework for the adoption of further measures by the international community against the Pretoria regime.

He informed the Committee that the title of an Information Note which had been issued by the Rapporteur of the Special Committee against Apartheid, in April 1988 in New York, had been *Apartheid on the attack*. The Note had concluded that the apartheid regime's repression at home and abroad had escalated, including its assassination of members of the National Liberation Movement. It had blocked the avenues of peaceful protest which had seriously undermined the possibility of solving the conflict in that country through peaceful negotiations. The regime's attacks appeared to count on the perceived temporary lull in decisive action by the governments of some major countries. There was a stronger challenge now to the international community and more decisive action was required. The Special Committee was convinced that Pretoria continued to act with impunity because of the support it enjoyed from some Western States, which had refused to join the international consensus on the need to adopt strict and co-ordinated sanctions against the regime. He referred to the statement made by the Reverend Allan Boesak in New York on the occasion of the 25th Anniversary of the Special Committee that the South African people could fight the apartheid regime but could not fight the United States, the United Kingdom and Japan. He noted that some sanctions had already been adopted. However, there was no collective mechanism for monitoring their implementation and for punishing those who violated them. In addition, the measures were varied and provided several loopholes which were used by the Pretoria regime to reduce their effects. He indicated that, in this context, the 42nd session of the General Assembly had adopted resolutions 42/23B on the application of co-ordinated and strictly monitored measures against South Africa which had focused on the loopholes among the individual national sanctions adopted so far, and had urged States to close these loopholes, to strengthen the sanctions and to monitor strictly their implementation. The Special Committee believed that a two-pronged strategy was necessary so that the intransigence of the apartheid regime could be effectively confronted. This included co-ordinated and strictly monitored sanctions, and a systematic programme of assistance - economic and military - to the front-line States. He urged the international community, especially South Africa's major trading partners, to reassess their policies towards South Africa. He noted the significant role played by the Black trade union movement in the liberation struggle. In spite of varied forms of threats from the Government and the employers, they had shown that they were determined to transform their society into a just one. He was of the view that the severe restrictions imposed by the regime in February on COSATU, the bans on anti-apartheid organisations and political leaders and the proposed amendments to the Labour Relations Act had been designed to silence the opposition to apartheid. The Labour Relations Act was an attempt to blunt the growth and the militancy of the Black trade union movement which, in the absence of political channels of protest, had emerged as a major force in the anti-apartheid struggle. He referred to the recent COSATU meeting with the South African Consultative Committee on Labour Affairs (SACCOLA) regarding the Labour Relations Amendment Bill and the workers' three-day peaceful protest against the Bill and the restric-

tions on anti-apartheid organisations. He revealed that the employers had threatened to use a series of coercive measures against workers who participated in that protest. He also drew attention to the complaint filed by COSATU with the ILO because the provisions of the Bill conflict with international labour standards. He spelt out the implication of the Bill and the fact that, together with the Bill on the Promotion of Orderly Internal Politics, it could paralyse seriously the trade union movement. He informed the Committee that the Chairman of the Special Committee against Apartheid had issued a statement on 3 June 1988 expressing great concern at these developments. He noted that the Director-General's Special Report indicated the numerical growth and strength of the Black unionised workers. In 1987, the estimated number of work days lost through strike action had increased dramatically to 9 million, which represented an increase of 800 per cent over the 1986 figure. He drew attention to the important role played by international solidarity in supporting the struggle by Black workers, and stressed the key role played by international trade union federations in helping to generate public opinion which had exerted pressure on governments to act against the racist regime. He expressed belief that the trade unions could push their governments to move faster. He welcomed the increasing movement by employers, especially Western employers, towards participating more fully in the campaign, and also welcomed the selective actions taken by some governments which in the past had been undisguised opponents of sanctions against South Africa. The actions taken were, however, limited and lacked the compelling and desired effectiveness to bring immediate change. He believed that the United States and the United Kingdom should bear the moral responsibility for the deterioration of the situation in South Africa since they had used their veto powers at the Security Council in preventing the imposition of comprehensive and mandatory sanctions against South Africa. The Special Committee believed that, short of the adoption of comprehensive sanctions, the currently existing sanctions such as the mandatory arms embargo and the voluntary oil embargo, should be closely monitored. In addition, other measures targeted at the vulnerable areas of the South African economy should be taken and strictly monitored, including a gold and coal embargo, a ban on technology transfers, and loans and investment. He drew attention to the conclusions of the Stamberger Institute of the Federal Republic of Germany, which had examined the effects of South Africa's international links and the possible forms of sanctions. The study was a response to the argument that sanctions did not work. He affirmed that sanctions could be effective and could work on the Pretoria regime if only the major trading partners of South Africa exerted effective pressure on the regime. He also referred to the serious problem of sanctions-busting and evasion, and the special Committee's extreme concern at the trend of increasing trade between Japan, some Asian countries and South Africa. The Special Committee was concerned about the form of disinvestment to be adopted by the transnational corporations in South Africa. He welcomed the ILO initiative in trying to identify a banking institution as an alternative to the UBS, and he urged the ILO to continue in this endeavour.

48. The Employers' member of Zambia reaffirmed that the majority of Employers fully supported the draft Declaration and Programme of Action without reservation. He pointed to the significance of the theme of the current International Labour Conference, *Human rights – A common responsibility*, for the work of the Committee. He recalled that South Africa had been a signatory to some of the human rights instruments of the United Nations and also to the ILO's Constitution and had thus been party to a continuing dialogue on this matter for a long time. This confirmed that the apartheid system could not be reformed through dialogue. However, it was violating human rights with impunity. He stressed that the changes introduced in South Africa were not genuine, and emphasised that the situation was worsening in that country and in Namibia. He provided examples on the various attacks and raids on the front-line States, including one which had been targeted at a clothing factory owned by women refugees under the small business development programme being supported by the Zambia Federation of Employers, the ILO and other United Nations agencies, the Norwegian Employers' Confederation and NORAD. He called on ILO member States who had reservations on mandatory sanctions to withhold them as a sign of their commitment to the achievement and preservation of human rights, and also as a token of their solidarity with the oppressed people in South Africa and Namibia. Furthermore they should refrain from calling for a vote on the Declaration and the Programme of Action.

49. The Workers' member of the United States drew the Committee's attention to the fulfilment of the predictions he had made two years ago concerning the adoption of anti-apartheid legislation including sanctions in the United States. He stressed that this positive trend was continuing and referred to the current work of the United States Congress which was attempting to strengthen sanctions and make them more comprehensive. He stated that the existing United States anti-apartheid legislation was one of the strongest and strictest measures adopted in the world. He pointed to some of the groups that had contributed towards the adoption of this legislation, including civil rights groups and the trade unions which continued to act in concert with the trade unions in South Africa. He observed that the ILO's draft Declaration could permit further pressure and action, and informed the Committee that in the preceding year the President of NACTU had been invited to the United States to testify to Congress, and he had expressed support for the anti-apartheid legislation. Recent events in South Africa had shown that there had been some success achieved by the action taken so far, including that of the Committee. The current stay-away of 90 per cent of Black Workers in South Africa was an indication of the success of sanctions. He urged the ILO that in future Special Reports it should attempt to provide more information on the action that had been undertaken and the areas where such action had had an impact in South Africa and Namibia; they should also specify the fields where further work could be undertaken as well as areas where nothing could be done. He pointed to the omission of his union's name in the list on page 139 of the Special Report, which indicated the organisations that had replied to the ILO question-

naire, despite the numerous subsequent references to his organisation's reply throughout Chapter 2 of the Report. He called upon the ILO to avoid the use of unsubstantiated newspaper reports in the Special Report, such as that already mentioned in relation to Namibian trade unions. He reaffirmed the support of the United States trade unions for the anti-apartheid struggle.

50. The representative of the Secretary-General informed the Committee about a telex, referred to the Committee, which the President of the Conference had received from the President of the ANC, Mr. Olivier Tambo, requesting the Conference to examine the serious developments relating to the current stay-away in South Africa. It was agreed that the Working Group set up by the Committee would consider this telex as part of its work.

51. The Government member of Nigeria shared the views expressed by other delegates about the Committee's special responsibility to make concrete proposals which would lead to action to arrest the deteriorating condition of workers in South Africa. His Government had been dismayed by the treatment of African workers described in the Director-General's Special Report and was grateful to those governments, individuals and organisations – and particularly the Nordic countries which had opposed apartheid and shown their solidarity with the oppressed workers of South Africa and Namibia. Apartheid had been compared to slavery and there could be no peace and stability in southern Africa without its elimination. Nigeria had appealed at every opportunity to the international community to use its power to bring an end to apartheid and peace to southern Africa and supported any measures to that end. Fore economic interests which put their gain before the welfare of Black Workers and collaborated with the racist regime claimed to be championing the cause of the workers of South Africa when they insisted that economic sanctions would adversely affect them. However, they did not hesitate to apply sanctions when their interests were best served as in the case of the Libyan Arab Jamahiriya, Nicaragua, Poland and the Islamic Republic of Iran. It was ironic that the Western world which held fundamental human rights so dear had been the mainstay of the apartheid regime. Economic considerations had, in that case, been allowed to take precedence over moral and humanitarian issues. His Government opposed that argument that foreign economic interests contributed to the social benefit of the people of the region and supported the updating of the list of banks, transnational corporations and other organisations that were assisting the racist regime of South Africa. To reduce the destabilising effects on the economies of the front-line States and the negative impact which sanctions might have on these countries, Nigeria had helped initiate the AFRICA Fund which was open for voluntary contributions. His delegation appealed to all countries, individuals and organisations to contribute generously. The apartheid regime was undeterred in its repressive policies and could not be reformed; it must be dismantled. The Pretoria regime was not prepared to make a peaceful transition. Therefore the Black workers of South Africa must be strengthened in their capacity to resist. They needed the solidarity and support of the international community and their leaders need-

ed material support and access to training and education. The ILO Committee on Apartheid was a unique forum for the formulation of an effective strategy, and he trusted that it would be possible to take full account of, and even incorporate the provisions of, the declaration on apartheid adopted by the summit meeting of the Organisation of African Unity in Addis Ababa in May of this year.

52. On behalf of the Workers' group, the Workers' Vice-Chairman expressed full satisfaction with the work achieved at the Working Party, especially by its chairman who had demonstrated considerable competence which had facilitated the Working Party's work in a constructive way. Turning to the presence of COSATU and NACTU representatives in the Committee, he stressed that it was a great honour for him to introduce three representatives of the people at the forefront of the anti-apartheid struggle, namely the Vice-President and also the Secretary for Education of COSATU, and the Assistance Secretary-General of NACTU. He assured them that they could return to South Africa convinced that they were not alone in their struggle and that the international community was ready to honour its commitment to support various forms of action which they had themselves identified as the most appropriate to bring about real change in South Africa. The people in South Africa were those who actually bore the full brunt of apartheid, and therefore were in the best position to prescribe remedies and to make demands. It was incumbent on the international community to follow these demands rapidly, vigorously and in a concerted manner. He referred to the current strike, the largest ever in South Africa, by voteless Black workers who had made their voices heard. He urged members of the Committee not to disappoint them by expressing reservations or adopting half-measures. He trusted that, with this in mind, the conclusions of the Working Party would be adopted by consensus and would be applied by all the members.

53. The representative of COSATU expressed thanks for being allowed to address the Committee on the current situation in his country at a time when the South African Government had unleashed the most brutal repressive forces against the oppressed masses. The desperate counter-reactions of the racist apartheid regime to contain the struggle was of such a vicious nature that right-thinking people at home and abroad were left with no choice but to add their support to the forces of change. It was important to note that, since its formation in 1985 and under the notorious State of Emergency, COSATU had been subjected to systematic attacks from the State. In 1987, in particular, there had been mass detention of trade unionists, a propaganda smear campaign – especially during the railway strike – and the bombing of COSATU headquarters in Johannesburg. These attacks were taking place in the context of the rising tide of mass resistance to the oppressive racist regime. The South African Government was facing an unprecedented political crisis: the crisis of its legitimacy. It would no longer govern as it had in the past. The oppressed masses on all fronts had registered their opposition to the illegitimate government of South Africa. On the education front, children and parents had registered their opposition to the controls of Bantu education and had organised support for an alternative system of education. On the work-

ers' front, the workers had resisted the attack on their living standards through a living-wage campaign. On the religious front, the churches had demonstrated their contempt of the rule of the racist regime. The South African Government, finding itself with no solution to the political crises, had resorted to the most brutal and repressive measures, similar to those it had resorted to in 1960 against the African National Congress when the ANC was engaged in peaceful methods of opposition. The banning of the 17 anti-apartheid organisations and the restrictions on COSATU were a clear demonstration that it was one of the most vicious dictatorial regimes in history. It was clear to all that the South African Government had started on a path to intensify its repression of its people and organisations. The South African Government had confidently chosen that path because it believed it had the support of its allies in the West, particularly the Reagan Administration, the Thatcher Government, the Government of the Federal Republic of Germany and others. Despite the repressive measures, an outstanding feature of the situation remained the unbroken mode and determination of the people to surge forward. The outcome of the COSATU Special Nation Congress held in May was the clear expression of the experience indelibly imprinted on their minds, the continuing proof that the creation and maintenance of a space within which to organise depended on the strength and determination of the people. The Special Congress set aside three days of national protest action for the people to demonstrate their contempt of the regime. The protest action was particularly against the introduction by the South African Government of the Labour Relations Amendment Bill which was designed to emasculate the power of the independent trade union movement in the country. It was a piece of legislation that would deny the basic democratic right to strike: a right that is taken for granted in most Western countries. It would give the employers the right to sue unions in the event that workers went on strike. The general strike action of the past three days was unprecedented in the country's history. Under the most difficult conditions they were able to rally over 2 million people. It was a clear demonstration of the determination of the people to replace the illegitimate racist apartheid regime with a non-racial democratic South Africa. The action of the past three days had forced the Minister of Manpower to suggest negotiating with COSATU on the proposed Labour Bill. A special COSATU Executive Committee meeting was held on 8 June to decide on the Minister of Manpower's proposal. It was agreed that the Executive Committee would meet the Minister on condition that the agenda should provide that: (1) the Minister would accept the jurisdiction of the ILO as the body with the right to decide on the criteria of the proposed law; (2) SACCOLA – the bosses' organisation – should accept internal arbitration; (3) the Bill should be suspended; (4) a discussion should be held with the Minister on the repressive measures taken against COSATU that affected its legitimate functions as a trade union movement; (5) the discussion should cover the exclusion of farmworkers, domestic and public workers; (6) it should also cover the propaganda smear campaign against the leadership and organisations of COSATU. The representative of COSATU noted that meetings held with employ-

ers in South Africa had shown that they supported the Bill. It was clear that they had benefited from the apartheid social structure. The decision to meet the Minister demonstrated the readiness of the mass democratic movement to find a peaceful solution to the political and economic crisis gripping the country. The South African conflict had grown beyond its borders. It had become a matter of global concern. In the international arena, despite the misinformation campaign coupled with press curbs, there was increasing support for the struggle of the South African people and the growing isolation of the racist regime. Although it remained assured of the support of some Western countries, the regime had irrevocably lost the battle for the support of the international community. He appealed to the Committee to increase its support for the struggle in South Africa and to isolate further the South African regime although, according to the restrictions placed on the Organisation, it was illegal for it to call for comprehensive and mandatory sanctions against South Africa. The decisions of the Conference would undoubtedly bring closer the achievement of a non-racial, democratic South Africa.

54. The representative of NACTU thanked the Committee for giving him an opportunity of describing the situation in South Africa. Control of trade unions there was not new. In 1981 the then Minister of Labour brought in measures to control the unions by introducing a law that said that trade unions must be registered in order to negotiate at the industrial council level. The Labour Relations Amendment Bill should not be seen in isolation. There were other oppressive laws. Recently the Government had been debating the Promotion of Orderly Internal Politics Bill and invoking the Fund Raising Act, which empowered the Minister to declare any organisation an "affected" organisation, meaning that it would not be able to receive funds from outside South Africa. It was aimed at curtailing community programmes and also funds sent to defend those charged under various laws in South Africa that lead to imprisonment. Many people mistakenly believed that political activity was clipped by the first State of Emergency in 1986. He reminded people that there had never been any freedom of political activity since the Suppression of Communism Act was passed in 1950. This had culminated in 1960 when both the ANC and PAC had been banned, since when there had been no free political activity in the country. The result was seen in 1977 when the Black consciousness movement organisations were silenced and their assets confiscated by the State. There was still no free political activity. There was often the accusation, especially by employers, that the trade union movement in South Africa was mainly political, that it did not restrict itself simply to economic issues, but the situation was such that it could not. It was incumbent upon the trade unions to express those political rights that were denied. By the time he returned home the State of Emergency would be renewed with more stringent regulations. This meant that in October they would not be able to voice opposition to the local elections. It was their responsibility to question the refusal to recognise the basic human rights of all their members, in the same way as people in various industries who came from the so-called "homelands" and who were said not to be South Africans. There

was no way they could tolerate this. They always opposed these kinds of laws. As regards the question of sanctions, it was important to note that, in South Africa, genocide was being committed, especially in the homelands where people were dying a slow and painful death from hunger. When NACTU said that mandatory sanctions must be imposed on South Africa it was told that they would affect the people they were supposed to help. But investments made in South Africa were for the most part capital intensive rather than labour intensive. Black unemployment would not come as a result of sanctions; Blacks had always suffered unemployment in South Africa due to the Pass Laws, decentralisation policies and the rationalisation of companies, that is companies that closed down and moved to another part of the country. Blacks had always suffered unemployment also as a result of lack of education and skills. Those countries and territories in the West and the Far East like Japan, the Republic of Korea and Taiwan, China, that traded with South Africa, and said that they were creating employment, could not be believed. They refused to impose sanctions because of their own economic interests. His organisation had met with the employers in South Africa – including Anglo-American employers – and had made known its opposition to the Bill. A committee of labour lawyers from the trade unions and from the employers was set up to look into this law. It was made clear to the employers that they did not want this law. By the time he left the country he had not received an invitation from the Minister of Manpower who, however, had made an open invitation through the media. An organisation should not be invited through the media by any Minister. It was difficult to talk to a Minister who did not need votes in the next elections. As trade unions they would not talk when they did not have bargaining power. This was not the first invitation received from the Government recently; they had received an invitation from Mr. P.W. Botha, the State President, but turned it down since such meetings do not produce any results. They would continue to refuse to deal with the South African politicians, but left their doors open to deal with the functionaries because they understood what the problems were and could influence policy. Talking to ministers in South Africa was just a ceremony. They would not get anywhere that way.

55. The Committee set up a Working Party to prepare Conclusions to be included in the Committee's Report to the Conference. The Working Party was composed as follows:

Government members: Cuba (Mr. Heredia); India (Mr. Malhotra); Norway (Mr. Vollebaek); USSR (Mrs. Alexandrova); Zimbabwe (Mr. Mawande).

Employers' members: Mr. Chanaiwa (Zimbabwe); Mr. Healy (United Kingdom); Mr. Hernandez (Philippines); Mr. Sumbwe (Zambia); Mr. Tjir-
iange (Namibia).

Workers' members: Mr. Botvinov (USSR); Mr. Mercier (Canada); Mr. Morton (United Kingdom); Mr. Nedziwe (Zimbabwe); Mr. Sandegren (Norway).

Mr. Vollebaek, Reporter of the Committee, acted as Chairman of the Working Party.

56. In presenting the Working Party's Conclusions, the Reporter expressed appreciation for the spirit of co-operation exhibited by members of the

Working Party during the course of its work. He drew the Committee's attention to the main elements in the unanimous conclusions of the Working Party which recommended the adoption by the Conference of the Declaration on Action against Apartheid in South Africa and Namibia and its annexed Programme of Action which was amended and updated at the Tripartite Conference on Action against Apartheid, in Harare, and that the new name of the Committee should be the Conference Committee on Action against Apartheid. The Conclusions then went on to indicate the specific urgent measures that should be undertaken by the tripartite members and by the ILO against the background of the current threats to the independent Black trade union movement in South Africa and to reinforce the anti-apartheid action.

57. The representative of the Secretary-General provided the Committee with information concerning the preliminary response which would be sent in reply to the telex received from the President of the ANC, which indicated that proposals on action were being placed before the Conference by the Committee; he stated further that the text of these would be communicated to the President of the ANC once they had been adopted by the Conference at the plenary.

58. Following the introduction by the Reporter of the conclusion of the Working Party, the Chairman noted that a request for a vote on the adoption of the conclusions had been made by the Government member of the United States, who explained that in the view of his Government there were aspects of the updated Declaration and Programme of Action which it could not support, in particular those relating to the imposition of mandatory sanctions which it considered to be the prerogative of the Security Council of the United Nations. The Government member of the Federal Republic of Germany expressed support for the request of the United States Government member.

59. Following an exchange of views during the course of which a number of Government, Employers' and Workers' members urged those members who had requested a vote to reconsider their decision in the interests of achieving a consensus, in response to which the Government member of the United States indicated, inter alia, that after awaiting instructions from his capital his request would be addressed to the plenary, a vote was taken in the Committee on the adoption of the conclusions, on the basis of a weighted voting system established according to the usual criteria. The result of the vote, as announced by the Chairman, was the adoption of the conclusions of the Committee by 342 votes in favour, 14 votes against, with no abstentions. The quorum was 168 votes.

60. In explaining his vote, the Government member of the Federal Republic of Germany said that although his Government agreed with many of the points and demands contained in the Declaration on Action against Apartheid and the Programme of Action, it had particular reservations concerning the recommendations on the breaking off of diplomatic relations and on the comprehensive and binding sanctions under Chapter VII of the United Nations

Charter. These requirements fell within the purview of the United Nations Security Council and exceeded the terms of reference and the competence of the ILO. His delegation therefore regretted that it was unable to assent to the demands in general. With regards to the point raised by the Workers' Vice-Chairman, he added that his Government did not intend to ask for a vote in the plenary of the 75th Session of the International Labour Conference on the subject and was prepared to accept the adoption of the conclusions without a vote.

61. In explaining her vote, the Government member of Norway said that her delegation had voted in favour of the adoption of the conclusions presented by the Working Party to the Committee and strongly supported the main thrust of the conclusions, but referred to the two reservations made in the statement by the Norwegian Government member earlier in the Committee's deliberations.

62. In explaining his vote, the Government member of Greece stated that although his Government had voted in favour of the conclusions of the Working Group, it had one reservation regarding the abolition of diplomatic relations. Although his Government saw the usefulness of such a measure in the context of abolishing apartheid, it did not feel that relations between countries were the issue. However, his Government strongly supported the content of the conclusions as adopted by the Committee.

63. The Employers' Vice-Chairman, after expressing thanks to all involved in the Committee's work and remarking on the smooth way in which the proceedings had been conducted, said that the conclusions would undoubtedly be approved by the International Labour Conference and provide a continuing challenge to all freedom-loving people in their commitment to the speedy dismantlement of apartheid. However, certain members of the Employers' group felt the need to reiterate the reservations they had made in previous years during the Committee's deliberations.

64. The conclusions adopted by the Committee are as follows:

The Committee recommends

- (a) the adoption of the Declaration on Action against Apartheid in South Africa and Namibia and the Programme of Action against Apartheid annexed to it, as amended and updated by the Tripartite Conference on Action against Apartheid held in Harare, Zimbabwe, from 3-6 May 1988. The text of the Declaration and Programme of Action are attached to this report.
- (b) that the name of the Committee should henceforth be the Conference Committee on Action Against Apartheid.

Urgent action

In view of the recent measures adopted and planned by the South African authorities that threaten the very existence of the independent Black trade union movement in that country and in view of the continuing deterioration of the situation in South Africa, the Committee further recommends the following urgent action, namely that:

1. The Conference calls upon all governments, employers' and workers' organisations and the International Labour Office to make representations to the South African authorities in order that they refrain from promulgating the proposed amendments to the Labour Relations Act and from enacting the Promotion of Orderly Internal Politics Bill and other measures that threaten the very existence of the independent Black trade union movement.

2. The Conference calls upon employers' organisations to urge their members with subsidiaries in south Africa to refrain from any form of victimisation of the workers and their unions arising from workers' protests against the legislative amendments and similar restrictive measures.

3. The Conference invites trade unions to launch special campaigns mobilising maximum support for the independent Black trade union movement in its protests against proposed legislative amendments and restrictive measures that are clearly intended to cripple it.

4. The Conference calls upon governments to pay particular attention to paragraph II(2) of the Programme of Action against Apartheid in respect of the refusal to roll over South African loans and the denial of new loans and credit guarantees. This paragraph in the Programme of Action reads:

To stop trade and commercial relations with and to prohibit new public and private investment in South Africa as well as the export of nuclear and other technology to the South African Government, parastatals and private enterprise in South Africa. In addition, to prohibit loans, trade credits and gold exchanges by banks to and with South Africa. Furthermore to prohibit collaboration with South Africa in the operation of the international gold market, in particular to prevent the operation of the South African marketing company, the International Gold Corporation (INTERGOLD).

5. The Conference calls upon employers' organisations likewise to pay particular attention to paragraph III(5) of the Programme of Action Against Apartheid, which reads:

To urge banks and other financial institutions to refrain from making loans or providing credit for trade with South Africa and to urge governments to prohibit the activities of the International Gold Corporation (INTERGOLD) in their countries.

6. The Conference invites trade unions to launch special campaigns among their membership to put maximum pressure on banks and financial institutions concerned granting loans and providing credit to the South African authorities and institutions.

7. The Conference invites governments concerned, either multilaterally or unilaterally, to enforce a strict coal embargo and to tighten up the oil embargo by requiring absolute guarantees from buyers and transporters that the oil will not be resold or shipped to South Africa.

8. The Conference calls for concerted action to stop the South African Government's attempts to attain self-sufficiency in energy by (a) the imposition by governments of an embargo on activities designed to assist such attempts; (b) employer action to discourage companies or financial institutions from their co-operation with South African schemes aimed at obtaining energy self-sufficiency.

9. The Conference requests governments, employers' and workers' organisations to give individual replies to the questionnaire on implementation of

non-implementation of the measures stipulated in the updated Declaration and Programme of Action.

10. The Conference requests the Director-General to prepare a special report on the implementation and non-implementation by governments, employers' and trade union organisations of the above-mentioned recommendations.

11. The Conference requests the Director-General to continue with his efforts to find alternative banking facilities and to urge those banks and financial institutions whose services are used by the ILO to abstain from granting loans and providing credit to the South African authorities, institutions and enterprises.

12. The Conference further requests the Director-General to prepare a study of the gold market with South Africa with a view to identifying possible sanctions measures in this field for the consideration of the next session of the Conference Committee on Action against Apartheid.

13. The Conference requests the Governing Body, through its Committee on Discrimination, to continue to monitor with increased vigour action against apartheid. To this effect the Conference requests the Governing Body to make financial resources available for the establishment of a special monitoring group of three independent experts

nominated by the Governing Body's Committee on Discrimination at its first meeting to follow up and monitor the implementation of sanctions and other action against apartheid throughout the world, as specified in the Declaration and the Programme of Action, with special attention to the actions taken to circumvent such measures and to report in the first instance to the Governing Body Committee on Discrimination. This monitoring should particularly concentrate on carrying out the following tasks: the investigation and evaluation of the effects of present sanctions measures; the conducting of feasibility and case studies on sanctions; regularly surveying and updating the state of world trade with South Africa; maintaining a register of investment and disinvestment in South Africa; publishing, three times a year, the results of the research. This mandate should be carried out in close co-operation with other United Nations bodies and international organisations collecting information on sanctions and other action against apartheid, with the aim of avoiding duplication of work.

Geneva, 13 June 1988

(Signed) J.L. NKOMO
Chairman

K. VOLLEBAEK
Rapporteur

**Proposed Declaration concerning Action
against Apartheid in South Africa and Namibia**

The General Conference of the International Labour Organisation,

Recalling the Declaration concerning the Policy of Apartheid in South Africa unanimously adopted by the Conference on 8 July 1964 and the updated Declaration adopted by the Conference on 18 June 1981,

Considering that all Members of the ILO have by the Declaration of Philadelphia embodied in the Constitution as a statement of the aims and purposes of the Organisation, solemnly affirmed that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity",

Considering that according to its Constitution the ILO exists for the promotion of the objectives set forth in the Preamble thereto and in the Declaration of Philadelphia,

Considering that the Government of South Africa, having refused to promote the objectives set forth in the Preamble to the Constitution and in the Declaration of Philadelphia, adopted and is practising the inhuman policy of apartheid, which is wholly incompatible with the aims and principles of the Declaration of Philadelphia, thus creating an alarming situation, further aggravated by the extension of the apartheid system into Namibia through the illegal occupation of that territory by South Africa, incurred the condemnation of the International Labour Conference and withdrew from the Organisation by virtue of a communication dated 11 March 1964,

Considering that according to the Declaration of Philadelphia the principles set forth therein are fully applicable to all peoples everywhere and their implementation is a matter of concern to the whole world,

Considering that apartheid has been declared a crime against humanity by the General Assembly of the United Nations and that the Security Council, since its resolution 182 (1963) adopted unanimously on 4 December 1963, has affirmed the conviction that the situation in South Africa is seriously disturbing international peace and security,

Considering that the apartheid system in South Africa is the root cause of conflict in southern Africa as a whole and that the independence of Namibia, the freedom of the South African people and the peace and security in the region can only be attained through the elimination of apartheid,

Considering the programme for the elimination of apartheid in labour matters in South Africa adopted in 1964 and all subsequent measures to give effect to the ILO's determination to eradicate apartheid, including the annual Special Reports of the Director-General on apartheid in South Africa and the expansion of the activities of the International Labour Office in this field,

Considering especially the Report of the International Tripartite Meeting on Action against Apartheid held at Livingstone in May 1981, which recognised that the solution to the problem of apartheid must take into account the political implications of that system and went on to recommend specific action for the elimination of apartheid,

Considering also the reports of the Tripartite Conference on Action against Apartheid held in Lusaka in May 1984 and in Harare in May 1988,

Noting that the conclusions of these meetings were subsequently adopted by the International Labour Conference,

Sharing the growing concern of the international community at the deterioration of the situation in South Africa and Namibia under apartheid and the need for action thereon, as shown in the Programme of Action adopted at the United Nations General Assembly and in subsequent resolutions and instruments adopted by that Assembly (including the Convention on the Suppression and Punishment of the Crime of Apartheid) as well as the resolutions of the Security Council,

Reaffirming in addition the need to co-operate with all organisations in the campaign to eliminate apartheid, in particular the United Nations, the Organisation of African Unity and international and regional organisations of workers and employers,

Considering that developments which have taken place since the adoption of its Declaration and Programme for the elimination of Apartheid in 1964 have

demonstrated that apartheid continues to deprive the Black population of employment and training, full enjoyment of freedom of association and the right to organise, and equality of opportunity and treatment in the field of labour, while recent events have shown that through the "Bantustan" policy and the use of repressive measures the South African Government still acts in a manner which violates international labour standards and which therefore requires urgent action by the international community to secure social justice, peace and freedom for all the peoples of South Africa and Namibia,

Reaffirming its determination to continue to fulfil its responsibility to promote and take its part in securing the freedom and dignity of the peoples of South Africa and Namibia and to fight the policy of apartheid practised by the Government of South Africa,

Faithful to its role as spokesman of the social conscience of mankind and affirming once again its conviction that a government which deliberately practises apartheid is unworthy of the community of nations,

Considering that only urgent and determined action by the international community, in particular the imposition of comprehensive and mandatory sanctions by the United Nations Security Council as the most effective and appropriate measure under the present circumstances, will bring the Government of South Africa to abandon its disastrous policy and to co-operate with employers' and workers' organisations in placing the relations between the various elements of the population of South Africa, and the relations between the people of South Africa and the rest of the world, on the basis of the equality of man, justice for all, good neighbourliness and mutual respect;

1. Solemnly reaffirms its fidelity to the fundamental principle of the Declaration of Philadelphia, according to which "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity".

2. Emphatically reaffirms its condemnation of the degrading, criminal and inhuman racial policies of the Government of South Africa and their extension to Namibia, which policies are a violation of fundamental human rights and thus incompatible with the aims and purpose of the ILO.

3. Strongly reaffirms its determination to pursue its action until respect for the freedom and dignity of all human beings, irrespective of race, is fully assured in South Africa and Namibia and until, to this end, the following objectives have been attained:

- the total and final elimination of the policy of apartheid in South Africa and Namibia;
- the repeal of all legislative, administrative and other measures which are a violation of the principle of the equality and dignity of man and a direct negation of the inherent rights and freedoms of the peoples of South Africa and Namibia;
- the establishment and consistent pursuit of a policy of equal opportunity and treatment for all, in employment and occupation, irrespective of race, creed or sex;
- the cessation of all aggression, social and economic destabilisation of the front-line countries.

4. Urges the Committee on Action against Apartheid of the International Labour Conference to continue to monitor with increased vigour action against apartheid.

5. (a) Confirms the Director-General's mandate to monitor and follow the situation in South Africa and Namibia in respect of labour and social matters, and to submit every year for consideration by the Conference Committee on Action against Apartheid a Special Report on the subject; to this effect, to request governments, employers' and workers' organisations to provide individually information, in such form as the Governing Body may determine, on the action taken against apartheid in accordance with recommendations contained in the Programme of Action against Apartheid, including information on failure to take action and on the active promotion of relations which strengthen the apartheid system;

(b) invites the Governing Body's Committee on Discrimination to continue to consider the information described in subparagraph (a) above, and to submit a report to the Conference Committee on Action against Apartheid.

6. Invites the Governing Body and the Director-General to take the necessary steps:

- (a) to increase the ILO's educational activities and technical assistance to the liberation movements, the Black workers and their independent trade unions as well as the Black entrepreneurs and their organisations in South Africa and Namibia in their fight against apartheid, in close co-operation with the Organisation of African Unity, the Special Committee against Apartheid, the Commission on Human Rights of the United Nations, and the United Nations Council for Namibia, the international and African workers' and employers' organisations and the front-line States and those States in the neighbourhood of South Africa which are seriously affected by the aggressive actions of South Africa, in particular by:
 - (i) an increase in the resources made available from the ILO regular budget, and from external sources on a bilateral or multilateral basis, for enlarging the ILO's capacity to combat apartheid and to provide assistance to its victims;
 - (ii) the establishment of a voluntary fund for the workers of South Africa and Namibia to which contributions should be made regularly by ILO member States as well as by employers' and workers' organisations;
 - (iii) the broadening of the scope of ILO assistance to liberation movements from southern Africa recognised by the Organisation of Africa Unity, in particular by the use of its technical services in the fields of vocational and management training, labour administration, occupational safety and health, rural development, workers' education, co-operative development, equality of treatment for women workers and advice on the elimination of discriminatory labour legislation;
 - (iv) the establishment of a training institute for South Africa, designed more specifically for the promotion of manpower training and development;
 - (v) assistance to the front-line and neighbouring States providing facilities for refugees from South Africa and Namibia at institutions of their own through the provision of equipment, expertise and fellowships;
 - (vi) the creation of training facilities and employment opportunities for refugees in their countries of refuge in such a way that their skills will be of immediate use and also of assistance to their countries of origin upon their return;
 - (vii) co-operation with the governments of the States in the immediate neighbourhood of South Africa, including the regional organisations, the Southern African Development Co-ordination Conference and the Southern African Labour Commission, in devising and implementing policies which will enable them to reduce their dependence on South Africa, and in particular the supply of migrant labour in South Africa;
 - (viii) providing the front-line and neighbouring States with assistance for infrastructural development to enhance their capacity for withstanding the effects of any retaliatory economic action by the apartheid regime and to develop human skills for the effective management of their national economies;
 - (ix) assistance in the establishment of long-term solutions to problems involving migrant labour including public works programmes and other labour-intensive forms of job creation; the provision, over the short term, of assistance to migrant workers through advice on negotiations concerning their terms and conditions of employment, and through enabling migrant workers to be more fully informed of their rights;
 - (x) the expansion of the programme of the information on apartheid in labour matters and other questions of direct concern to the workers of southern Africa;
- (b) to use existing ILO procedures, including those of the Committee on Discrimination of the Governing Body, to attain the objectives assigned to the ILO under its Programme for the Elimination of Apartheid;
- (c) to encourage and extend financial support to workers' and employers' organisations in their programme of action against apartheid so that they can exert the maximum pressure for the implementation of various recommendations falling within their sphere of competence.

7. Renews its urgent appeal to governments, employers and workers of member States of the ILO to combine their efforts and put into application all appropriate measures to lead South Africa to heed the call of humanity and

renounce its shameful policy of apartheid. In this respect, the basic guide-line should be the Programme of Action against Apartheid which is annexed to this updated Declaration.

8. Reaffirms its resolve to co-operate with the United Nations in seeking and guaranteeing freedom and dignity, economic security and equal opportunity for all the peoples of South Africa and Namibia and in particular with the United Nations Special Committee against Apartheid and the Council for Namibia and its desire to co-operate with the Organisation of African Unity in all fields related to the elimination of apartheid.

9. Requests the Governing Body and the Director-General to take the necessary steps to organise systematic consultations with a view to reinforcing ILO co-operation with the Organisation of African Unity, and with the United Nations, including its Special Committee against Apartheid, its Council for Namibia and its Commission on Human Rights, as well as with the other specialised agencies of the United Nations system and non-governmental organisations associated with them in order to intensify and co-ordinate all activities whose ultimate objective is to eliminate apartheid totally in all its facets in a more accelerated pace than hitherto.

Programme of Action against Apartheid

The General Conference of the International Labour Organisation, considering it appropriate to give effect to the updated Declaration concerning Action against Apartheid in South Africa adopted by the International Labour Conference in 1988, following the updated Declaration adopted by the Conference in 1981 and the initial Declaration adopted unanimously by the Conference in 1964,

Urging determined action by the international community to bring the Government of South Africa to abandon its disastrous policy of apartheid,

Taking into account the report of the Tripartite Meeting of Members of the Governing Body on apartheid in May 1980, the Report of the International Tripartite Meeting on Action against Apartheid held at Livingstone in 1981 and the conclusions of the Tripartite Conferences on Action against Apartheid held in Lusaka in 1984 and in Harare in 1988,

Further taking into account the resolutions adopted by the two International Trade Union Conferences against Apartheid in 1973 and 1977, and the Declaration adopted by the International Conference of Trade Unions on Sanctions and Other Actions against the Apartheid Regime in South Africa held in 1983,

Recalling also the ILO Programme for the Elimination of Apartheid in Labour Matters in the Republic of South Africa, which had been adopted in 1964, as well as subsequent measures undertaken by the ILO, in its determination to eradicate apartheid in the field of labour, including the Special Reports of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa and Namibia, a wider range of educational and promotional activities carried out by the International Labour Office in this field and the extension of technical assistance within its field of competence to the people of South Africa and Namibia and the national liberation movements and front-line and neighbouring States,

Reflecting on and sharing the growing concern of the international community at the deterioration of the situation in South Africa and Namibia under apartheid and calling for action thereon, as shown in the Programmes of Action adopted by the United Nations General Assembly and the Security Council,

Reaffirming the need to co-operate with all organisations in the campaign to eliminate apartheid, in particular the United Nations, the Organisation of African Unity and international and regional organisations of workers and employers,

Noting that it has become necessary to revise the Programme of Action of the ILO and its Members in the light of the failure by the Government of South Africa since 1981 to abandon its policy of apartheid, its intensified aggression in southern Africa including Namibia, its intransigence in the face of international pressure and the further polarisation of Blacks and Whites in South Africa resulting from the introduction of a new Constitution in 1984 which was further aggravated by the 1987 Whites-only election;

Recommends the following action:

I. Government action through the United Nations

To take the measures necessary to give effect to the Programme of Action against Apartheid adopted by the United Nations General Assembly as well as the resolutions subsequently adopted by that body and other relevant United Nations bodies, in particular:

- (a) To adopt comprehensive and mandatory sanctions against South Africa, in accordance with Chapter VII of the United Nations Charter.
- (b) To establish a special monitoring unit, in co-operation with the International Maritime Organisation, Lloyds Register, the Shipping Research Bureau and other relevant organisations, to ensure that sanctions are strictly applied and to expose sanctions busters.
- (c) To co-operate by all possible means in the implementation of United Nations resolution 435 for the independence of Namibia.

II. Government action

1. To sever political, military, cultural, sporting and diplomatic relations with the South African Government, in so far as such relations with South Africa are maintained.

2. To stop trade and commercial relations with and to prohibit new public and private investment in South Africa, as well as the export of nuclear and other technology to the South African Government, parastatals and private enterprise in South Africa. In addition, to prohibit loans, trade credits and gold exchanges by banks to and with South Africa. Furthermore, to prohibit collaboration with South Africa in the operation of the international gold market, in particular to prevent the operation of the South African marketing company, the International Gold Corporation (INTERGOLD).

3. To adopt, through the appropriate government authorities, including regional and local authorities, stringent divestment/disinvestment measures, to prevent any new investments, and to withdraw all public funds from banks maintaining commercial relations with South Africa as well as to deny contracts for the provision of goods and services to all firms and enterprises having commercial relations with South Africa.

4. To deny the use of facilities intended to circumvent sanctions applied against South Africa.

5. To discourage emigration of their nationals and the promotion of tourism to South Africa, by such means as banning advertising and cutting air and sea links with South Africa.

6. To withhold recognition of Bantustans, deny the establishment of representative offices and the entry of representatives of Bantustans into their territories, to prohibit new investments in and to demand the withdrawal of existing investment from these areas.

7. To increase economic support, including development assistance and the development of alternative trade patterns, to those African countries which are forced through their geographical and economic situation to maintain links with South Africa, with particular emphasis on independent African States enclaved within South Africa and those in the immediate neighbourhood of South Africa.

8. To give material and moral support to the liberation movements, to the independent Black trade union movement and to popular movements struggling for the elimination of apartheid and the establishment of a non-racial democratic system and majority rule with respect for human rights and fundamental freedoms in South Africa and Namibia.

9. To lift all impediments preventing trade unions from participating in solidarity action with the workers engaged in the anti-apartheid struggle and in particular to ensure that the legal system does not prevent trade union action designed to oppose apartheid.

10. To encourage in line with the basic principles of the Constitution of the ILO initiatives which could lead to the elimination of apartheid and the achievement of durable peace in southern Africa.

11. To tighten the licensing procedures for the export and re-export of arms and related material as defined in Security Council Resolution 418 so as to ensure that none of it reaches South Africa and Namibia in violation of the United Nations Security Council decisions and resolutions.

III. Action by employers' organisations

1. To ensure that their members do not maintain trade, commercial or financial relations with South Africa and that economic and financial institutions do not extend loans to South Africa or collaborate with the apartheid regime in any way.

2. To disinvest from South Africa and to transfer these investments to other African countries, especially the front-line and SADCC States. In so doing, employers should ensure that early consultations are held with the appropriate union representing the Black workers in the enterprise on the conditions and terms of disinvestment. Such action should not circumvent the call for disinvestment by transferring the operation of their companies to local South African management whilst still maintaining the same commercial links.

3. To disinvest from and to cease all co-operation with the so-called Bantustans.

4. To refuse to co-operate with the South African authorities in the implementation of apartheid legislation or refrain from the exploitation of all advantages

provided by the apartheid system particularly in labour relations and the so-called homelands and to make a firm commitment to the abolition of apartheid.

5. To urge banks and other financial institutions to refrain from making loans or providing credit for trade with South Africa and to urge governments to prohibit the activities of the International Gold Corporation (INTERGOLD) in their countries.

6. To provide technical and financial support for small business development and management training programmes for victims of apartheid in exile in the front-line and neighbouring States, and to organise subregional seminars for employers in such States for this purpose as well as sensitise employers about the plight of the victims of apartheid.

7. To ensure that members refrain from any form of victimisation of workers and their trade unions involved in the defence of workers' basic rights in South Africa and Namibia and in solidarity action, outside the Republic, with the Black workers of South Africa.

IV. Action by trade unions the world over

1. To exert maximum pressure on their respective governments for the adoption and the implementation of comprehensive and mandatory sanctions against South Africa by the United Nations Security Council, in accordance with Chapter VII of the United Nations Charter.

2. To place maximum pressure, including industrial action, on parent companies and their subsidiaries the world over in cases where their South African subsidiaries do not recognise the independent Black trade union movement and act in contradiction with internationally recognised labour standards.

3. To exert maximum pressure on the subsidiaries, outside South Africa, of South African multinational enterprises that are involved in the violation of internationally-recognised labour standards.

4. To increase mobilisation of workers and the public through information campaigns with a view to exerting the strongest possible pressure on their respective governments to adopt comprehensive sanctions against and to sever their links with South Africa, and on companies with interest in South Africa to oblige them to withdraw from that country.

5. To develop extensive educational activities to ensure that workers are informed of sanction measures in their own countries so that they can participate at all levels in the monitoring of such actions and be prepared for industrial action in cases of sanctions busting.

6. To organise consumer and other boycotts in order to promote sanctions against South Africa.

7. To give financial, material and moral support to the Black independent trade union movement inside South Africa and Namibia, including assistance in organising campaigns and educational programmes and legal and relief assistance to imprisoned and restricted trade unionists and their families, as well as organising solidarity action in support of the Black workers and their unions.

8. To organise campaigns to ensure that trade union members do not emigrate to South Africa or Namibia or visit these countries in the course of appropriate sanctions, to ban advertisements for jobs in South African recruitment offices abroad.

9. To withdraw all trade union funds from any company or investment scheme with interests in South Africa or Namibia, and to ensure that no pension funds are invested in such companies, banks or schemes.

10. To exercise the strongest possible pressure on banks and financial institutions to recall their existing loans to South Africa and to prevent the provision of new loans and trade credits to South Africa and Namibia, as well as gold exchanges to and with South Africa. In addition, trade unions should organise campaigns appealing to their members to close accounts with such banks.

11. To take all measures aimed at further isolating the South Africa regime and to support anti-apartheid activities.

12. To ensure trade union representation in delegations to the United Nations and the specialised agencies to press for the fullest implementation of the Programme of Action against Apartheid.

13. To co-ordinate trade union action against apartheid in accordance with the Declaration adopted by the International Conference of Trade Unions on Sanctions and Other Actions against the Apartheid Regime, held in Geneva in 1983.

V. ILO action

1. To give further impetus to the implementation of the Declaration concerning Action against Apartheid and the Programme of Action, with specific reference to operative paragraph 6 of the Declaration and to the following paragraphs of this section.

2. To increase entrepreneurial and management training and to encourage small business development programmes for the victims of apartheid in exile in neighbouring States and displaced persons as a means of creating self-employment for those deprived people and prepare them for business management responsibilities in a non-racial democratic South Africa and in an independent democratic Namibia.

3. To increase activities in the fields of workers' education, vocational training, assistance to migrant workers, improvements in infrastructures and in other fields of benefit to workers of southern Africa, including broader workers' education programmes for the trade unions of South Africa and Namibia. Such programmes should be conducted in conjunction with trade union organisations of the front-line States, particularly through the co-ordination and co-operation of the Southern African Trade Union Co-ordination Council (SATUCC).

4. To ensure a wider dissemination of public information throughout all member States by all possible means, including ILO publications, about atrocities being perpetrated by the apartheid South African regime within South Africa and Namibia, as well as in front-line and neighbouring States, as a means of countering the news blackout imposed by the South African Government under its oppressive emergency measures and overcoming the silence of the mass media.

5. To address renewed appeals to the UNDP, international financial institutions and all multi-bilateral and bilateral donors to provide additional resources for the above-mentioned activities.

6. To request ILO constituents to provide a precise, itemised report on the Declaration, on each paragraph of the Programme of Action annexed to it and on the conclusions adopted at each session of the Conference.

VI. Other action

1. The Conference calls upon governments, employers' and workers' organisations and the ILO to continue and reinforce the campaign for the release of all trade unionists and political prisoners in South Africa and Namibia. In this connection the Conference deplores and denounces all measures which deny and violate civil and trade union rights in South Africa.

2. The Conference calls upon governments, employers' and workers' organisations, non-governmental bodies and individuals to make every possible contribution to the AFRICA (Action for Resisting Invasion, Colonialism and Apartheid) Fund, as well as to make contributions in order to ensure the early realisation of its objectives.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Nineteenth sitting

Monday, 13 June 1988, 10 a.m.

President: Mr. Beyreuther

ELECTION OF A NEW GOVERNMENT VICE-PRESIDENT OF THE CONFERENCE

Interpretation from German: The PRESIDENT – The first item on our agenda is the election of a new Government Vice-President of the Conference to replace the former Government Vice-President, Mr. Smith, who has resigned. The Government group has already met, and Mr. Aitken, Government delegate, Jamaica, has been elected Vice-President of the Conference on the basis of nominations submitted by the group.

COMMUNICATION TO THE CONFERENCE

Interpretation from German: The PRESIDENT – I now call on the Clerk of the Conference to make an announcement.

The CLERK OF THE CONFERENCE – I have received a letter from Mr. El-Assar, Chairman of the Committee on the Application of Standards, which reads as follows:

Madam, referring to the decision taken by the Committee on the Application of Standards on 10 June 1987 and confirmed on 6 June 1988, I request you to announce every day to the Conference from Monday, 13 June, to Wednesday, 15 June 1988, the names of those countries whose representatives have not yet replied to an invitation by the Committee as mentioned in the *Daily Bulletin* and to urge them to do so as soon as possible.

Consequently, I should like to request the following countries to reply to the invitation of the Committee as soon as possible: Cape Verde, Central African Republic, Congo, Democratic Yemen, Ecuador and Niger.

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – We shall now resume our discussion of the reports of the Governing Body and of the Director-General.

First, however, I would like to recall a few basic principles that the President and Vice-Presidents have endeavoured to apply, and will continue to apply, in directing the work of the Conference.

Firstly, the right to freedom of speech must be exercised in a spirit of mutual respect. Instead of exacerbating international tensions, we must try to co-operate as much as possible in pursuing the objectives of the ILO.

Secondly, delegates' statements must refer to the items that are on the agenda of our session of the Conference.

Thirdly, the statements must be factual and not offend other States, Heads of State or individual delegates.

Fourthly, statements should not exceed 15 minutes. There is still a long list of speakers and everyone should have a chance to speak.

Fifthly, a delegate wishing to reply to a specific comment by another speaker on a concrete point should not raise a point of order but should inform the Chairman in writing, before the end of the sitting, that he wishes to exercise his right of reply. The reply should then be couched in correct and parliamentary language, should not give rise to any further intervention and should be limited to three minutes. The Officers consider it their duty to see that the Conference sittings conform to these principles.

Interpretation from Portuguese: Mr. SILVA PEN-EDA (*Minister of Employment and Social Security, Portugal*) – In my own name, and in the name of the Portuguese Government, may I congratulate the President and the Vice-Presidents of this 75th Session of the International Labour Conference which is taking place in the year when we are celebrating the 40th anniversary of the Universal Declaration of Human Rights.

The excellent Report of the Director-General has made human rights the main topic for consideration at this Conference, analysing it in all the aspects that have been or could be a subject of study for the International Labour Organisation.

Portugal would like to congratulate the Director-General on the relevant choice he has made and all the more anxious to associate itself with it in that my country has expressly referred to the Universal Declaration of Human Rights in the Portuguese Constitution of 1976, article 16, paragraph 2, which stipulates that the Constitutional and legal precepts concerning fundamental rights must be interpreted and integrated in conformity with the Universal Declaration of Human Rights.

The Report submitted to this Conference reviews the way in which the International Labour Organisation, during the 69 years it has been in existence, has made human rights the focus of its activities and efforts as regards both its standard-setting activities and the technical co-operation extended to Member States, as the standard-setting texts adopted and implemented throughout the world indicate.

This meritorious and fruitful effort has favourably influenced the behaviour of all countries in spite of

certain relapses that have occurred in certain parts of the world for economic reasons, in the interests of material development or for other reasons such as intolerance, proselytism, regional wars and, here and there, isolationist trends.

Among the many subjects raised in the Report that give food for thought, my Government wishes to give special emphasis to those relating to employment, non-discrimination, equality of opportunity and treatment, and technical co-operation.

Although the essential purpose of the Employment Policy Convention, 1964 (No. 122), which has been ratified by Portugal, is the promotion of full employment, the Report realistically recognises that this goal has been placed in jeopardy and is becoming ever more remote. This does not mean that it should be abandoned, but rather that it should be considered as a purpose to be achieved as and when the other factors that are not under the direct control of each country bring about the necessary readjustments in inflation, economic stabilisation and the external environment.

Portugal, with a small economy open to the exterior and deeply affected by external factors not under its control, is in exactly the same situation as that described in the Report. In the last few years the rate of unemployment has been reduced and it is now at 6.6 per cent. Since the end of 1985, my Government has adopted a strategy aimed at combating simultaneously four serious macro-economic problems of a structural nature, namely, inflation, the budget deficit, foreign debt and unemployment.

The document summarising this strategy entitled "The programme for structural rectification of the external debt and unemployment" (PCEDED) indicates that the unemployment variable is not residual. This is why the strategy adopted by the Government is a variable that governs the behaviour of the others.

The goals set are being achieved, so we have every reason to believe that the economic growth taking place in Portugal will be accompanied by the growth of employment together with appreciable improvements in productivity and competitiveness.

With respect to the jobless, we are making considerable efforts in regard to vocational training and rehabilitation. We are trying to make employment more flexible and, by considerable financial effort, to improve the welfare benefits for the jobless through the reformulation of unemployment benefits, increasing their duration, and amount and improving the system of allocation.

A vast number of programmes to promote employment have also been introduced through which my Government, together with its social partners and the Permanent Social Consultation Council, has been giving a new impulse to its efforts. The results achieved with regard to job creation have undoubtedly been positive inasmuch as the unemployment rate was gradually lowered from 8 per cent in the first quarter of 1987 to 6.6 per cent at the end of that year.

These results, as well as the considerable fall in the inflation rate from nearly 20 per cent in 1985 to almost 9 per cent this year, are largely due to the agreements reached at the Social Consultation Council on the income policy for 1987 and 1988.

Discrimination is formally prohibited by the Constitution of the Portuguese Republic and by the national laws. The prohibition of discriminatory behaviour and procedures, as enshrined in the standard-

setting international texts of the ILO, is intimately bound up with the guarantee of equality of opportunity and treatment, which is also embodied in international legal texts.

Nevertheless, we note – and the Report of the Director-General dwells on this in detail – that a few Conventions, adopted during periods of accelerated economic growth and full employment, are beginning to be of less and less value to their beneficiaries, who being covered by systems of protection with shaky bases and justifications are not as well placed on the labour market as their competitors and are therefore in danger of being edged out by these.

This applies particularly to women, who, although seemingly protected by the prohibition of night work introduced by Conventions Nos. 4, 41 and 89, adopted respectively in 1919, 1934 and 1948, are at a disadvantage compared to men in their access to employment because of this prohibition. Specifically, in the case of Portugal, for an active population of 4,530,000 workers, the rate of activity of men is 55.2 per cent whereas that of women is 38.2 per cent. On the other hand, the female unemployment rate is 55.34 per cent whereas that of males is 44.65 per cent for a total of 356,900 unemployed.

We are particularly satisfied to see that this situation is a source of concern to the ILO which proposes to consider the prohibition of night work for women at its next meeting.

We are convinced that the conclusions of this analysis will make it possible to find satisfactory solutions that will put an end to the torrent of denunciations by industrialised countries, to which my Government has also now begun to give consideration.

It is with great satisfaction that my Government has noted the importance given to technical co-operation within the overall activities of the ILO, and its development during the last few years. In this connection, I should like to refer to the link between technical co-operation at the bilateral and multilateral levels.

My country, within the limits of its resources, is conducting an active policy of co-operation with a number of countries, especially with those with which we believe we have special links, such as the African countries where Portuguese is the official language.

These countries are facing difficulties resulting from the development process, magnified in many cases by regional conflicts, whose burden unfairly falls upon these countries. In other cases, these difficulties are due to the fact that they are single-crop countries, or to natural disasters such as drought.

After having overcome the consequences of decolonisation and struck a balance in our mutual relations, it has been easy for us to find areas of technical co-operation which continue to be developed and deepened. This is true of sectors where it is also possible to carry out technical co-operation programmes under the ILO's responsibility.

We believe that these are not competitive but complementary actions and thus it is necessary to establish links between them.

It is precisely because we believe in this association of efforts that my country and the ILO have recently decided to increase our collaboration in terms of technical co-operation through an additional protocol to the agreement of 1982. We believe that this protocol, which is at present fully executed will

be of benefit to all the parties concerned: Portugal, the ILO and recipient countries.

I would conclude my statement by three considerations.

First of all, I should like to emphasise the remarkable number of ratifications of Conventions recorded – 5,311 in all – by the end of 1987, which reflects the importance of the ILO and its standards which continue to guide the behaviour of States in the many forms taken in practice by actions to promote the recognition, protection and enforcement of human rights. The Conventions ratified by Portugal are 65 in number and we are on the point of finalising the ratification process for two other Conventions, including the Minimum Age Conventions, 1973, (No. 138).

Secondly, my country firmly believes that international standards on human rights must be ethical and above the law and must be imposed upon States when these are defining their political regimes. Accordingly, the procedures followed by the monitoring bodies as regards the interpretation and application of these standards in relation to basic human rights must be unequivocal.

Thirdly and lastly, the Portuguese Government is of the opinion, concerning the debate on the rate at which the ILO should be elaborating standards, some prudence should be observed in producing new standards in view of the difficulties confronted by economic development, which determines ratifications that are responsible and generate commitments. It has been noted that the rate of ratification of the most recent Conventions is much lower, which means that the present economic situation is not propitious for the acceptance of the commitments that stem from these new instruments.

On the other hand, this reduction in new standard-setting activities should be accompanied by careful thought about questions relating to earlier Conventions so as to determine whether they are appropriate to the present situation, what are their essential aspects that have to be maintained and whether others are secondary and could be adopted to changing reality.

In this connection, may I make a brief comment. The pace of change in our times has never been experienced before and is generating new problems for the world of labour.

The industrial society based upon units of production which were thought to be eternal has been seriously undermined. Everywhere new production processes are appearing based on flexible units which have introduced new concepts and forms of organisation that cannot be ignored.

It is not easy to reconcile the concepts of flexibility inherent in our times with guarantees making each production unit a place of professional and personal fulfilment. To reconcile essentially economic problems with the more demanding concept of development in which considerations of equity and even of emotional needs acquire increasing importance is the great challenge we have to face in the immediate future.

I am sure that the work done here will increase our understanding of questions which, as a whole, concern what is most precious in any society: human resources and the continued promotion of their total dignity and fulfilment at every level.

Mrs. THALEN (*Minister of Labour, Sweden*) - I am pleased, Mr. President, to join the many speakers who have congratulated you on your election as President of this 75th Session of our Conference.

I note with appreciation that the Director-General has devoted this year's Report to the ways in which the ILO can enhance its contribution to the maintenance and extension of human rights. I also want to compliment him and his staff for developing this theme on a very broad basis, and for including the particularly relevant discussion of the means by which ILO standards and technical co-operation in many fields can assist to safeguard minimum labour standards.

The ILO indeed has its particular area of responsibility within the overall efforts of the United Nations system to promote and protect human rights. But each State has the duty to observe the human rights that are necessary for a peaceful and secure world, based on universal respect for the freedom and dignity of the individual.

It is not a truism to say so. The United Nations Covenants concerning human rights and the ILO Conventions in this field are those which have received the greatest adherence. Yet, in all parts of the world there exists a gap between the formal acceptance of human rights and the extent to which they are effectively enjoyed. The width of this gap shows that the promotion of the principles of freedom, equality, security and dignity in work and in life cannot be achieved only by the passive acceptance of international standards. It requires a conscious, sustained and vigilant effort by each State, by each trade union, by each employer, by each member of society, as well as by international bodies set up by the world community.

At the same time, in our unequal world it is important also to ensure that individuals are given opportunity to enjoy their social and economic rights. We cannot talk of human rights abstractly from the realities of poverty and lack of resources.

It is only through dynamic and practical policies for economic and social development that States can give real substance to these rights. And therefore we must all contribute to the reduction of the gap between the rich and the poor, between the developed and the developing nations of the world.

But economic development and scientific progress must never become a pretext for flouting human rights. Preoccupations with economic development must not make us forget that the aim of all human endeavour, in whatever field, must be to advance human freedom and dignity. We must never sacrifice the ends to the means!

Facing the grim statistics that in our world some 100 million are unemployed, some 500 million are underemployed and some 900 million are living in extreme poverty, the Director-General puts the question "Have full employment and the right to work become outdated concepts?"

His own firm and bold reply is that such counsels of despair have no place in the ILO. I cannot but agree to that answer. Unemployment represents a tragic waste of economic and human resources, a wasted opportunity for development and social progress, and a threat to many human rights. Both theory and reality tell us that employment provides an essential link between basic economic, social and human needs.

The question is not, therefore, whether full employment should remain a central goal, but how it can be attained.

There is, of course, no universal prescription that can produce the miracle cure to this most fundamental of all the world's social and economic ills. But through an open and frank dialogue, through research and international co-operation we can learn ourselves and inform and teach each other how to reach this goal.

Income-security measures in favour of those seeking but unable to find work, however important such measures may be, cannot be an adequate substitute for productive and remunerative employment. Income-support measures are indeed necessary as a last resort, and here I note with particular satisfaction that this is a basic theme in the second reading of the proposed instrument on employment promotion and social security. Within the context of social security I would also like to stress my Government's support for earlier Conference calls for the elimination of differences of treatment between men and women under social security schemes.

The essence of the important goal "the right to work" is not any kind of legal aspect but the practical policies that promote full, productive and freely chosen employment. It is therefore imperative to create the macro-economic conditions and to undertake the reforms in national policies and international economic relations that will make a resumption of economic and employment growth in all countries possible.

As was stated by the High-Level Meeting on Employment and Structural Adjustment last November, this requires a major effort of world-wide structural adjustment, something that we know can be a very painful process. It is therefore critical to understand that the real threats to employment are the attempts to refrain from adjustment. Adjustment should be facilitated rather than impeded. The longer it is delayed, the harder it will be. But while society as a whole benefits from change, it does have an obligation to share the costs of its consequences. The burden of adjustment should be shared among countries and within countries.

In shaping tomorrow's society and world of work we have to eradicate one of the most serious and dangerous human and social evils of our time, namely the problems of discriminatory relations between human beings of different race, colour or ethnic origin. To put it bluntly – the fear we have for those who are different and the way we treat our neighbour who is different.

There is hardly any country that can truthfully claim to have eliminated all tension between races, ethnic and cultural groups, between the majority and the minority. There is hardly any country that is free from the attitudes, prejudices, fears and emotions that fuel hatred and bigotry, violence and discrimination because of skin or creed.

That is one of the reasons why Sweden favours the adoption of a new United Nations Convention on the rights of all migrant workers and their families. Let me add that we have appreciated the ILO's contribution to the Convention, and that we look forward to effective co-operation between the ILO and the UN also when it comes to the supervision of the Convention.

The most persistent and profound example of discriminatory practices is South Africa's policy of apartheid which is a negation of all that is decent and humane, which is a threat to peace and development on a whole continent.

It is often complicated to find the right words when we speak a foreign language. We have to struggle to find the correct nuances. But when we discuss apartheid only the complete abolition of apartheid can radically change the situation in southern Africa.

The three ethical principles of human dignity, of solidarity and of tolerance are echoed in the opening words of the ILO's Constitution that reads: "Universal and lasting peace can be established only if it is based upon social justice."

To contribute to this effort, to realise these principles and to build a society based upon respect and not on fear is indeed a common responsibility.

Interpretation from French: Mr. JUNCKER (*Minister of Labour, Luxembourg*) – Mr. President, may I first of all extend to you my congratulations and those of the Government of Luxembourg on your election to the presidency of the 75th Session of the International Labour Conference. Your professional competence and your human qualities will, I am sure, have a favourable influence on the development of the work of the session.

My congratulations and thanks also go to Mr. Francis Blanchard, Director-General of the International Labour Office, and his co-workers for their tireless work in the service of the world of labour within the framework of an international body specifically set up to further the cause of social justice, thereby contributing to ensuring universal and lasting peace.

In a world such as ours, marked mainly by flagrant inequalities between rich and poor countries as well as by a deep crisis of our social and economic systems, the activity of an international organisation like the ILO has become irreplaceable.

On the occasion of the 40th anniversary of the Universal Declaration of Human Rights by the United Nations, the Director-General of the International Labour Office stresses in his Report the absolute necessity for the ILO to strengthen human rights through the development of its standard-setting activity and technical co-operation.

This task is even more of a priority in that human rights are inherent in the human personality. This concept leads to the consequence that they are inalienable, universal in the sense that they apply to every human being without distinction of race, sex, political opinion or religion, and finally that they are individual, in other words they belong to each human being in particular and not the community, whether it is called the people, the nation or the State.

The idea of the equal dignity of every human being is the very foundation of human rights which are not only civil, political and cultural rights, but also economic and social. Among the latter are freedom of association, freedom to work, the elimination of discrimination and equality of opportunity, the right to work, the right to minimum wages, the right to social security, the right to satisfactory working conditions and standard of living.

These rights should not, however, remain merely theoretical; they must be effectively implemented, which is something the ILO, since its inception, has

always been endeavouring to achieve with increasing efficiency on three levels: the definition of human rights through the adoption of Conventions and Recommendations; examination of the application of ILO standards through impartial and objective monitoring procedures; and finally, assistance in carrying out these international labour standards through technical co-operation and advisory services.

To bring into being one of the most important basic rights defined in the Declaration of Philadelphia, namely freedom of expression and association, the ILO has established, through international Conventions, a whole series of principles, of universal application on freedom of association and protection of the right to organise as well as the right to engage in collective organisation and bargaining.

The organisation of workers and employers on an occupational basis in the form of trade unions is one of the fundamental phenomena of modern industrial societies. The trade unions have set their stamp on the social and economic life of most countries.

By ratifying the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949, (No. 98) through an Act of 10 February 1958, Luxembourg has fully adhered to the fundamental guarantees included in those two instruments, which have so far been very reliable guides concerning the protection of unionised wage-earners against discrimination in employment, and the protection of the unions themselves against any interference in their constitution, administration and activities.

On this 40th anniversary of the adoption of these Conventions, we can state that one of the principal merits of the ILO is to have secured recognition of the international value of the principles of trade union freedom and of having contributed to the effective application of the general principle of freedom of association which is one of the main safeguards of peace and social justice.

Although Luxembourg has not yet ratified the international labour Conventions concerning discrimination in employment and occupation, policies and programmes of vocational guidance and training, as well as termination of employment, my country fully subscribes to the standards set therein for the promotion of equality of opportunity and treatment in the fields concerned, for all categories of workers including women and migrant workers.

To take account of recent developments on the social level, I support the proposal of the Director-General of the International Labour Office "to widen the scope of ILO standards concerning discrimination in employment and occupation, so as to make them cover generally distinctions, preferences or exclusions in employment and occupation on any grounds which are not objectively justified."

However, to meet the objections which are flooding in on us as to the rigorousness of certain provisions for the protection of women in employment, I think the time has come to take the necessary initiatives at the level of the ILO to revise certain standards concerning night work for women in industry and maternity protection.

Moreover, as far as the conditions of work and remuneration of migrant workers are concerned, the constant effort of the ILO to ensure protection of migrant workers has been chiefly through the estab-

lishment of international rules concerning equality of treatment.

Although this standard-setting activity has not always received the desired response, it does nonetheless continue to provide the necessary impetus and guidelines for the principles of equality of treatment and complete protection of migrant workers in terms of employment and remuneration to be generally implemented for reasons of social justice. I should like to note in this context that Luxembourg will in the near future be ratifying the European Convention concerning the legal status of migrant workers.

Finally, looking towards a promotional approach to the principle of equality of opportunity and equality of treatment in employment, I should like to endorse the ILO Director-General's proposal to examine soon the various forms of precarious work some of which will soon be covered by a specific regulation in Luxembourg.

The Employment Policies Convention, 1964 (No. 122), is based on the Universal Declaration of Human Rights, which declares that everyone has a right to work and to a free choice of his work. This is the most important of the international standards relating to economic and social rights from the point of view of employment and requires States which have ratified it to apply an active policy to promote full and productive employment freely chosen.

This Convention - a promotional one - which rather than laying down specific standards which a State is bound to reach through ratification, sets objectives which must be pursued through a programme of continuous activity and requires consultation with the representatives of employers and workers by seeking data, views and reactions on employment problems that concern them and of which they have experience. The interaction both of government initiatives and of the social partners will therefore be a *sine qua non* for any action to improve the employment situation.

Unemployment is not acceptable in our society and represents a challenge both economically and socially to our national communities. It is therefore indispensable to give priority, as the Report of the Director-General of the International Labour Office indicates, to the various bases for economic growth which will be richer in jobs, particularly by reorienting production towards sectors which will produce more jobs in future.

The adaptation of training to the transformation of the production process is a very important decisive factor in the success of employment policy. It is essential that education and vocational training prepare the young in good time for the new occupations which are emerging due to structural change and the spread of new technologies. Only at that cost and in those conditions can productive and remunerative employment be maintained and developed in the future.

On the social level, wages have always had a symbolic value. Workers, employers and governments must give priority attention to wages policy.

The Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights recognise that every person has the right to *just and favourable remuneration* ensuring a decent existence for the worker and his family. To meet these principles, wages policy, as part and parcel of economic policy in general, must pursue a triple

objective to combat inflation, to encourage the growth of production, and, finally, to ensure equitable distribution of the national income. We should be very pleased to see that many countries have ratified the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26) under the terms of which national authorities are called upon to take direct action on determining those wages which economic forces alone might tend to set at too low a level to meet the minimum needs of the workers concerned.

Since its creation, the ILO has borne the brunt of its activity in the field of *occupational safety and health* largely through establishing international standards on the protection of workers' health on the basis of exhaustive studies. These instruments particularly concern dangerous substances representing specific risks to the health of workers, occupational diseases, compensation in the case of accidents at work, protection of machinery, organisation of industrial medicine in the enterprise and protection of workers against radiation. The member States, too, are given information and advice by ILO, which extends many opportunities to industrial managers, trade union officials, administrators and specialists to extend their knowledge and experience through exchanges taking place at meetings under its aegis, thereby fulfilling a technical assistance function with encouraging results even since it was set up.

Looking to the future, the ILO has the duty of leading governments and the social partners to recognition of the urgency of a more energetic and systematic effort to combat occupational risks, to make available to them the accumulated experience of countries throughout the world, and to suggest that they examine methods of organisation of prevention and techniques of protection which have proved to valuable and provide advice and assistance, when needed.

The right of every individual to social security having been recognised by the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. The ILO has participated, since it was set up, in spreading and consolidating social insurance on the basis of three fundamental principles – universality, equality and solidarity.

Various Conventions and Recommendations on social insurance, which have dealt successively with unemployment, maternity, compensation for accidents at work and occupational diseases, health insurance, disability insurance, life insurance and old-age insurance, have contributed in large measure to establishing the essential nature of this type of protection and implementing its development.

The dominant trend in the recent development of social security, which corresponds to a profound desire on the part of the persons protected, is to be shown in the increasingly urgent search for effective protection. This permanent search for real security has transformed concepts, methods and techniques of social security.

Thus, national systems of social security today, through their dimension, their cost and the impact of their machinery for allocating and transferring income, represent an essential factor of economic equilibrium and an effective instrument in regulating growth. In addition, programming techniques have made it possible to evaluate the comparative development of social benefit and the national income,

taking account particularly of the characteristics of the protected population and legislative guidelines, and have attracted attention to the section of national income devoted to social security and to the possible opportunity for normalising the determined proportion or harmonising its development.

It is therefore essential to improve the procedures of information, consultation and participation to ensure that these new techniques will not be too divorced from social realities and their use. With perfect knowledge of the social aspirations which bring about the advance of traditional methods of protection, the future prospects for social security allow one to hope for a radical simplification of its structure and a considerable extension of its functions so as to ensure more complete and more individualised security, due to improved techniques of communication and social organisation. In particular, in the industrialised countries it is essential to revise the principles and operation of social security in the light of the development of social risks, of the improvement of technical means of organisation and management, as well as of progress in aspirations arising from improved standards of living.

The ILO must respond to this development of social security through its traditional means of information and co-operation, and through means adapted to actual needs, that is, research, co-ordination of standard-setting activities, the application of new forms of international aid for social development in keeping with the principles of solidarity and social justice which have inspired the institution of social security, as well as the activity of the ILO.

These are the few comments I wanted to make in the general discussion.

It is by encouraging the improvement of living conditions with the greatest respect for human rights through renewed standard-setting activity, an effective system of monitoring and strengthened co-operation with the other agencies of the United Nations that the ILO will be able to meet the challenges of the future in the areas of which I have just spoken.

Mr. NOEL (*Government delegate, Grenada*) – First of all, on behalf of my delegation and myself, and also on behalf of the Government and people of Grenada, I bring to this Conference warmest greetings and felicitations; and secondly, I wish to join all those who have expressed their congratulations to the President, and the Vice-Presidents who have been elected to their respective offices of distinction at this 75th Session of the International Labour Conference.

During the President's inaugural address to this Conference, I was very heartened to hear him say "the ILO is of benefit to all States, whether they are large, medium-sized or small".

Too often are small States ignored when consideration is being given to major economic and social development. This attitude is not only myopic, but is also fraught with danger. Let me emphasise. Grenada is a small island State in the Caribbean. Yet, it was that very island which, from 1979-83, embarked upon an ideological experiment, the result of which should serve as an eye-opener to all democratic nations the world over.

Since that period, however, the reintroduction of parliamentary democracy has restored the political and social balance in the country. This is significant

because gone are the days of early morning arrests, torture and imprisonment without due process of law.

All ILO activities are directly related to human rights, and the Director-General's Report has accentuated their importance as a common responsibility.

My Government firmly subscribes to the principles of human rights, for they offer mankind a chance to live in peace, dignity and brotherhood.

As a practical example of intent, the Government of Grenada, since assuming office in December 1984, has taken steps to remove all traces of dictatorship and oppression by restoring fundamental freedom including freedom of the press, freedom of workshop, freedom of expression and association, to the extent that the Government is sometimes accused in some quarters of permitting too much freedom. But such is the paradox of democracy.

Based on the reports of the Governing Body and the Director-General, I wish to advance on behalf of my country some further thoughts, as follows.

Grenada would like to draw the ILO's attention to the high rate of youth unemployment in the world today, but in Granada particularly. One of the cause of our high unemployment rate has been the prices of our agricultural export on the international market. Agriculture is still the main contributor to our gross domestic product, but because of the depressed prices our young people are not attracted to agriculture.

It is really not the best encouragement to tell farmers, especially young farmers, to produce more when they find that the increased production does not enable them to enjoy a higher standard of living because of the wide gap between agricultural export prices and the prices of imported goods. This situation is exacerbated by the protectionist policies of industrialised countries which militate against the developing countries, so that not only are we faced with adverse terms of trade, but we also have to contend with high tariff walls.

Three years ago, I expressed the following view: to say that growing unemployment and social dislocation are due in part to unfavourable terms of trade is potentially explosive. Deteriorating industrial relations do not derive only from poor labour-management relations.

An environment not conducive to fair returns on labour can hardly be conducive to high productivity. It is our belief that the right atmosphere must exist if workers are to feel they are operating in an environment that savours of industrial justice.

This is why the Government of Grenada is fully convinced that the doctrine of tripartism on which the ILO operates is perhaps the only we can harmonise industrial relations.

Our firm commitment to tripartism is not confined to purposes of representation at ILO Conferences. The Government ensures that the principle of tripartism is adhered to. A draft Labour Code for Grenada has been prepared with the technical support of the ILO. The Code is being studied by our Labour Advisory Board, which consists of government, employers' and workers' representatives in equal number. The work of the Board in this regard is aimed at an approved Labour Code by year's end.

As a means of encouraging wider participation in the decision-making process, the Government of my country has set up a special local government advisory

committee charged with the responsibility of making recommendations for the reintroduction of local government. To date, the committee has made several recommendations which will be reflected in a green paper, soon to be introduced in Parliament.

Grenada is committed to implement the norms of human rights. We have had a reasonably fair experience in the democratic tradition, so it has become an entrenched institution in my country.

The Director-General's choice of human rights and the ILO must be complimented. But can one speak of freedom, democracy and human rights and neglect the abhorrence which is daily taking place in South Africa in the name of apartheid? All member States of the ILO should work towards putting an end to that scourge against humanity, so that the world – in its conscience – can better implement the indispensable union of ethics and economics, and so take a step further towards greater understanding and, thus, ultimately, to more peace, more freedom and more unity within the human family.

Mr. KATSAV (*Minister of Labour and Social Affairs, Israel*) – First of all allow me to congratulate the President on his election as President of this session of the Conference. I am convinced that under his guidance this Conference will be successful.

The theme selected this year by the Director-General – human rights – is very important. The ILO is especially concerned with the implementation of human rights around which many of its activities revolve. First and foremost, there are the principles of freedom of association, the rights of collective bargaining and non-discrimination in employment and occupation, all of which are embodied in ILO Conventions.

I fully agree with the Director-General's observation that it is important for the universal enjoyment of human rights to ensure that workers have the material means essential for their well-being.

Freedom from poverty is one of the most crucial aspects of human rights. Respect for human rights is a cornerstone of Israeli policy. This is well illustrated in recent legislation. Equal opportunity in employment, prevention of discrimination among workers and the establishment of a minimum wage system are some of the areas covered by this new legislation.

Israel has always recognised the right to productive and freely chosen employment, as a target of national policy. Unlike some other industrialised countries, Israel has never considered unemployment as a measure of economic policy. Indeed, even during the state of economic emergency that has existed during the last three years, we have taken all the necessary steps to ensure that, full employment is not affected by recovery.

The economic programme provided for a real cut in the national budget and a certain erosion in the wages of workers. At the same time an agreement was made between the Government, the trade unions and employers on a price and wage freeze.

A further economic programme was introduced in 1987 which aimed at reinforcing the achievements of the first economic programme and paving the way for the start of the growth process for the coming years. Central to the programme was a series of reforms in the areas of taxation, capital, credit and foreign currency. We were aware that our goals could not be realised in the short term. Nevertheless,

the first signs of growth could already be seen by last year.

With regard to Judea, Samaria and the Gaza district, the principles of the employment policy of the Israeli Government are: full employment, freedom in choosing one's place of work, and equality of benefits and wages in employment.

In 1987, full employment continued in Judea, Samaria and Gaza and the level of unemployment dropped during the last year to below 3 per cent. In spite of present events, the employment situation is better than it has ever been during the last 40 years.

This full employment in Judea, Samaria and Gaza has been possible thanks to the fact that more than 100,000 residents of these areas have been working in Israel. Most of these workers, about 80 per cent, are commuters who return each evening to their homes and to their towns and villages.

The organised workers in Israel from these areas are employed in accordance with the law and enjoy full social benefits, such as vacation pay, sick pay, health insurance, work accident insurance, and pensions.

In fact, full employment in Israel is one of the main reasons for the social and economic advancement of the residents of Judea, Samaria and the Gaza district.

We were very happy that the Director-General accepted my invitation to visit Israel, and that we had the honour and pleasure of welcoming him on his visit two months ago. We were able to discuss with him, among other matters, co-operation between Israel and the Organisation, which would include projects for the benefit of workers including those of Judea, Samaria and the Gaza district.

We should be glad to increase that co-operation with the Director-General to include further fields of common effort.

We cannot ignore the broad economic and social developments that have taken place since the beginning of Israel's administration in these areas. The economic growth of these areas has been most rapid over the past two decades and the population there has widely benefited from this growth.

Judea, Samaria and the Gaza district have never been an independent self-contained economic unit and their residents have long needed, both before and after 1967, to seek employment outside these areas.

The rapid growth of activities in these areas has been stimulated in no small measure by contacts established with the economy of Israel. Employment in Israel and the subsequent increase in real wages and other income have served to lessen considerably the effect of limited market size or very low purchasing power of the local population.

It is significant that even the increase in unemployment and other economic difficulties two years ago in Israel did not lead to the worsening of conditions of employment for the residents of Judea, Samaria and the Gaza district.

We have to evaluate the social and economic progress of the Arab population under the Israeli administration since 1967. The increased rate of economic growth, the rise in employment and the sharp drop in unemployment, the improvement in the standard of living, wages, social benefits, education and training have been most significant, especially in comparison with what existed previously, with the conditions in

neighbouring countries and other developing states, and with United Nations development goals.

In fact, the rate of growth in Judea, Samaria and the Gaza district has been much higher than that of many developing countries during the same period, and in Judea, Samaria and the Gaza district there is a high positive correlation between the growth in gross domestic product and other indicators of the socio-economic progress of the entire population; for example, private consumption per person, the increased investment in housing, the greater expenditure for education and health and the tremendous increase in the ownership of durable goods.

The average wage of workers from Judea, Samaria and the Gaza in Israel is very much above the minimum wage. In addition, in spite of the fact that the workers from Judea, Samaria and the Gaza are not residents of Israel, they enjoy a lower rate of taxation on their income than residents of Israel.

Before 1967, the situation was characterised by a low level of development, slow growth, substantial emigration, very low education levels, very limited capital stock, low employment and the stagnation of income levels.

Many of the difficulties in the employment situation of the residents of Judea, Samaria and the Gaza, such as irregular employment and problems of unemployment among graduates, do not exist in these areas alone – or in Israel alone – those problems are also faced by many other countries in the world.

Moreover, workers from Judea, Samaria and the Gaza district who were dismissed from their work in the Arab countries were absorbed in jobs in Judea, Samaria and the Gaza and in Israel.

As to trade unions, my Government is fully committed to the maintenance of the principle of freedom of association. However, this principle should not be misused to endanger public security and human life. The trade unions' activities as a cover for such hostile acts should be condemned.

Those responsible for the recent events in Judea, Samaria and Gaza have set themselves the declared goal of obstructing and preventing employment in Israel. It is considered by them to justify any means, such as setting fire to employment bureaux and buses and stations that take workers to Israel, and terrorising and physically harming them.

We firmly believe that our Organisation, the ILO, which stands for freedom to work, should make its voice heard against the obstruction of the free will of residents of Judea, Samaria and Gaza who wish to work in Israel.

Before concluding, I would like to refer to the Arab resolution at this Conference. It completely ignored the rules of due process by calling for the condemnation of Israel on the grounds of baseless accusations. They seek to exploit the Conference, in order to attack Israel politically by the introduction of completely external issues into its deliberations.

Let us hope that the ILO will never take part in political conflicts between its Members. I therefore call on all the Members of our Organisation to reject this resolution.

The ILO was established for the sole and express purpose of helping working people in all countries to improve their standard of living and conditions of work, and to ensure that they can lead their lives in dignity. What can this resolution possibly do for the workers in Judea, Samaria and the Gaza district?

This resolution will not harm Israel or help the Arab workers. It is the ILO itself that will be harmed by the adoption of this resolution, because it will be seen as evidence that our Organisation, too, has finally yielded to the virus of politicisation, by which so many other organisations have been infected.

It will be seen as evidence that the ILO will be turned from a valuable instrument for the promotion of workers' interests throughout the world into a platform for empty propaganda.

It would be a tragedy for the ILO and for the whole world community if this were to happen and if, as a result, States were to cease to attach to the activities and work of the ILO the weight that they give it at present. There are indicators of such negative attitudes to the ILO even now. It is therefore our hope that in the best interest of this Organisation itself, the Arab text will fail, so that the Organisation will be able to concentrate on the real work it has to do, in the spirit in which it has been created and on the basis of its principles.

Interpretation from French: Mr. MENSAH (Government delegate, Benin) – It is with delight and great pleasure that we wish to address to the President, on behalf of our country, the People's Republic of Benin, and our delegation, our sincere congratulations on his election to the presidency of the 75th Session of the International Labour Conference. We are convinced that in view of his personal experience and his qualities he will preside with ease and success over the debates of our session.

May I take this opportunity to express to the Director-General of the International Labour Office, Mr. Blanchard, on behalf of our Government, our deep gratitude for the assistance he has offered to our country and his sincere dedication to our Organisation with the sole aim of promoting peace and social progress in the world.

In conformity with the rules of procedure of our Conference, he has submitted to us for our consideration, as he has always done, and with his usual skill, a Report of excellent quality, the two main themes of which are concerned with *Human rights – A common responsibility* and the activities of the ILO in the field of technical co-operation.

After a thorough study of this Report, we should like to express our grateful thanks to him and all the members of his staff who have contributed to the planning and drafting of this Report.

As concerns the first theme of this Report, human rights, the Director-General, in opening a debate on such a specific and many-faceted topic as this, is confronting our Organisation with one of the most sensitive and delicate issues of our times.

In praising his courage our delegation intends to make its contribution to this debate which could not in fact have a more appropriate setting than an organisation such as the International Labour Organisation whose standard-setting activities are absolutely in line with the conditions in which human rights should be enjoyed and implemented.

The subject of human rights is a matter of burning topicality.

But above and beyond this consideration, dare we believe that in these circumstances the ILO can find the answer to the uncertainties, anxieties and despair expressed by the silent majority of the populations of our countries, marginalised by hardship, poverty and

disease, notwithstanding the existence of human rights?

As members of the international community, have our States shouldered the responsibility incumbent on each of them as concerns the effective implementation of human rights within the spheres of their competence?

Can we, the developing countries, use the same yardsticks to evaluate the failures and successes of our States and the international community in regard to the application of human rights?

On this occasion it is therefore important that we should learn with discernment and conscientiousness how to make this concept more accessible, more comprehensible and more easily digestible with a view to ensuring its effective application in certain parts of the world where its definition will appear ambiguous and the subject of dissension.

In our opinion, the problems of human rights in the developing countries should be expressed in terms of the right to life, the right to survival, the right to respect of the human person, the right to food, the right to freedom, the right to employment, the right to participate fully in the framing of the rules that should govern the life of the international community and those that should contribute towards the furtherance of human well-being at the international level.

It is clear that all of us want to play the leading role in our own history. This presupposes a recognition of our identity and our legitimate ambitions, whatever our race, the colour of our skin, the level of our development, the religion we profess and the opinion we express.

For our part, we believe that human rights as the objective and trend-setting expression of human and community self-assertion cannot exist unless they are affirmed and guaranteed indivisibly and accepted as a genuine universal code of reference in the unity and diversity of our social and cultural values.

Our delegation rejoices at the efforts being made in the field of the implementation of human rights by the international community.

It is important to consider as a part of the concrete achievements of the international community in this respect the legal reforms undertaken by the United Nations which have fortunately led to the adoption of the International Covenants on Economic, Social, and Cultural Rights, and on Civil and Political Rights.

However, our delegation is one of those that believes that, while efforts have been made in respect of human rights, regrettably in some parts of the world, fundamental rights and public freedoms are not yet even enshrined in constitutions and appear to be merely theoretical standards which in the societies of these regions have no legal or moral value.

In this context, our delegation takes pride in the efforts made by our own country to frame and secure the adoption in the appropriate forms of our own Constitution which is for my country a veritable code of democracy.

By means of this instrument our country has committed itself to a process which should enable it to install slowly but surely an integral democracy geared to the promotion of Beninese citizens.

Since it became a modern constitutional State, the People's Republic of Benin has always demonstrated its attachment to the respect of the fundamental

freedoms: the right to work, the right to strike, the right to freedom of association, freedom of thought, of conscience, of worship, of opinion. These, in the People's Republic of Benin, are realities for every Beninese citizen.

We should like to add also that any foreigner persecuted for having defended the just cause of peace and democracy may choose to reside in Benin in full security and full freedom.

While the People's Republic of Benin is highly placed today on the least economically advanced countries, it has fortunately not yet acquired the sad privilege of going on record as a country with a reign of terror because in Benin human beings are sacred.

What is more, the hope for an improvement in the process of respect for human rights and public freedoms in Benin is growing as a result of the concrete actions of the competent courts, which in the performance of their functions ensure that laws, rights and public freedoms do not suffer the fate of certain sacred precepts which are violated with impunity.

But I can by no means say here that our country has all the resources it needs to ensure full application of human rights or international labour standards.

However, while it is true that in this respect errors have been committed at certain critical times in our country, this has been the result of misunderstandings that have arisen out of our sole concern for saving the social order in peril.

In this connection I should like to say how proud we are that the legal and structural insufficiencies observed in these circumstances have been remedied as they have been revealed.

Despite the contribution of the international community and our governments, in all honesty we cannot but observe that a wide gap still separates the goals set by the Universal Declaration of Human Rights immediately after the Second World War and the achievements that have taken place since 1948.

But in analysing this situation we see that the gap is likely to widen yet further if appropriate measures are not taken to accelerate the development of the Third World countries threatened by real poverty and technological insecurity.

That is why, in our opinion, in order to remedy this situation it is necessary to redefine a new relationship between rich and poor countries.

This being so, the International Labour Organisation, because of its world-wide prestige, its social objectives, its tripartite structure, its standard-setting activities, should be able to play a pioneering role to ensure that moral strength prevails, together with a political will appropriate to society in which the forces of violence, injustice, war and dehumanisation of man, can give way to other forms of greater value such as peace, security, solidarity and co-operation.

As regards international labour standards in particular as an element of human rights, nobody can be unaware of the praiseworthy efforts made by the International Labour Organisation since its foundation in 1919 in the field of the international Conventions it frames, and for whose application it is responsible by means of a coherent and dynamic system of supervisory machinery.

The International Labour Organisation as a means of implementing human rights should continue its standard-setting activities in accordance with the de-

mands of the international community and our respective States.

This being so, the International Labour Organisation, faced with the need for a new human rights, must engage in few forms of debate with a view to reorienting international relations with a view to saving mankind.

These are the reflections which seem to us to be worth contributing at this stage to the debate on the first part of the Report submitted to the Conference for examination.

As concerns Part II of this Report, mainly devoted to the activities of the Organisation in the course of the year 1987, the Director-General has, in his usual manner, taken stock, courageously and responsibly, of the activities and programmes carried out by the International Labour Office in the field of international labour standards, help for young workers and old workers, industrial relations, social security, employment in the rural world, vocational training and in sectoral activities.

We should like to take this opportunity to express once again to the Director-General, the satisfaction of our Government with the technical and financial support he has provided to us to enable us to carry out various projects in our country, including the financing of a lengthy mission with a view to providing new jobs for the young university graduates and workers with public enterprises.

In view of the interest taken by our country and its leaders in the carrying out of these projects, we venture to hope that the ILO will continue to respond favourably, as it has always done, to our priority needs.

In the case, in particular, of social security it would be desirable for the International Labour Organisation in collaboration with the competent bodies to carry out the technical studies required in order to lend new strength to the social security funds which are at present threatened as a result of the upsurge in redundancies.

As concerns the intensification of technical co-operation activities, our Organisation will continue to be a vehicle for peace, security and fundamental human rights.

There is no doubt that the social development of mankind and the real improvement of the conditions of life of all the workers of the world, together with international co-operation in the field of human rights, will be possible only if people can live in peace and solidarity.

This is why in broadening the scope of its activities in the field of international co-operation in social matters, the International Labour Organisation must continue its struggle against poverty, social injustice and the degrading violations of human rights.

Mr. CALAMATTA (*Workers' delegate, Malta*) – Mr. President, first of all allow me, as other speakers have before me, to extend to you my congratulations on your election to the high and prestigious office of the presidency of this 75th Session of the International Labour Conference. At the same time I wish to convey to this Conference the greetings of all the workers of the Republic of Malta, both those organised in my union – the General Workers' Union (GWU) – and those represented by the other trade unions which are grouped together within the Conference of Trade Unions (CMTU).

I feel it my duty to comment on Part I of the Report submitted to this Conference by the ILO Director-General regarding human rights which, as he justifiably points out, could be jeopardised by certain economic policies and measures. He warns us that preoccupation with economic issues to the detriment of employment growth and social policy could not only jeopardise human rights but are a threat to democracy and peace itself.

As the Director-General rightly stresses in his Report, gainful employment is a vital link to the enjoyment of other human rights – but full employment has, unfortunately, ceased to be a major goal in many countries as they grapple with inflation and other economic ills.

On behalf of the workers of Malta I agree with him and share his grave concern because governments in many countries in all parts of the world are following policies and influencing the main centres of production, which instead of creating employment are increasing unemployment – and unemployment is a major social evil that could not be justified by laws of profit or economic policies. Unemployment is an evil which prevents working people from earning an honest living and from participating fully in society. Unemployment is also immoral because it deprives so many people of the possibility of realising their own human vocation.

Certainly, such a situation poses the biggest threat to democracy, peace and security. It is the source of so many political and social upheavals in many countries. And all of us must be greatly worried by the fact that world-wide the problem of unemployment is of great magnitude. Suffice it to say, as has been pointed out in another report to this Conference (Report VII on *Rural employment promotion*), the world needs almost one million new jobs every week between now and the year 2025 to cope with the scourge of unemployment.

We earnestly hope that this Conference can make – indeed, it must make – a constructive contribution to the search for further ways and means to resolve the negative problems affecting so adversely the world of work. We also earnestly hope that this Conference will define in a most positive and effective way the strategic orientation of multilateral co-operation within the ILO in the fight against the scourge of unemployment and the deterioration of the economic and social situation of the workers.

In their panic to try to resolve economic issues, many governments, even those with long tradition of democracy and respect for human rights and moral values, are seeking ways to diminish the strength of the trade unions and, because they consider them as an obstacle to their policies, are attacking the rights and freedoms of the trade unions and the lawful and natural rights of the workers to associate themselves in their organisations to shield their interests.

The onslaught on the very existence of trade unions in many countries and the violation of their rights and those of the workers create a highly dangerous situation. The trade unions are as important and indispensable as are governments, political parties, employers' organisations and even Churches.

The trade unions have a big role to play and without them, and without the enjoyment by the trade unions of the right to act and work in a free and democratic environment, no country could make industrial, economic and social progress which is really

tangible and healthy for the population and for all strata of society.

In our opinion, in order to resolve the serious problems confronting the modern world and the ILO we must decisively revise the established approach and the methods of work of the Organisation to meet the interests of all countries and all the parties concerned.

As to the ILO Director-General's Report, I should like to refer in particular to his vision regarding the future of co-operation in the perspective of world-wide collaboration between one and all which sooner or later will have to play its part in the quest for a new international economic order, since the size of the problems faced by the world today constitutes an even more insistent and demanding call for concrete and unwavering solidarity.

The Director-General rightly stresses the need for the support of public opinion in confronting the great difficulties affecting the United Nations system, including the ILO and all other United Nations specialised agencies. This support is vital to the future of international co-operation.

Furthermore, the Director-General draws our attention to the fact that the failure of ILO member States to comply with their constitutional obligations will endanger, threaten and even reduce the Organisation's vital and urgent activities for the reduction of unemployment and eradication of poverty, which are spreading dangerously with the result that the poor are getting poorer and the rich are getting richer.

The gulf existing today between rich and poor and the situation of extreme poverty in which millions of people are living are an affront to humanity. The abysmal difference between the haves and the have-nots is incompatible with natural law and with the common sense which dictates that all humanity must have just and equal participation in the riches of the world.

The world's developed countries have an enormous weight of responsibility to help developing countries. The imbalance between the size of the debt of the underdeveloped countries and the capacity to pay it and the difference between the sums given to borrowers and the profits made by creditors are causing great damage to many countries.

I have spoken at length about human and trade union rights. My thoughts go to the plight of the Black workers and people of South Africa who are suppressed by the apartheid regime in that country. Last year the ILO reinforced its anti-apartheid activities when the Committee on Apartheid adopted conclusions on an updated Declaration.

But in spite of everything, apartheid still reigns supreme in South Africa, and all nations that really respect human dignity must have recourse to much stiffer actions to crush the apartheid regime.

While condemning the apartheid regime in South Africa, we must neither forget nor neglect the explosive situation in the Middle East where the Palestinian workers and people have been struggling for long years for their fundamental rights. All the peace-loving people of the world and all those who cherish democracy must give their moral and material support to the Palestinian so that they can regain the homeland which is theirs by right.

Over the past months we have witnessed the uprisings of Palestinian workers and people in the occupied territories of the West Bank and the Gaza Strip.

These uprisings have helped more than other events in the past years to show clearly to all humanity the degrading conditions in which the Palestinians are forced to live in refugee camps and in exile.

We condemn the South African apartheid regime, but we also must condemn the highhandedness of the Israeli authorities and the ruthless and barbaric way in which the Israeli armed forces are treating the Palestinians in the occupied territories.

Earlier on I dealt with the unemployment problem in the international context. In the beginning of this decade in Malta there was a time when we registered a high rate of unemployment at around 11 per cent.

The then Labour Party Government took measures and channelled all the country's financial resources into eradicating this problem. Up to May last year when the general election was held, unemployment was brought dramatically down to some 5 per cent.

But the new Government formed by the Nationalist Party is not pursuing as before the policies which guided the Labour Party in office and, as a result, unemployment is going up again and within a year has surged to nearly 6 per cent.

Although this rate is relatively low compared with that of other countries, still it is socially and morally unacceptable to us. Therefore I urge our Government to abandon its present policies because no economic mechanism, no law of profit, no sort of production planning, not even excessive freedom in the game of supply and demand can justify having men of work without jobs and the means of earning their livelihood.

As regards human rights, in November last year a Tripartite Seminar on ILO Human Rights Conventions was held in Malta. Two officials from the ILO, together with representatives from the Maltese trade unions, employers' organisations and government, gave very stimulating lectures.

These kind of seminars, bringing together the three social partners to discuss matters of mutual interest, are indeed very important and I hope that later this year or early next year the ILO will again help us to hold another tripartite seminar, for example on how the Organisation can help developing countries such as Malta in the field of technical co-operation and, especially, in respect of the new, modern and sophisticated technologies which are invading all workplaces.

Earlier on I referred to solidarity as an essential element in surmounting the problems facing workers. Unfortunately, in Malta, within the trade union movement, we have a situation of polarisation. On one hand there is my union – the General Workers' Union – and, on the other trade unions grouped in the CMTU.

We are not happy at all with this situation and at last year's ILO Conference I referred to the repeated appeals made by the General Secretary of my union for the General Workers' Union and the CMTU trade unions to join forces by setting up a national Trades Union Council.

I has asked for assistance from the ILO to help us achieve this aim of forming a TUC because we strongly believe that such a Council is vital to create a climate of real solidarity and fraternity among all Maltese workers and to contribute to strengthening the trade union movement in Malta morally and materially in the best interests of all – the workers

themselves, the employers, the Government and the whole country in general.

Unfortunately, till now we have received no assistance in any way from the ILO to realise the formation of a TUC in Malta. Therefore, once again I plead for this assistance from the ILO and also from the ICFTU – of which my union is an affiliate – from the WCL to which the CMTU is affiliated and from the ETUC – of which both the General Workers' Union and the CMTU are members.

One of the technical subjects which we started to discuss at last year's ILO Conference was "Safety and health in Construction". In the broader spectrum of occupational safety and health, the General Workers' Union last year was the first to submit to the Government a report and a proposal to set up in Malta a Workers' Health Authority on a national basis and with a legal status.

I am very happy to state that the Government, through the Minister of Social Policy, Mr. Louis Galea, accepted this proposal and appointed a tripartite working committee to carry out a detailed study and also suggest the required legislation for the establishment of the Authority. The working committee earlier this year completed its task and now the ball is at the Government's feet to submit the necessary legislation for enactment by Parliament.

My union is a democratic labour organisation working in a supposedly free country and therefore we respect the Nationalist Party's right to govern the country since at the polls in May last year it succeeded in polling somewhat less than 51 per cent of the votes. But we expect and insist that the present Government in Malta respect the rights and freedoms of my union and also the fundamental right of the workers to organise themselves freely in my union.

I am saying this because during this past year hundreds of our members employed in government departments, parastatal corporations and state-owned enterprises, including the banking sector, were given transfers and even denied merited promotions for the simple reason that they are members of the General Workers' Union which supports and has a close working relationship with the social democratic Labour Party now in opposition.

From this rostrum, I appeal to the Maltese Government to stop this harassment of my union's members and, before it is too late, to realise that it is permitting the violation of trade union and human rights. This harassment belies the electoral campaign pledge made by the Nationalist Party that when in office it would work to achieve national reconciliation among all Maltese.

And I say something more. Although we wish to see the Labour Party elected to power again as soon as possible, just the same we – as an honest and responsible trade union – want to collaborate with the Nationalist Government, but with the proviso that this collaboration is reciprocated and the Government collaborates with my union.

We want all this collaboration on a mutual basis because we sincerely want to contribute our full share so that Malta can continue making more progress in all spheres and so that this progress can be reflected in social and economic advances for the working people according to the noble norms of social justice.

Recently the Maltese Government announced its decision to ratify a substantial number of ILO Conventions. This is very commendable but on the other hand I have to state with regret that my union was not consulted beforehand on this matter.

The Nationalist Party Government, upon assuming office after last year's general election in Malta, began reconstituting several boards including, for example, those concerning labour, employment and social security which are on a tripartite basis. But in most of these reconstituted tripartite boards there is an imbalance in the trade unions' representations.

For example, there are cases where the other trade unions have three members on such boards and the General Workers' Union only one – this in spite of the fact that the General Workers' Union's membership accounts for nearly 65 per cent of all unionised workers. The General Workers' Union justifiably raised this matter with Mr. Louis Galea, the Minister of Social Policy, and I am happy to state that he agreed with us that there is an imbalance in the trade unions' representation on these boards and he gave us his word that this anomaly is going to be amended. We are certain that the Minister of Social Policy will adhere to his word and we hope that the imbalance in these boards will be rectified as soon as possible without any unnecessary delay.

I conclude my speech with something which perhaps may be of interest to the ILO. Last year my union, the General Workers' Union, took the initiative and started talks with the *Unione Italiana del Lavoro* (UIL), one of Italy's trade union confederations, on a proposal to set up a Mediterranean Institute for Labour Studies.

Talks are progressing well and the other two Italian trade union confederations – CISL and CGIL – are also showing keen interest in this project.

It is the intention of the General Workers' Union and the *Unione Italiana del Lavoro* that this Institute would eventually include the other trade unions in Malta and also the trade unions of all the Mediterranean region countries.

The General Workers' Union is also proposing that this Institute be based in Malta, which lies in the very middle of the Mediterranean Sea, and there might also be the involvement of the University of Malta.

I think that the ILO could and should give its assistance in some way or other for the setting up of this Mediterranean Institute for Labour Studies.

Furthermore, we believe that this solidarity and fraternity will make a positive contribution to bring about a climate of good will and trust between the governments of the various countries of the Mediterranean – one of the most explosive and turbulent regions in the world.

Such a climate of good will and trust would eventually lead to the eradication of areas of dispute and conflict and would secure peace and stability, which are essential for the economic and social progress of all humanity.

Interpretation from German: Mr. NOACK (Government delegate, German Democratic Republic) – Mr. President, my delegation is very happy indeed to see that you have been unanimously elected at President of this year's session of the International Labour Conference. May I wish you full success in

your activity and very fruitful results of the Conference.

The Director-General in his Report pointed out the inter-relationship and indivisibility of human rights as a whole comprised of civil, political, economic, social and cultural rights. The Government of the German Democratic Republic welcomes this statement; for every human being socio-economic rights and the right to work or rights to social security and health care are just as important as political rights.

The Director-General's Report, as I see it, recognising as it does the indivisibility and reciprocal inter-relationship of human rights, calls for us to reflect and draw the implications for our Organisation. There are three questions I would like to address.

First of all, it follows from the Director-General's statements that the complexity of human rights and the activity of the Organisation must be examined in a well-balanced way. I therefore wonder if it is not perhaps time to review, from this point of view, the classification of the ILO's charter, as was recommended by the Working Party, on International Labour Standards of the Governing Body last year. In the report of the Working Group the heading "basic human rights" covered only the right of association, forced labour and discrimination. Unquestionably these are very important rights. However, to cite only one example, does the Employment Policy Convention, 1964 (No. 122), lag somewhat behind what was termed "basic human rights"? This question becomes even more urgent since not to have a job seems to be the greatest kind of discrimination. To think about this has theoretical as well as practical implications. The consequences for evaluation with a view to ratification of Conventions and the approach to monitoring the application of ILO Conventions are considerable.

Secondly, in my opinion, one contradicts the recognition of the unity and equal importance of human rights if one divides Conventions into binding and less binding ones, so-called promotional Conventions. Again, I am referring here particularly to the Employment Policy Convention, 1964 (No. 122), in respect of which particularly strong attempts have been made to relativise its binding nature. Such tendencies we must decisively oppose. Every Convention, as a covenant in international law, regardless of its subject, contains binding standards. Thus Convention No. 122 calls upon those States who ratify it to "declare and pursue an active policy designed to promote full, productive and freely chosen employment". This formulation points to a step-by-step application and implies the requirement that every State, depending on its national possibilities – for example, the way in which it uses the available resources and lays the socio-economic groundwork – to create the material basis for ensuring the right to work. Of course, this is a target obligation. The target is set in the form of a standard. The obligation of the State is to aim for this target in their policy and practice. Therefore they are required to adopt adequate means to achieve these goals. The way this is done in individual cases depends greatly on socio-economic basic concepts. Is it not necessary in the work of the Organisation to give greater importance to concrete measures and results in assessing how for the member States discharge their obligations under Convention No. 122?

Thirdly, the statements of the Director-General as to the indivisible nature of human rights leads one to conclude that it would be necessary and useful for the Organisation, more than in the past, to examine the reciprocal inter-relationship of these rights and to make the results known. Is it not necessary in the treatment of the question of human rights in its field of activities to make it quite clear that ensuring political rights cannot be separated from ensuring social and economic rights. It would be useful for example, to assess the effect of the employment situation on the participation of citizens in political life.

In the socialist society of the German Democratic Republic, all human rights are given an equal degree of priority. For their implementation as a whole, in the German Democratic Republic, their social facts, the *de facto* social conditions and statutory legal guarantees have been secured. It is a fact that no one is unemployed or homeless. The right to employment and training is guaranteed on a permanent basis. Every young person, for example, has a legally guaranteed entitlement to a secure place in employment and training.

In accordance with the Constitution, every citizen has the right to take part in the political economic, social and cultural life of the State.

The declared government policy of the German Democratic Republic to ensure at all times the unity of economic and social policy is directly connected with the implementation of human rights and their development. We proceed from the view that human rights, even in a socialist State, are not something static, not something that is accomplished once and for all. Therefore, just as the German Democratic Republic is dynamically developing in process of historical transformation, so human rights are developing further and their implementation is being improved.

Let me give you an example. In 1971, a comprehensive housing programme was started in the German Democratic Republic. It aims to solve the housing question as a social problem by 1990. So far, over 8.5 million citizens have received new homes. This means for more than one-half of the population of our country, better housing conditions have been achieved by securing stable and low rents. The right to living space, today, since we are really tackling the solution of the housing problem, has taken on a new meaning and new guarantees quite different from those of 20 years ago, when it was enshrined in the Constitution. In the history of the German Democratic Republic, human rights and basic freedoms have thus undergone constant expansion and this will continue in future.

The Director-General in his Report, stresses that the efficiency of monitoring of standards depends on the willingness of the member nations to engage in co-operation. We can only emphasise this once more. However, one must add to the Director-General's words the statement that the effectiveness of ILO Conventions very definitely also depends on the application procedure being imbued with a spirit of dialogue and mutual understanding. A co-operative atmosphere does not exclude critical comments, as long as these are limited to facts. However, it would be detrimental to a successful and fruitful dialogue if one were to overstep the limits of criticism and interfere in the domestic matters of individual States.

This question plays an important part in such Conventions which, within the prescribed objectives leave a wide margin for its implementation within States. It is wrong to demand that an interpretation of Conventions according to certain ideas be implemented within other States.

When we talk about human rights today, the first item on the agenda of course, for mankind in the nuclear and space age, is the right to live in peace. Only in conditions in which peace is safeguarded as a matter of life or death for the whole of mankind, can any other human rights take on any practical significance.

The peace policy of the German Democratic Republic is guided by this logic and it must be taken as an elementary human rights policy. With our policy of dialogue and co-operation, we are working towards a secure peace as a normal way of life for nations and a guarantee for the future for the present generation and for generations to come.

Today, disarmament both of nuclear weapons and of conventional weapons, is not only more urgent than in the past, but it is even possible with the new agreement which has just come into effect between the USSR and the United States on the elimination of medium-range and short-range missiles. A first step has been taken, but there must be further steps. The campaign to eliminate nuclear arms will certainly gain a new impetus with the international meeting for nuclear-free zones to be held a few days from now in the capital of the German Democratic Republic.

The world cannot be considered safe as long as human rights are flagrantly flouted. The German Democratic Republic therefore endorses all measures by the Organisation which would lead to a strengthening of the campaign against apartheid in South Africa.

The Organisation also should not relax its efforts to bring about a basic improvement of the human rights situation for the Arab who are employed in the Israeli occupied Arab territories. The carrying out of an international Near East conference under the aegis of the UN with equal representation of all interested parties would be of great significance in this respect.

In conclusion, I should like to say that the German Democratic Republic will also make every effort to contribute to the solution of the problems and the achievement of the goals which the ILO has set itself.

Mr. ATASAYAR (*Employers' delegate, Turkey*)
— On behalf of the Employers' delegation of Turkey and on my own behalf, I am happy to have the honour and privilege of offering the President my heartiest congratulations on his election to preside over the 75th Session of the International Labour Conference. I also extend my warmest felicitations to all the Vice-Presidents who were elected at this Session.

The Report of the Director-General, which offers views on a wide range of problems, including the human rights issue, as they are encountered in developed and developing countries alike, has been highly beneficial to us. Let me point out that I may say that I find these views extremely correct and appropriate in that they usher societies on to a modern path leading to better human relations.

I would like to state that, bearing in mind the importance attached to them by the ILO, we support freedom of association and the idea that the organisations that have representative authority should act in mutual consultation. We believe that such organisations are part of the system.

On the other hand, I am also pleased to state that we equally adhere to the concepts of equal opportunity, remuneration according to living standards, and working conditions updated in the light of actual developments. Today the importance of social security for a society as a whole is universally recognised. Social security as a consequence of mutual solidarity is important not only for the employees but also for the employers.

After having very briefly mentioned the titles of the topics covered in the Report of the Director-General, I would like to take this opportunity to present again, very concisely the views of the Turkish employers and the application of standards in Turkey as far as they are concerned.

First of all, I would like to draw your attention to the fact that all the topics covered by the ILO are closely related to the economic structures and powers of individual countries. In spite of all well-intentioned efforts, inflation and unemployment remain the most important problems for many countries. Thus, creating new employment continues to be an important issue for Turkey, as well.

In Turkey, freedom of association is applied together with the idea of powerful unionism. Both employees and employers can freely, and without authorisation, set up unions and representative organisations.

In my country today trade unions are entitled to conclude collective agreements through reciprocal and free negotiations by using their right to strike. In 1987, 2,343 collective labour agreements were concluded, covering 7,623 workplaces from which approximately 1 million workers benefited.

On the same year 662 collective labour agreement negotiations resulted in a decision to strike and 346 strikes were undertaken. Due to strikes effected in 1987, nearly 2 million work-days were lost. In the first four months of 1988, 123 strikes were carried out which resulted in the loss of approximately 190,000 work-days. These figures prove that a free negotiation system is fully implemented in Turkey.

On the other hand, the application of standards relating to the protection of wages is based on a fundamental rule in Turkey. In wage increase the principle is observed that these should not fall behind inflation. In other words, in collective bargaining, efforts are devoted to obtaining wage increases that surpass the rate of inflation. I would also like to mention that a tripartite minimum wage system is currently being implemented successfully in Turkey.

The problem of environmental protection which affects working conditions in Turkey as well as in many other countries is also being given serious consideration. Apart from occupational health and safety matters, the environmental protection issue has also been covered special legislation.

The existence of an interaction between economic growth and inflation on the one hand and employment on the other is generally recognised, and this connection, I would like to reiterate our conviction that the basic ILO principles pertaining to the development of employment must be strictly adhered to.

We believe that fighting inflations should not result in higher unemployment. I am pleased to report that my country takes the utmost care to maintain this delicate balance. The average rate of growth of 7.5 per cent achieved over the last three years without any significant increase in the number of unemployed persons is a good indication of its efforts in this field. Let me add that in this period Turkey has been the fastest-growing OECD country.

Turkey today is as tranquil as any other European country and is living in internal peace and stability. As a result of this, positive developments have been achieved. The growth rate as compared to the previous year was 5.1 per cent in 1985, 8 per cent in 1986 and 7.4 per cent in 1987. We can safely say that, in recent years, Turkey enjoyed one of the highest growth rates of any European country. The biggest contribution to this growth came from industry. It grew by 6.6 per cent in 1985, 11.1 per cent in 1986 and 9.2 per cent in 1987.

It must be borne in mind that Turkey's high rate of population growth is one of the most important factors underlying many of the country's economic and social problems. With a population of 53 million, Turkey has the youngest population in Europe. A full-scale family planning programme has been put into effect to reduce population growth.

Today, Turkey follows almost all the rules of a free-market economy. Therefore, both employment and investment policies are freely devised and the workers can freely bargain and conclude work agreements.

Before concluding, I would like to stress that the ILO should make greater efforts to ensure generalised implementation of ILO principles and enable solutions to be found to the above-mentioned problems.

As an Employers' delegate of Turkey, I express my sincere wishes for the success of the 75th Session of the International Labour Conference.

Interpretation from Arabic: Mr. AL-FAYEZ (Minister of Labour Affairs, Saudi Arabia) – In the Name of God, the Merciful, the Compassionate! Peace and the grace of God be upon you! I should like, as we are continuing our yearly meeting of the Organisation, which is striving for the good of man and humanity as a whole, to seize this opportunity to congratulate the President on my behalf and on behalf of the Saudi Arabian delegation on his election to the presidency of the 75th Session, which God permitting, will under his guidance be able to reach all the noble objectives to which we are aspire.

At the outset I should like to extend our thanks and appreciation to the Director-General for his choice of subject for his report, *Human rights – A common responsibility*, which coincides with the 40th anniversary of the adoption of the Universal Declaration of Human Rights. There is a direct relationship between the Declaration and the Constitution of the ILO. All these rights are the basis of the activities of the Organisation, and are expressed in its international standards. The Director-General draws attention to this relationship by reviewing the Organisation's activities in the field of human rights, for example, equal opportunity and treatment, full productive employment, the right to just and favourable remuneration, just and satisfying conditions of work and the right to social security.

The Director-General, in the preface to his Report, pointed to the problems which humanity has always faced and is still facing. He said: "In reading this Report, we shall become aware of the wealth of texts – not only in the ILO but in the United Nations and elsewhere dealing with human rights. We shall also see the gap between the principles laid down in these texts and the situation actually prevailing in a world so crudely conveyed to us by the media."

The Director-General concluded his Report by calling upon us to devote ourselves to the common ideal that all the peoples of the world must strive to reach, which constitutes a moral principle: the respect for human dignity.

And here I must stop a little to tell you that the ideal of my country, the Kingdom of Saudi Arabia, is the Holy Koran and the law of the Prophet Mohammed (may God's peace and prayers be with him!) which is the divine constitution that guarantees well-being, security, stability and peace to all mankind.

These divine principles, which were revealed to our Prophet more than 14 centuries ago, are respected and observed in our country. Saudi Arabia lives under this constitution and its people enjoy prosperity, security, stability, justice, and equality without any discrimination.

Islamic law affirms man's dignity and freedom and his right to peaceful coexistence. I should perhaps summarise some of the rights laid down in it:

- Man's dignity in accordance with the passage of the Holy Koran that says "We have honoured the sons of Adam."
- Non-discrimination in dignity and fundamental rights between men with respect to race, sex, social position and wealth, in accordance with the Prophet's own words: "An Arab has no more merit than a Persian, no a White than a Black: the only merit lies in being a good and caring persons."
- Unity of the human family. The Prophet said that all peoples are the creation of God and that he holds dearest those who do most good to other people.
- Participation in charitable work and good deeds to all people of the world, according to the words of the Koran: "And made you into nations and tribes so that ye may know each other. Verily, the most honoured of you in the sight of God is the most righteous of you."
- Man's freedom of belief and the prohibition of any coercion in that respect, according to the words of the Koran: "Let there be no compulsion in religion."
- The prohibition of aggression against man's blood and property according to the words of the Koran: "Your goods and your blood shall be protected."
- Inviolability of the home, according to the words of the Koran: "Enter not a house other than your own before you have asked permission."
- Solidarity between members of society to ensure every man's rights to a worthy life and freedom from poverty, through the institution of a title on the rich to be spent on the needy, according to the words of the Koran: "And those in wealth recognised the right for the needy who asks and him who is prevented."
- The obligation of every Moslem to combat ignorance, according to the Prophet's words: "The

search for knowledge is a duty for every Moslem, man or women."

There are also many other texts of Islamic law explaining and protecting fundamental and inalienable human rights and dealing in detail with social, economic and cultural rights from the standpoint of humanitarian ideals. No discrimination is allowed between one person and another.

Islam not only take these texts as moral sermons but as legal obligations, supported by legislation to guarantee their implementation. This is something which has not been achieved by the Universal Declaration of Human Rights or the International Covenant on Economic, Social and Cultural Rights, which remain mere recommendations.

Therefore my country scrupulously implements Islamic law which guarantees human rights, justice, quality, freedom, and well-being without discrimination to all citizens and to all this practical organisation of social justice based on the principles of the Islamic religion. The stability in labour relations which we enjoy, the spirit of brotherhood and harmony between workers and employers are examples of the success of the labour system inspired by the principles of Islamic law and of international labour principles: the right to fair remuneration, paid holiday, limited working hours, occupational health and safety, social security and others. The Government has done everything to protect the rights of both parties and has set up machinery to guarantee the protection of these rights: an effective labour inspectorate, a body to settle labour disputes, and sanctions against offenders.

Because of its attachment to Islamic law, and thanks to the security and prosperity that it enjoys, and the considerable efforts made as part of development plans, the Kingdom of Saudi Arabia has made tremendous progress in the development of infrastructure, industry, agriculture, education and training. It has also provided health and welfare facilities for young and old, the disabled and the poor. Particular attention is given to housing through loans and other facilities. The development programmes and projects cover all sectors in all parts of our large country.

When we look at one of the areas of development in Saudi Arabia, namely education and manpower development, we see that within a very few years the number of educational and training establishments, and the number of people studying there, have more than doubled. We now have seven universities teaching different theoretical and practical subjects, and an impressive number of fellowship-holders who have been sent abroad to specialise in many different fields.

My country is proud to say that education is free of charge, in all branches and, to males and females. In addition students receive their books and all educational supplies free of charge at all levels of education, as well as a monthly allowance which is paid to students pursuing studies in higher education or technical education. All this is in order to encourage education and to enable people to enjoy intellectual rights, we have carefully studied the Director-General's Report as regards the conclusions of the ILO's mission this year to implement the resolutions of 1974 and 1980 concerning Palestine and the occupied Arab territories.

With all the respect due to the efforts exerted by the fact-finding mission which went to see the situation of the Palestinian workers at first hand, it is obvious still that the Israeli entity continues its aggression through violent actions and pursues its repression and inhumane practices which run counter to the most basic human rights and to international rules. It continues to carry out its policy based on racial discrimination and expansion through the setting up of settlements, on refusal to comply with international resolutions demanding that it withdraw from the occupied Arab territories, where the situation of the Arab workers has deteriorated and working and living conditions have become extremely difficult. Therefore we must work more effectively to protect the interests of workers in the occupied Arab territories and to give them some hope for a better life.

In conclusion, I must refer to the immense depletion of human resources because of the ongoing destructive war between Iraq and Iran, despite all the efforts that were exerted to stop it, and despite the fact that Iraq has accepted resolutions calling for a stop to this war.

Therefore, we plead to this Organisation to add its voice to those of persons of good will and to call for the cessation of this destructive war which has already cost the lives of tens of thousands of workers in both countries. We must endeavour to spare strength and human resources and restore peace and security, and devote our efforts to reconstruction.

I wish the Conference every success.

Interpretation from Arabic: Mr. ELAMAWY (Workers' delegate, Egypt) – It is a pleasure for me to convey to you on my behalf and on behalf of my colleagues, the representatives of the Egyptian Trade Union Federation our congratulations on your election as President of the 75th Session of the International Labour Conference, and I ask God to help you in guiding its deliberations and to guide us on the right way to reach positive results and constructive decisions that will help us attain the noble objectives of the ILO.

Allow me to convey my greetings and my appreciation to the ILO and its Director-General, Mr. Francis Blanchard, and his assistants, for the excellent Report submitted to us, which has deep and far-reaching significance, dealing as it does with *Human rights – A common responsibility*.

In my opinion, the choice of human rights as the subject of the Report of the Director-General of the ILO to this session of the Conference is due not only to our participation in the celebrations of the 40th anniversary of the Universal Declaration of Human Rights, also to what has been pointed out by the Director-General in the Preface to his Report, that "it cannot be denied that fundamental human rights, like human freedom and dignity, far from being more widely respected, are being flouted, often in dramatic circumstances".

The choice is also due to the important relationship, pointed out by the Director-General in his Report, between the right of association and the respect of civil rights in accordance with the Conference resolution of 1970, and to the fact that of the activities of the ILO, and those of other organisations based on the indivisible nature of human

rights, which comprise without distinction civil, political, economic, social and cultural rights.

Indeed, we cannot find the words to describe this excellent Report in the short time available to us, since it raises several issues of great importance, each of which in fact merit careful study, whether it concerns the general principles underlying the continual campaign to strengthen human rights, or other issues specifically related to the life of the working masses, such as freedom of association, unemployment, equality between different categories of workers and just remuneration, the rights of migrant workers, the working environment, social security and minimum working standards.

As a Workers' representative of a labour-exporting country, our attention was attracted in particular to what the Director-General pointed out in the part of his Report entitled "Equal opportunity and treatment" to the effect that "In certain regions, one finds differences in wage rates not only between national and foreign workers, but even among the migrant workers themselves, according to the level of remuneration which those coming from different countries may be prepared to accept. In such a situation, the worker becomes a mere import commodity. Such treatment is contrary to the Universal Declaration of Human Rights – which states that 'everyone, without any discrimination, has the right to equal pay for equal work' – and to the specific standards on equality of treatment contained in ILO Conventions dealing with migrant workers."

The human rights situation today is critical. The Director-General, in his Report, has brought a crucial question to human awareness; to answer this question we must state whether we are satisfied with rhetoric about human rights, or are willing to put them into practice. He says: "Although civil and political rights are entirely a national responsibility, no attempt to ensure respect for these rights can be fully successful unless it is backed by development to which all countries without exception whether rich or poor, from east or west, north or south must devote themselves without any further delay. Have we the willpower to overcome the crisis *together* or are we going merely to continue coping with it as best as we can: are we going to resign ourselves to it?"

In fact, the ILO with tripartite structure, continues its efforts within its sphere of responsibility to put into concrete form the words of its Constitution and the Declaration of Philadelphia, to the effect that a lasting world peace can only be based on social justice and that social justice is inseparable from the civil and political freedoms and economic and cultural progress.

Allow me to express my appreciation and gratitude to the ILO for the assistance it provides to the trade union movement in Egypt and its institutions. This technical assistance has had its effect on the activities of the movement and on the position of the workers at large. I should like to mention, in particular, the assistance extended to the strategy of employment and vocational training.

On 29 May 1988 a special agreement was concluded concerning support to the second phase of the workers' university project which is in fact the educational wing of the workers' movement. This will have a beneficial effect on the trade union movement. The ILO has also responded to the request to help the trade union movement in Egypt in the establishment

of a documentation and information centre which covers all aspects of work and interests of the workers of Egypt. This is in order to help the trade union to take the right decisions to enable it to shoulder its responsibilities and enhance its contribution to the development process. We are counting on ILO to continue its efforts to bring this project to fruition.

We should like to express our appreciation to the Director-General who has appropriately described the restrictions and violations of the rights and freedoms of the Arab workers in the territories occupied by Israel. We agree with what the Director-General says in this part of the Report: that recent events, that is to say the heroic uprising of the Palestinian people in the occupied territories, have indicated "how critically that situation dominates the entire life of the territories. There is an urgent need for a process that will bring peace to this region, since a continuance of the 20-year-old occupation could only lead to a progressive deterioration of the situation, including that of Arab workers".

This leads us to that part of the Director-General's Report on the situation of Arab workers in the Arab occupied territories. To this, we should like to say in all objectivity that the Arab workers' situation under the Israeli occupation needs to be carefully scrutinised and studied because the international community cannot accept in the twentieth century that a Palestinian who is fighting for his right to his homeland and his living should be deprived of the basic rights of fair remuneration and social welfare, and that fundamental freedoms should be violated with impunity.

The Report of the Director-General was clear and firm in drawing a true picture of the deteriorating situation in Palestine and the other Arab occupied territories. We therefore appeal to all countries and to workers' organisations throughout the world to take a positive stand in facing the challenge of the Israeli authorities to the values and principles embodied in the international Declaration of Human Rights.

The decision of the Arab countries, which has received the approval of most Members of this Conference, is a historic decision to strengthen the principles of human rights.

The Egyptian Trade Union Federation also considers that the Gulf war between Iraq and Iran is a threat to world peace, in addition to its adverse effects on the future and progress of the peoples in the region. We therefore appeal for an end to this war and we believe that a solution is to abide by the resolutions of the international organisations, and particularly Security Council resolution 598, which was accepted by Iraq.

The Egyptian Trade Union Federation also appeals to the international community to take practical measures against the apartheid regime in South Africa and to extend assistance to the front-line States and liberation movements in their struggle against colonialism. The oppressive practices still perpetrated against the people of South Africa are a disgrace to the human race. South African workers are deprived of all rights because of their colour and race. All the countries of the world should join together to impose sanctions against the racist regime of Pretoria. Those countries that still have relations with that regime are also called upon to sever those

relations in order to isolate it from the international community.

May God guide our steps on the path of goodness, righteousness, peace and justice.

Interpretation from Russian: Mr. TSEMBEL (*Employers' delegate, Mongolia*) – Allow me to congratulate Mr. Beyreuther on behalf of the directors of enterprises of the Mongolian People's Republic in connection with his election to the post of President of the present session.

In our country large-scale work is being carried out to implement the objectives of economic and social development of the MPR for the eighth Five-Year Plan. The objectives set for this Five-Year Plan are to change over to essentially economic methods of management, to improve planning and the national economic machinery and systematically introduce cost accounting to ensure the independence of enterprises, economic units and work collectives. During the past years, much has already been done in implementing these objectives. One of the clear indications that the objectives set are being achieved is the elaboration of the Law on state enterprises.

As is known, in the course of socialist construction, numerous forms of management of social production have been established, where tens of thousands of people are employed, national wealth is created and through work, people's talents and creativity are opened up. Recently, a draft law on state enterprises in the Mongolian People's Republic has been published and brought out for public discussion. This document is of great political significance. It encompasses the whole of the economic strategy of the Government and establishes new legal bases for the economic activities of state enterprises.

The draft law, on the one hand, further centralises solutions for the most important strategic tasks for the development of the national economy as a single entity and, on the other hand, it provides for an intensification of economic methods of management and an extensive use of full cost accounting and self-financing. It is aimed at the further development of self-management and determines relations between enterprises and the organs of state authority and management.

The draft law lays down the policy for effective utilisation of democratic methods and principles of work. The draft law provides for the elective nature of the leadership of all ranks, as well as the councils of workers' collectives and for empowering them to resolve questions connected with production, social and staff matters. This will be a major political measure during the transition to the forthcoming economic self-management programme.

In all the articles of the above document, there are many new provisions which have been brought to the forefront through the very development of our society. There is a clear-cut and largely new formulation of principles on the activities of enterprises. It is built on the basis of the Government's Five-Year Plan, the most important instrument for the realisation of the economic policy of our State. At the same time, the enterprise is based on the principle of total cost accounting and wages will be effected out of funds earned by the working staff itself.

The role and significance of socialist self-management is raised to a new level. The staff is the total master of the enterprise; it independently solves all

questions related to production and social development. In the activities of the enterprise, the role of economic competition is growing between enterprises. There is greater fulfilment of consumer demand for high quality production, work and services at minimum cost.

The relationship of enterprises with the above organs will be built on the basis of planned management and respect for the principles of total cost accounting and self-financing, whereas relations with other enterprises will be based on economic agreement. The administration of enterprises is carried out, first of all, through economic methods on the basis of government orders and long-term economic standards.

The systematic implementation of the law on state enterprises, in conjunction with a range of measures which are now being carried out in the economic sphere, will produce an altogether new situation in the national economy. It will accelerate the development of the economy and lead to a qualitative improvement in many aspects of social life. There is no doubt that these transformations will have a positive influence on co-operation within the framework of the ILO.

In the Report submitted by the Director-General, a special place is assigned to questions which are highly relevant today, concerning human rights and common responsibility. Many of the problems raised in the Report of the Director-General and taken up in the general discussion at the plenary of the Conference are of great importance to hundreds of millions of persons upon our planet. And we have every right to hope that the 75th Session of the International Labour Conference will be able to make its constructive contribution to the search for further ways to solve current problems for the world of work and finally determine strategic orientations for the multi-faceted co-operation of the ILO in the implementation of the right to full, productive and freely chosen employment.

The Director-General, in his Report, has emphasised that promotion of human rights and their protection is a continuous process which calls for a constant increase of efforts by the ILO to attain everywhere the level established for all peoples and nations in the Universal Declaration of Human Rights. Indeed, as far as we are concerned, the Declaration and each one of its parts are indivisible and equal by important, because development is an all-encompassing process in which equal attention should be given to the exercise of political and economic, civil and social rights. In our country, greatly importance is attached to total and constant implementation by all States and peoples of inalienable human rights and fundamental freedoms, especially the right to work.

In this connection, in our opinion, it is important to direct our attention principally to the development of a comprehensive concept of the right to work. In order to stimulate economic growth, improve living standards, fulfil the needs of the workforce and eliminate unemployment and underemployment, the member States of the ILO must, as a matter of priority, implement an active policy aimed at promoting full, productive and freely chosen employment.

We fully agree with the Director-General's opinion in his Report that apart from questions of just

remuneration and free employment, international standards on human rights should likewise provide for just and favourable conditions of work. The International Covenant on Economic, Social and Cultural Rights refers in particular to the reasonable limitation of work time and the guaranteeing of safe and healthy conditions of work. In this connection, we would wish to emphasise that the further activity of the ILO in the sphere of working conditions and the workplace could be centred on the fact that improvements in working conditions and the workplace are a positive contribution to national development, as well as a measure which leads to the successful implementation of economic and social policies.

As for the training of managerial staff and improvements in management methods, in our opinion it is appropriate to step up activities to improve the administration of educational establishments. In addition, we believe that special attention should be devoted to the consolidation of management experience in various sectors of industry. In order to fulfil the increasing number of requests for personnel, we consider it important to draw up and implement special programmes to promote improvement of managerial methods which would encourage the development of small- and medium-sized enterprises.

In conclusion, I should like to emphasise that in order to ensure that human rights and freedoms are fully secured by everyone, everywhere, and at all times, it is necessary to restructure the whole system of international relations, including economic relations and the international monetary and financial system.

We consider that the establishment of a comprehensive system of international peace and security will be able to guarantee total exercise of the rights and freedoms of peoples and of individuals in conditions free from weapons and oppression. The establishment of a comprehensive system would include in particular the realisation of the principles of the just requirements of the concept of a new international economic order and of a new international humanitarian order.

We are convinced that the 75th Session of the General Conference of the ILO will make a definite contribution to the cause of the implementation of human rights and, in particular, the right to work.

Interpretation from Russian: Mr. KOVALEVICH (*Employers' delegate, Byelorussian SSR*) – Allow me to associate myself with the congratulations and good wishes which have been addressed to the President and the other Officers of this session of the Conference.

First of all, I should like to refer to the extensive involvement of public opinion in the foreign policy sphere, including a more active display of interest on the part of business circles in extensive economic co-operation. There is no doubt that international economic relations and their positive influence on the solution of social problems can develop and strengthen only in conditions of peace, stability and mutual understanding. The modern world is marked by inter-relationships, by the existence of global problems which call for their own solution and also by the existence of the threat of nuclear self-destruction. That is why the general, responsible task is actively to utilise the potential for peaceful coexistence and

co-operation of all countries and peoples. Answers to the problems of the end of the twentieth century should be sought it is obvious – on the basis of co-operation on an equal footing, respect for the rights of peoples to choose their own path of social and economic development.

We share the position adopted in the Report of the Director-General concerning the close link between respect for human rights, peace and stability. It is particularly necessary to note the provision that employment is a fundamental condition for the implementation of the whole range of social, economic, political and civil rights, mentioned in the Universal Declaration of Human Rights and in the resolution of the last session of the International Labour Conference concerning the 40th anniversary of the adoption of Convention No. 87.

Full employment creates the material basis for the exercise of economic and social rights, for freedom, social protection and a dignified life.

In this connection I should like to speak about the experience of economic and social development in the Byelorussian SSR.

Radical reform of the mechanism for managing the economy in the Byelorussian SSR is being accompanied by changes in the sphere of structural and investment policy and by major positive improvements in the development of science and technology and in raising the level of training of skilled workers. In 1987 the technical re-equipment and reconstruction of operational enterprises utilised 21 per cent more capital investment than in the previous year. Energy consumption of national production income for the year was down by about 2.6 per cent, metal consumption by 2.4 per cent. The increase in national income amounted to 5.2 per cent compared with the actual level in 1986, production of the means of production increasing by 6.2 per cent and production of consumer goods increasing by 7.2 per cent.

Practically the entire increase in national income was achieved through the increase in labour productivity. Production costs in industry agriculture and construction have been reduced. In the national economy profits have increased by 13.6 per cent, compared with the actual level in 1986.

At present special attention is being devoted to a radical restructuring of the management of the economy, as well as to implementation of such economy tasks as the reform of secondary and higher education, ensuring that all enterprises are self-financing and able to pay their own way, promotion of the development of co-operatives and the use of individual labour, and the improvement of health care. There is public discussion of a comprehensive programme for the improvement of housing conditions for the population for the 12th Five-Year Plan and up to the year 2000. Approximately one-fifth of the population of the Republic is in need of significantly improved housing conditions in order that each family can have one flat or individual house. The problems has to be resolved by the year 2000.

In the Byelorussian SSR in 1987, as in past years, there is full employment of the able-bodied population. Practically the entire increase in the labour force in 1987 was directed into the trade and services sphere.

There has been a considerable increase in efforts to reduce pollution of the atmosphere and reservoirs, and to make more rational use of land, water, forest

and mineral resources. Discharging noxious pollutants into the atmosphere from stationary sources has dropped in the past year alone by 23,000 tonnes. The utilisation of various kinds of secondary raw materials and other sources of material provision has increased.

Together with the continuing solution of many technical and economic problems, the projected measures were almost fully implemented in 1987 in the sphere of social development and the raising of the standard of living of the people. There has been an increase in the average monthly wage of workers and employees in the national economy.

Taking as an example the enterprise of which I am the director, I should like to point to the growing process of positive changes in the situation in which the plant staff is working. The entry into force of the law on state enterprises has made it possible to make more effective use of the production capacity of the enterprise and to stimulate social development. An important role is being played by such conditions for raising the workers' level of interest and activeness as the election of brigade leaders, foremen and heads of production sections, the broad participation of members of the collective in the development, adoption and implementation of decisions on production and social matters.

The authority of the workers' collective is vested in the soviet of the workers' collective. At meetings of the soviet the director of the enterprise reports on the results of financial management, the use of social development funds, and the elaboration of measures to increase the efficiency of production. In close contact with the soviet of the worker's collective the management of the plant solves questions of training and raising the qualifications of the workers, improving living and working conditions, providing safety techniques, labour hygiene and workers' health protection. The decisive contribution to the work of the soviet of the collective is made by the trade union organisation.

The involvement of each worker in the decision-making process on production and social questions makes that worker into an owner of the enterprise. This feeling and an awareness of the common tasks of the collective enable each worker to become a participant in making decisions on the proper distribution of the income of the enterprise, including remuneration for the work of each and every worker.

In the case of disagreements between the soviet of workers and the management of the plant, a final decision is taken at a general meeting of the entire collective.

A new element in the activities of our plant in the past few months has been the productive collaboration with the co-operative which is concerned with the production using waste products from the plant's main production. Moreover, an important prospect for expanding the activities of our plant is the possibility of industrial co-operation with enterprises in other countries and the conclusion of import-export contracts.

To move forward, we have to reconsider many thing and to accumulate new experience in the solution of problems in the sphere of economics and labour relations.

In this connection, I should like to speak of the need to support the spirit of co-operation and mutual respect in the International Labour Organisation, in

order to develop an interest in learning from the experience of other countries.

The standard-setting and programme activities of the ILO must be built on that basis. This would be to the benefit of the implementation of the basic tasks of the ILO defined in its Constitution and emphatically reconfirmed at the present stage of scientific and technical progress.

Interpretation from German: The PRESIDENT – I should now like to call on Mr. Khasawneh, Government delegate, Jordan, to exercise his right to reply to a passage in the statement by Mr. Katsav, Minister of Labour and Social Affairs, Israel.

Interpretation from Arabic: Mr. KHASAWNEH (Government delegate, Jordan) – In the name of God, the Merciful, the Compassionate! This morning, the Israeli Minister of Labour gave a great deal of incorrect information and made false allegations for the purpose of making delegates believe that the measures adopted by the Israeli occupying authorities are aimed at the protection and welfare of the Arab workers living under the occupation, and the growth of the economy in the Arab occupied territories.

I should therefore like to give the following information in the time allotted to me.

First of all, reference was made to "Judaea and Samaria" instead of "the occupied West Bank". This is a reflection of Israeli conception of the continued occupation of these territories, which is in contradiction with all international laws, conventions and resolutions which consider these territories as being under provisional occupation.

Second, what he said about economic growth and progress is quite untrue. Paragraph 24 of the Director-General's Report on the situation of workers of

the occupied Arab territories states that "the employment in the Israeli economy of Palestinian workers from the occupied territories has been, together with the commercial relations, one of the most decisive factors contributing to the forging of particularly strong links of dependence." This of course means dependence on the Israeli economy.

Third, the speaker mentioned that tax rates for Arab workers in these territories are lower than those for Israelis. This is not true. The United Nations Conference on Trade and Development (UNCTAD) in one of its reports said that 34 military decrees have been proclaimed by the Israeli occupying authorities modifying income tax rates and the categories of persons taxable with the result that the minimum threshold of taxable income has been lowered while tax rates have been increased and taxable income brackets have been lowered. The study showed that the tax burden in the West Bank and in the occupied district of Gaza is nine times as much as the tax burden in Jordan.

The remuneration of Arab workers is still low, not more than half that of Israeli workers.

The speaker's allegation that trade unions representing workers in the occupied territories are merely a cover for terrorist activities is designed only to justify terrorist and repressive measures.

There is a great deal more I could say, but I have no time. I shall merely say that it is ironical that the Israeli delegate should talk about the rights of the Palestinians in the Arab countries, disregarding the fact that Israel is the sole and unique source of the sufferings of the Palestinians. As the poet says...

Interpretation from German: Mr. PRESIDENT – I am sorry, Your time is up.

(The Conference adjourned at 1.15 p.m.)

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Twentieth sitting

Monday, 13 June 1988, 3 p.m.

Presidents: Mr. Adiko, Mr. Tsujino

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from French: The PRESIDENT (Mr. ADIKO) – We shall now resume our discussion of the reports of the Governing Body and of the Director-General.

Mr. PASARIBU (*Workers' delegate, Indonesia*) – On behalf of the All Indonesian Workers' Union, SPSP, allow me to congratulate Mr. Beyreuther on his unanimous election as President. With his wide experience and wise leadership, I am confident that this Conference will conclude with successful results. I would also like to congratulate the other members of the Bureau on their election.

First of all, I should like to take this opportunity to convey the heartfelt gratitude of the Indonesian workers to the ILO for all its constructive efforts and assistance.

I feel very honoured to be able to stand before this world-renowned Conference, but I am particularly proud to be standing here in my capacity as representative of the workers of my country, Indonesia.

The interesting Report of the Director-General gives a very comprehensive account of the wide-ranging activities of the ILO, both in the field of human rights and in technical assistance. Human rights issues have always been a topic of deep concern and have been incessantly discussed at various levels in every corner of this planet, whether in the underdeveloped countries, in the developing countries or in the advanced countries.

Certain governments in various parts of the world have been sharply accused of having violated the international accepted standards of human rights formulated in the Universal Declaration of Human Rights and in one of the ILO's key human rights Convention – the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

We have to be very thankful, for, whatever the motivations are, the objective is to improve the human dignity that has been degraded by poverty, tyranny and a lack of education.

The Declaration of Philadelphia stated that "poverty anywhere constitutes a danger to prosperity everywhere", and that measures should be taken at the international and national level "to avoid severe economic fluctuations, to promote the economic and social advancement of the less developed regions of the world, to assure greater stability in world prices of primary products, and to promote... international trade".

They are, however, inappropriate charges which need explaining in order to eliminate misunderstanding and to promote mutual respect and co-operation, as well as to cement the "sense of solidarity" in the world trade union movement.

Indonesian workers, as members of Indonesian society, currently find themselves in increasingly improved democratic conditions in which freedom to organise, freedom to bargain collectively and freedom to express their say over whatever matters relate to their welfare are guaranteed by enforced regulations.

The Pancasila industrial relations principles, adopted by a tripartite seminar in 1975, may sound strange to most of you, but it is the system that best suits the Indonesian context. It is consistently based on our Constitution and formulated on the basis of our long-held cultural practices.

The Pancasila industrial relations principles guarantee that workers and employers are fully entitled to use their freedom to the extent that the utilisation of such freedom does not disturb the freedom of others. It very strongly advocates "consensus", meaning that freedom must be used to bring harmony, to create mutual respect and to eliminate hatred.

I am proud to report to you that we in Indonesia now have more and more collective labour agreements concluded, an increased number of local units or plant level unions, less industrial disputes and a decreasing number of strikes.

However, like other developing countries, we still encounter rampant crucial manpower-related problems: poverty, lack of education and unemployment. The widening gap between the growth in population and employment opportunities is now becoming the most critical problem that the Government, the Workers' Union and the Employers Association are grappling with.

Anticipated statistical data for our next Five-Year Plan indicate that we will have an annual population growth of 2 per cent with an annual increase of 3 per cent in the workforce due to the baby boom in the 1960s and 1970s, which means that at least 2 millions jobs will have to be created every year. About 53 per cent of our workforce are young people who do not have any employment experience.

Facing these projections, we have no other choice but to join together to take all possible efforts and programmes through the strengthening action of the national tripartite body of Indonesia, as a means of solving those big problems of labour and manpower by: encouraging domestic as well as foreign investment, population and family planning programmes, transmigration, inter-regional employment, overseas

employment, the development of the informal sectors, education and training for entrepreneurship and developing industrial relations, since these factors are very important for the continuation of our national development programmes to reduce unemployment and underemployment.

I strongly believe that most countries in Asia and the Pacific, Africa and South America are facing problems and in this regard, I second the opinion that multilateral co-operation is very decisive in helping resolve the principal problems that more than two-thirds of the world's population encounter.

I would like to appeal through this forum to the advanced countries to contribute their best and sincere efforts to help renew the world economic order by reconsidering their policy in the GATT, GSP and quota determination.

Current international trade seems to favour certain advanced industrial countries and their policies have made developing countries label them as "protectionist". The fluctuation of international currencies furthermore has caused most of the developing countries to devalue their own currencies and this has been an important factor in their present predicament.

I would also like to appeal to the advanced countries and international financial institutions to take into very serious consideration the fluctuation of international currencies in their policies, since it is upon the underdeveloped and the developing countries that the result of the fluctuation falls most, and grant the countries concerned substantial compensation.

I am confident that our deliberations in the present session of the Conference will be conducive to the improvement of the world economic order for a better future for workers, human rights, prosperity, justice and peace.

Interpretation from Russian: Mr. ANDREEV (*Workers' delegate, Bulgaria*) – Firstly I should like to express my conviction that under the President's leadership the 75th Session of the International Labour Conference will be as successful as the workers could desire, all the more so as the subject of human rights, which we are discussing, is an undisputed focus of attention for workers throughout the world. The President's responsibility is all the greater this year that marks the 40th anniversary of the adoption of the Universal Declaration of Human Rights and the anniversary of the adoption by the ILO of Convention No. 87, which we are all celebrating today.

Human rights are obviously not a self-contained field dissociated from the overall context of problems of the modern world, and, as the Director-General's Report rightly underlined, it would be absurd to think that these rights will be automatically attained.

True, the picture drawn in the Director-General's Report of the millions of unemployed of those who are leading a poverty-stricken and precarious existence, of the exorbitant foreign debt of the underdeveloped countries and of the enormous amounts squandered for military purposes is such as to cause lively concern, and the situation of workers in countries where terrorist and racist regimes are in power inspires no less concern.

All these situations are in flagrant contradiction with contemporary ideals but unhappily they are an

inherent feature of our times, and thus determine its essential dichotomy.

The responsibility for breaking the Dantesque circle of oppression and class injustice lies with the twentieth century. But together with the gigantic leap forward made in the social development of numerous countries, this century will be remembered for the bloodiest wars ever known in history. What is more, in man's evolution during the second half of this century, we have created the technical means for our complete annihilation. Thus, the supreme right of man – the right to life – has been called in question, and if we do not endeavour to guarantee this right we risk being faced with an absurdity. I do not think I have to produce arguments in favour of this assertion. The sole and permanent requirement is sound reasoning.

Our Conference will therefore fulfil its purpose if, at the same time, it becomes a forum for peace. Furthermore, its timing is exceedingly favourable for this. The Soviet/American agreement signed last year on the abolition of intermediate and shorter-range missiles in Europe and the Soviet/American summit talks just held in Moscow are events of historical importance.

It is an undeniable fact that, for the first time, definite steps are being taken towards nuclear disarmament and that measures to settle regional conflicts have already been initiated. The international climate is undoubtedly less forbidding. There is an evident spirit of *rapprochement* and of *détente* and a better mutual understanding between States with different social systems.

All this leads us to believe that the new political thinking is gaining ground. We must not forget, however, that these changes have become possible thanks to the struggle waged by people throughout the world. Accordingly, the only just conclusion we can reach is that we must unite and act to defend peace, and to reduce and eventually completely and definitively eliminate nuclear weapons.

It is often asked today what our legacy to the twenty-first century should be. Certainly we have much to bequeath, but I think our first duty is to transmit above all a healthy and intact planet, a planet on which we live and which is our home.

Human rights is a theme about which we witness fierce arguments between the followers of different ideologies. Even today these polemics are reviving. However, they are often academic as the approaches of different social systems are founded on identical measures.

Human rights are undoubtedly one of the most delicate problems of our times. Nevertheless, we should not interpret them with that blind ideological arrogance to which even the wisest among us are not immune. Let us consider this problem from the point of view of man himself. Apart from the question of class, human rights have a general human meaning and provide a yardstick for measuring the social progress of every society. Let us show respect for the experiences of others, since none of us has the monopoly of truth.

I come from a country which has been building a socialist society for the last 40 years and I can compare what it was in the past to what it is today. We have not yet settled all our problems, but we have managed to solve those that are of vital importance,

and make it possible to make radical changes in the situation and the life of the workers.

Firstly, we have put an end to man's exploitation by man, eliminated unemployment and created social guarantees for everybody. The Bulgarian worker has numerous problems but he has absolute confidence in tomorrow.

All these actions are recognised as natural and normal, but new problems have replaced those we have dealt with.

This is why we have been experimenting for a long time now and in the last few years we have already put a new system of administration and management into effect which completely changes the socio-economic situation in our country. The new practices consist in replacing administrative and managerial methods by economic methods. In the middle of the 1960s we had observed that extreme centralisation was slowing down economic and social growth and we decided to decentralise economic life.

In the new situation, all human rights – socio-economic, political and personal – assume a very different appearance. As a representative of the trade union movement, I intend to discuss social and economic human rights in Bulgaria. The principle point I want to make in this respect is that we are moving towards self-management. Self-managing communities, that is to say, the workers' collective in the enterprises enjoy considerable independence. They are entitled to determine the goals and tasks for their own development. It is they who organise production and distribute income. To this end, they have recourse to self-governing organs, the basic principle of which is the eligibility to membership of all organs and all persons with responsibility. The workers thus have a decisive say in social and economic matters, which are of prime importance in society.

As I have said before, democratisation and the rights and possibilities of people to manage their affairs themselves is the core of this process of renovation.

The right to self-management is a recent development, but it is increasingly becoming a fundamental right of the worker, which embodies all other socio-economic, political and personal rights, and comprises the conditions necessary to put an end to the alienation of man from his work and from ownership of property. This is a right which creates interest in a job since workers who have real power to decide on all problems of vital importance to them, are themselves creating the conditions for furthering their own interests. For example, the constitutional right to safe and healthy conditions of work is nothing new but in numerous undertakings the standards laid down in this connection were not respected. The right to remuneration according to the quantity and quality of the work done has long existed but in practice all wages were more or less the same.

What led to this state of affairs was the system of centralised management with all functions of economic management concentrated at the top.

Self-management radically modified the position of man in society. A redistribution of power is taking place, with most of the power being transferred to the self-governing communities. Given its nature, this power is already directly being exercised by the workers since their self-governing organs have already been entrusted with the material resources,

property and finances and the right to dispose of all these.

Human rights have been enlarged as a result. Firstly, the right to work has been enriched since it implies the right to the free choice of the employing undertaking or establishment, to work without fear of administrative bans, and to be paid a wage in accordance with one's own contribution and the results obtained. The most important possibility for the worker today is to be able to take part in the appreciation of his own work.

Obviously the realisation of all the measures envisaged will not be for tomorrow. The fact that we have recognised all these human rights as legitimate under the new labour code does not mean that they will automatically come into force. Furthermore, each of these rights inevitably creates obligations and responsibilities towards oneself and towards society. This process will take a long time and be beset by numerous difficulties. There is a wide gap between the right to govern oneself in theory and the responsibility shouldered in achieving efficient self-management. Certain elements will undoubtedly resist the transfer of the power they formerly exercised to workers' collectives. This will not be easy. However, its economic advantages will be appreciable, and great human energies will be liberated as a result that will increase the dignity of man and extend his freedoms.

Obviously, if there are no guarantees, human rights will simply be an ideal. Self-management, in which rights and interests are amalgamated, is in itself a solid guarantee. Legal guarantees too are very important. In their absence, human rights would have no firm foundation. For this reason, we have instituted a general reform of the legislation which must be made in accordance with the principles of self-management. But this action is not exhaustive, for workers' organisations and unions are voluntarily beginning to act as guarantors and defenders of human rights and freedoms. I would like to emphasise, in this connection, the heavy responsibilities that are borne by the trade unions.

First, the trade unions play a basic role in affirming socio-economic rights in a legal context. In Bulgaria, no law or act concerned with promoting standards in relation to work and labour relations, social security and levels of living can be adopted without the participation and agreement of the trade unions.

Second, the unions are an essential participant in the preparation of internal regulations for the self-management of labour collectives.

Third, the unions exercise broad social control over the activities of state and economic organs. The purpose of this control is to protect society from the arbitrary bureaucratic actions of certain bodies of individual managers and to bring together all the conditions necessary for the realisation of human rights.

The restructuring that is in progress at present goes far beyond a mere economic reform.

In our view, human rights have no meaning unless they are part of managerial decision-making. Inspired by this approach, the unions are doing all they can to consolidate self-management in practice.

I do not think that everything is perfect in our country or that our experience is of universal relevance. I have spoken about it in such detail because I wanted to show that something new is emerging in

the socialist countries to which the ILO should pay much greater attention.

Interpretation from Arabic: Mr. BOZO (*Minister of Social Affairs and Labour, Syrian Arab Republic*) – I have the honour of taking the floor at this august assembly on behalf of the Arab delegation at this Conference – Employers, Workers, Governments – to express their views on the Report of the Director-General concerning the situation of workers in Palestine and the other occupied Arab territories.

May I first pay tribute to the efforts made by both the Director-General and the missions that have been sent to these territories for the past 11 years. He untiringly continues to make such efforts despite the problems created by the Israeli occupying forces for the activities of international missions.

The fact that the Director-General decided himself to go to occupied Palestine to monitor personally the tragic situation, the destructive results of the Israeli occupation and the repression it practises against Arab workers in Palestine and other occupied territories deserves our gratitude. We also thank the members of the mission for preparing their outstanding Report. Each page of this report recalls the tragedy of workers and others in Palestine, with constant violations of their basic freedoms and their rights, as well as the policy of discrimination of very kind implemented by Israel, not to mention other methods of torture and terrorism, such as murder, imprisonment, expulsion and exile, the aborting of pregnant women, the destruction of houses, closing trade union headquarters, denial of freedom of association, the continuing policy of confiscating land and water and all the other methods of repression which run counter to the spirit and the letter of the Constitution of the ILO, its humanitarian objectives and international labour standards.

The tragic situation described by the mission has become even worse over the past six months and in particular since the beginning of the popular uprising in occupied Arab Palestine. World opinion, informed of this situation by the media, has seen images of this oppression such as has never been seen anywhere in the civilised world. Here is an underprivileged people with only stones to defend itself and denounce the military occupation of its country. This people is simply calling for its fundamental right to self-determination on the basis of its own will. This is an acknowledged right for all peoples, on the basis of the Universal Declaration of Human Rights of which the world is celebrating today the 40th anniversary.

The report of the mission this year sets out a certain number of objective findings; it highlights a certain number of principles and tasks the ILO should undertake on the basis of its international responsibility. However, the mission failed to mention the various manoeuvres and violations on the part of the Zionists against Palestinian workers and people despite their close links with ILO concerns. Therefore, the Arab delegations wish to submit to this Conference a certain number of comments rooted in our true desire to support the efforts by the International Labour Office to follow up the two resolutions passed by the International Labour Conference in 1974 and 1980:

In paragraph 7 of the mission's report we find that the recommendations made in preceding reports con-

tinue to be valid. This means that these recommendations have certainly not in any way been implemented by the occupying Israeli forces and that the continuing policy of racial discrimination and unequal treatment at the workplace between Palestinian and Israeli workers, of colonisation and expropriation of lands, of closing down trade union headquarters, detaining and expelling trade unionists, unequal treatment on social security, all confirms that the Israeli authorities refuse to implement the resolutions passed it upon Conference in 1974 and 1980.

The report, for more than previous reports, clearly and precisely shows that the social, economic and trade union situation of Arab citizens in Palestine and the other occupied Arab territories has continued to deteriorate. In the introduction to the report the Director-General refers to this when he says: „The report confirms, if further confirmation were needed, that the situation of the Arab workers, which is already seriously affected by the state of occupation, is likely to be increasingly aggravated if the occupation continues.” Therefore our Conference should raise its voice and demand that an end be put to this occupation and thus to all these tragedies. As to the deterioration in the trade union situation, the denial of the rights and freedoms of workers and employers and of their right to organise, the violations noted by the mission give rise to a feeling of sadness and shame. The mission states that the occupying authorities are indeed continuing their violations of trade union rights and freedoms, closing down trade unions, detaining trade unionists and banning all trade union activities.

The Committee on Freedom of Association of our Organisation, in considering Case No. 1390 in May 1987 and Case No. 1414 in May 1988, found that there were flagrant violations of trade union rights and freedoms on the part of the Israeli authorities.

As to the continuing policy of colonisation by the Israeli authorities and the expropriation of land and water, the mission's report shows that the total of land expropriated is now 52 per cent of all West Bank lands and over 40 per cent in the Gaza Strip, where various ways and means are used to seize this land from its owners. The Conference must be aware of the destructive consequences of this policy of colonisation and expansion, which violates the principles of international law, the fourth Geneva Convention and resolutions of the United Nations and the specialised agencies, in particular the resolution of this Conference in 1980.

Here we wish to affirm that the visit made by the mission to the Golan Heights comes within the prerogative of the mission, in keeping with the Conference resolutions of 1974 and 1980. The mission noted the serious effect on Syrian citizens, in economic, social, cultural and demographic terms, from the policy of expropriation colonisation, with its increased proportion of Jewish settlements and citizens, in order to change the demography, culture and social life in the region. The mission also noted interference by the occupying forces with education policy and changes in curricula in accordance with Zionist policy on annexing the Golan Heights, counter to international instruments and in particular the Geneva Convention.

All these facts noted by the mission in its report are a clear denunciation of the Zionist entity, its

Botswana clearly sees the need and the relevance of pursuing active policies of promoting equal opportunities in employment as well as in other areas. This is so because 25 million people in neighbouring South Africa are denied basic human rights. They are discriminated against on the basis of race, colour, political opinion and social origin. The problems that emanate from such discrimination and repressions make us continue to uphold fundamental rights and freedom of all our people and at the same time try to be an example to those who would be willing to learn from us.

The role of the ILO in technical assistance and co-operation, especially for developing economies such as ours, merits mention. Our shortcomings in the areas of capital for funding and lack of skilled manpower have greatly been alleviated by the existence of the ILO's technical assistance. The use of the ILO short-term consultancies with experts, either directly from Geneva or from ILO regional offices, as well as the engagement of national experts where available, needs special mention.

Botswana would once again like to take this opportunity to thank the Director-General for the assistance that the ILO continues to render to her. In particular, the ILO mission which was recently in Botswana has now submitted its reports and the task of the mission was to look at the unemployment challenge in Botswana, prospects for employment generation through diversification of the economy. The two-volume report is being seriously considered by my Government.

Still through ILO technical assistance, Botswana has been able to embark on a project of evaluating our training and localisation policy in the private and parastatal sectors of our economy. This has been necessary in the light of the large and increasing number of applications for work permits by non-citizens, and at the same time the Government's concern to want to see our people occupy skilled, professional and managerial posts. The report on strengthening the labour department and enhancement of training for localisation is being seriously considered for implementation by the Government.

ILO technical assistance in the field of vocational training continues. A new industrial training and trade testing centre, funded through the World Bank and the Federal Republic of Germany, has been completed and ILO technical experts are all in post. The enrolment of apprentices in this trade testing centre began in July 1987, and up until now we have an enrolment of 263 apprentices and we are commencing 12 apprenticeable trades.

Turning to the question of safety and health in construction, my delegation acknowledges the seriousness of the safety situation in the construction industry. It is within this context that Botswana, as one of the rapidly growing developing countries, has seen the need to pay special attention to the welfare, safety and health of workers. Through the building operations and works of engineering construction regulations of 1974 and the establishment of a rudimentary enforcement authority within our Department of Labour and Social Security, the Government has gone some way in achieving better conditions of work.

However, the rapid expansion and technological changes that have occurred in the sector have exposed a need for a better and more modern response

to safety and health problems. It is for this reason that Botswana welcomes the timely inclusion of the subject of safety and health in construction in this session of the International Labour Conference, and hope that the deliberations on the subject will in the end produce an instrument that will enhance the safety, health and productivity of the construction sector.

In Botswana, national development plans have increasingly placed emphasis on employment creation. We do realise that paid employment in the formal sector is generally seen by most people as their best avenue of self-advancement. We note, too, that even under the most optimistic assumptions, such employment cannot cater for more than a minority of new entrants into the labour force. Our view has therefore been the adoption of an employment promotion strategy which does not only focus on formal sector employment but has economic opportunities in the broadest sense. It is in the light of this that my delegation will await with keenness the conclusion of the discussions on the question of employment promotion and social security.

I need to point out that up to now Botswana has had no comprehensive social security system except for the administration of a workmen's compensation scheme. However, there are areas in which social security provisions have been made and these include retirement benefits in the public sector, employment benefits subsidised by the Government for public health services and also a local authority welfare grants system for destitutes.

We note with interest that an issue on partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), will be put before the Session. In recognition of the destiny of the remote-area dwellers in Botswana, the Government in 1974 carried out consultations and put into action plans designed to support the special needs of these people.

I wish to point out that no tribe or group of people in Botswana is subordinate to another within the meaning of the country's Constitution. The adaptation of the remote-area dwellers to their surrounding environment in several ways is well recognised and respected. We have taken special care to avoid assimilation and integration as these have indicated an adverse response from the remote-area dwellers themselves.

Apart from the Government's concerted efforts in providing social amenities to the remote-area dwellers, additional efforts are being made to expand their subsistence base by introducing some new economic opportunities to create income and employment. In some areas, livestock schemes and arable projects, a few handicraft projects and other income-generating activities have been introduced.

My delegation therefore looks forward to the discussions on this very important issue.

Allow me now to turn to one of the important issues to be discussed by the Session, and that is the issue of rural employment promotion. The second theme of our Fifth National Development Plan was on rural development. This was in recognition of the fact that most of our people live in rural areas. Thus, our policies must accordingly seek to provide services and income to these areas.

The Botswana Government has over the past few decades identified as its development objectives the

racist and repressive practices against the Arab people in Palestine and the other occupied territories. This also constitutes a flagrant challenge to human rights and fundamental freedoms and a clear violation of international conventions and charters. All these crimes call for a firm attitudes on the part of the Conference, so that these crimes do not go unpunished. It is high time for the Conference to adopt the necessary decisions to dissuade a member State that fails to implement the resolution or respect the principles and objectives of the ILO.

Despite the positive aspects of the report, we wish to make the following comments.

The objectivity and commitment characteristic of ILO activity means that it must abide by the terms and concepts contained in the resolutions of the International Labour Conference – fully accepted and binding within the United Nations and its specialised agencies – and in the two resolutions of the International Labour Conference in 1974 and 1980, referring to the situation of Arab workers “in Palestine and in other occupied Arab territories.”

Despite the fact that ten years since the 1978 Recommendations, the mission seems obsessed by them and meanwhile the situation in this part of the world has remained very serious. It has led to an heroic popular uprising, against the occupation and for the right to self-determination, which has been repressed by the occupying forces with a savagery beyond the crimes of Nazi Germany. The report would have been more useful if it had contained practical proposals to cope with the economic, social and humanitarian situation resulting from repression by “Israel” of the popular uprising. There is not a shadow of a doubt that a worsening of its barbaric measures means that it is necessary to take a new, more realistic view which takes into account the new situation brought about by the popular uprising. We hope that the International Labour Organisation will do this as soon as possible.

We are accustomed to the wise experience and fairness of the ILO in revealing the real reasons for problems in society and the world of work. We would have liked the report to mention the deductions at source imposed on Palestinian workers for the benefit of a social security system which they in no way benefit from, nor profit from these sums.

The technical co-operation programmes offered by the International Labour Organisation to Arab workers' and employers' organisations in Palestine and the other occupied Arab territories are so modest that they have virtually no impact on Palestinian citizens since they consist only of ideas, of concepts for study and suggestions for sources of finance. However, the mission recognises the restrictions imposed by the occupying authorities on trade unionists to prevent their benefiting from such programmes, intended by the Organisation for them. We hope that the Director-General will double the credits allocated to workers and employers and provide genuine projects in labour matters to meet the real needs of workers.

The report does not fully reflect the problems encountered by economic, social, educational and health institutions, particularly municipal councils, and above all the Jerusalem Electricity Boards, which faces a terrible financial crisis owing to measures restricting their normal activity and to heavy

taxation, making it impossible for them to provide normal services to Palestinian people.

I shall restrict myself to these comments so as not to impose too long a list on you. We would not have time to speak of the cause of the suffering of a whole people under the yoke of a disgraceful racist occupation. The repression, barbaric methods and racial discrimination in occupied Palestine are unheard of in the world except in South Africa and Namibia, where the racist Pretoria regime pursues its racist and inhuman practices against the African people, denying them the right to liberty, independence and self-determination. It is perhaps not surprising to see that there is co-operation between the Pretoria and Tel Aviv regimes in the economic, military, political, scientific and nuclear fields and in exchanging experiences in the arts of torture and repression, as well as other well-known regimes are two sides of the same coin. Their policies are the same. Their objectives are the same. And their victims are two oppressed peoples struggling for liberty and independence. It is no surprise that the United Nations passed a resolution declaring that Zionism is a form of racism. Since the International Labour Conference has spoken out regarding the Pretoria regime and compelled it to retire from this noble Organisation, your Conference should also speak out with courage and responsibility against a member State which defies the resolutions of your Conference and of the United Nations, pursues its policy of repression, terrorism, discrimination, colonisation and violation of trade union rights and freedoms, defying world public opinion by repressing the uprising of the Palestinian people by the most abject methods of terrorism, assassination and barbarous repression, denounced by the world community and condemned by the international organisations and all the free people of the world.

I am sure that you are aware that the real solution to all these tragedies and problems lies in the ending of the Israeli occupation of Palestine and the other occupied territories and in the possibility of giving the Palestinian people the right to exercise its lawful right to self-determination and establish its own independent Palestinian State, under the direction of the Organisation for the Liberation of Palestine, its only legitimate representative. Until the Palestinian people can achieve this aim, the United Nations and its specialised bodies, particularly the ILO, should follow closely the situation of Arab workers and offer them every kind of support and protection, in accordance with the principles and aims on which this Organisation is based and the provisions of the Universal Declaration of Human Rights.

Miss VENSON (*Government delegate, Botswana*) – I welcome the opportunity and privilege to address this august assembly and, as other speakers before me, I wish to take this opportunity to congratulate the President on his election to this very important office. His election is indeed testimony of the confidence we have in him as well as in his country. I am confident that he will lead the deliberations of this Session to a fruitful conclusion.

It often becomes all too easy to forget the very important role played by the Director-General and his staff in preparing the informative reports that have been made available to us and I therefore wish to congratulate them on that score.

attainment of rapid economic growth, economic independence, sustained development and social justice by reducing some income inequities and at the same time spreading income-generating opportunities particularly in the rural areas.

The Government of Botswana still maintains this approach to ensure that the benefits of development are spread equitably throughout the country, thus helping to bridge the gap in living standards between urban and rural areas. We also recognise that the urban industrial sector falls far short of generating sufficient employment. In most of our developing economies subsistence agriculture serves as a refuge sector for most of our people. Hence, the need to improve not only its labour-absorption capacity but its productivity as well.

While unfavourable climate and soil conditions in the greater part of Botswana make it difficult for us to develop rewarding arable agriculture, the Government has embarked on supportive measures to make rural areas attractive to live in in order to curb the rural-urban migration. The importance of non-farming activities as a source of rural employment is also recognised.

We in Botswana realise, as pointed out by the Director-General's Report, that problems of rural areas and accompanying poverty are far too vast and complex to allow for solutions through official programmes alone. We spare no efforts therefore in encouraging the spirit of self-reliance, as we ardently believe that though outside agents may play a facilitating role in rural employment promotion "the basic initiative rests with the rural people themselves".

It is indeed encouraging to note that in the field of rural employment promotion, the share of rural projects allocated by the ILO amounts to up to 51 per cent in Africa alone, 28 per cent in Asia and 17 per cent in Latin America. As the unemployment problems continue, we can only look forward to such continued subsistence and assistance from the ILO.

As the 40th anniversary of the United Nations Declaration of Human Rights is being celebrated, we need to look with sharpened concern to the continued existence of the abhorrent system of apartheid in South Africa. Botswana welcomes the vigour with which the Director-General continues to show and act in condemning this inhuman system. In southern Africa, we are constantly reminded of and exposed to the innumerable sufferings that the victims of apartheid internally, and those neighbouring South Africa, have to suffer. The recent murder of innocent and defenceless Botswana citizens, including one South African refugee in Botswana by the South African Defence Force, show the bullying tactics now adopted by South Africa. The regime not only demonstrates disrespect for territorial integrity in the front-line States but has also embarked on international terrorism. This has been demonstrated clearly by the murder of Ms. September in France recently. Botswana would want to thank the international community for showing solidarity during these dark hours. I wish to reiterate that the dead were in no way a threat to the South African security.

The existence of democratic systems in the front-line States are not only an envy to South Africa, but a threat to her and she is bent on destabilising them. South Africa continues to be at war with herself and, being unable to control the internal conflict and uprisings, uses her might to direct her internal problems

to neighbouring States in the form of military attacks.

There can be no doubt that a major challenging task lies ahead for the international community of man to fight for the total dismantling of apartheid in South Africa. As the 40th anniversary of the United Nations Declaration of Human Rights is marked, the uncanny silence and lack of action by some members of the international community towards the total elimination of apartheid in South Africa can only be described as unfortunate.

By attacking neighbouring countries, South Africa wants to create a sanitary cordon by reducing these independent States to the status of bantustans which are pliable and easily manipulated to ensure that she continues to enjoy external protection of apartheid.

It is gratifying to note, though, that in line with the recommendations of the Committee on Apartheid at the meeting held in Zimbabwe, there is indication that there will be definite action taken against apartheid.

The work of the Harare conference will definitely provide a milestone in reviewing aspects of action which need to be taken against apartheid and also to examine assistance that can be made available to the front-line States to help them resist destabilisation by South Africa.

My delegation wishes to urge the international community to continue to prevail upon South Africa to show her reason and desist from attacking and destabilising the economies of the front-line States and the other neighbouring States.

As Namibia's independence continues to be elusive, we all look forward to the day when the people of that country will be free to determine their own destiny.

In conclusion, I wish to thank the Director-General and the ILO for continuing to be a source of inspiration by providing an appropriate forum where issues that affect all of us can genuinely be discussed in a tripartite atmosphere.

Interpretation from French: Mr. VANIE-BI-TRA (Minister of Labour, Côte d'Ivoire) – First of all, may I express to our President the full satisfaction of my delegation on his brilliant, well-deserved election and we wish him every success in our work under his guidance.

I should like to express my joy at seeing with him, as Vice-President, my fellow countryman Adiko Niamkey, to whom I extend my warm fraternal congratulations. The trust placed in him by his peers is felt as an honour to his country.

And finally, in the same brief praise, I associate the Director-General, Francis Blanchard, who so effectively represents the ILO in his life and activities.

Forty years ago the United Nations proclaimed the Universal Declaration of Human Rights.

Forty years ago the ILO adopted one of its main instruments on the same rights – the Freedom of Association and Protection of the Right to Organise Convention 1948, (No. 87).

Thirty years ago the ILO strengthened its armoury of standards against violation of these rights, adopting the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

Twenty years ago the United Nations General Assembly proclaimed 1968 the International Human Rights Year to draw the attention of the world com-

munity to the means of working for the recognition and safeguard of fundamental freedoms and rights.

So many memorable dates marking one single anniversary – that of human rights – from the solemn proclamation of the United Nations to the more recent times of 1968 to keep these rights always alive in human memory.

Now, after more than half a century's existence, it may seem superfluous – perhaps pointless – to exalt the enormous achievement of this Organisation which made an essential contribution to maintaining peace in the world by safeguarding social peace. Yet, in a world ever changing, marked as it is by a long recession, by great structural upheavals which darken the horizon, we must assess the results of its action, and sum up the main problems with which the Organisation and its constituents are faced, particularly in their efforts regarding human rights.

This is the concern that is reflected so sharply in that part of the Director-General's Report entitled *Human Rights – A common responsibility*.

This is an exceptional document, full of profound ideas; facing the gravity of the world economic situation, it calls on our Conference to look into its implications from the point of view of human rights and to ask itself how the standards and principles adopted may contribute to decisions likely to remedy instability and present tensions.

We note with pleasure that human rights are among the main concerns of States now. Indeed, they determine the quality of relations between States.

Apart from the fact that even the greatest Powers on our planet now give human rights pride of place on the agenda of their meetings, numerous small and needy States have been refused aid on account of the liberties they have taken as regards respect of human rights.

It is equally reassuring to see the new awareness among the individuals regarding these rights, leading to the setting up throughout the world of associations that defend human freedoms and dignity. Amnesty International and associations of jurists bear witness to this awakening of consciences to ignorance of and contempt for human rights which lead to acts of barbarism that revolt the conscience of humanity.

The Director-General's clear and well informed analysis is one with which we fully associate ourselves. When referring to the joint responsibility of nations, he not only reminds us all of the commitments entered into in this field but also appeals for the necessary solidarity of nations to bring about the conditions requisite for the enjoyment of these rights.

Some nations should feel more concerned than others by the problem particularly as in the case of my own country if complaints of violations of human rights are made, rightly or wrongly.

It may well appear easy to refute false accusations or to produce evidence in defence, but we think more should be done in a sphere where the highest moral values are involved, especially where attachment to these principles is an underlying theme in one's action.

This is why I wish to make it clear that I have taken the floor not merely as the head of a delegation to the International Labour Conference playing his normal role but above all because our honour has been attacked. For this reason I have come to pro-

claim aloud, here in the United Nations, the values in which we believe and to describe what we actually do about these values in Côte d'Ivoire. All this can be appreciated in respect both of the values embodied in the preamble to the Constitution of the ILO and of the standards that have been drafted here patiently and with conviction in their justification. In so doing I feel that it is not inappropriate to make known or better known the person who embodies these values for us – our President.

I have had the honour to walk these halls of the Palais des Nations – the United Nations building – each year for 19 years. I have always avoided undue reference to the place where I was born and to what we do there.

And now, for once, I should like to break with this habit as we discuss a topic dear to our hearts in Côte d'Ivoire – human rights. These rights remain the basis of our everyday concern by virtue of our principles and religious beliefs, our economic and social views and our deliberate political choice.

I do not do it often, but I will do it for once: allow me to go over a few stages in the life of Félix Houphouët Boigny, to whom respect for fundamental human rights is almost innate.

He was born in 1905 and, as a child, during a hunting party with his uncle, he swore never to shed human blood after seeing the look in the eyes of a mother ape that had been struck to the death with its young one in its arms.

Houphouët then, obviously, knew nothing of the ILO – which in any case did not exist – or of the Universal Declaration of Human Rights, which came later. But he had made a commitment as regards respect for life – the first and foremost of human rights.

Indeed, in Côte d'Ivoire one does not kill, one does not torture, concentration camps and political prisons are unknown. The death penalty does appear in our Penal Code but the President's philosophy is such that it has never been applied since independence.

As a medical student, he soon became known for his passion for freedom and dignity. As a doctor he was sensitive to everything concerning human beings. Already in 1925, in now famous articles "We have been robbed of too much", he defended Côte d'Ivoire's plantation workers who were crushed by colonial injustice. Even today he is almost alone in calling attention to the plight of our peasants, who are denied the fruits of their labours by world speculation which disregards the production costs of our exports.

In 1944, he set up the African Agricultural Trade Union to defend the interests of his fellow citizens who, like him, were planters and whose produce was being sold at prices lower than those authorised so that only the colonialists profited.

He knows better than anyone else what trade unionism is. He created the Democratic Party of the Ivory Coast in 1946, when he was a député in the French Constituent Assembly.

This party gave birth, on 18 October of the same year, to the African Democratic Gathering; this great Party which led many French-speaking African countries to national and international sovereignty regaining, thanks to him, their freedom and dignity.

But, before this, in the French Assembly, he worked for the abolition of forced labour which was

abolished in the French colonies by a law which bears his name: he is thus remembered for his essential contribution to ending a situation that disregarded freedom, dignity and justice.

The Ivory Coast, as from 1956, enjoyed domestic autonomy under the basic law called the Gaston Defferre Act, and Houphouët Boigny had the privilege and the onerous task of taking on the destinies of his country.

Raising his responsibilities to the height of his conscience, on 28 September 1958 he made the following memorable and profoundly moving statement, which was to remain his creed for the next 30 years: "Every day, when I meditate, I ask God to help me. I say to him: If man's trust gives me these responsibilities for my actions, if, in carrying out my task, you think that the strength and influence I derive from the trust placed in me by my brethren could lead me to commit injustices and trample underfoot the rights of the weak, then, my Lord, take away their trust, take away my office, send me back to my little village, Yamoussoukro, and my little hut."

This dialogue with the Almighty certainly is that of a man of faith, for whom, *pace* Jean-Paul Sartre, "man is not a pointless passion", and who likes to say that over and above any creed, the greatest and foremost duty of man is to love his neighbour as himself.

But although none of this is new, two essential ideas remained the cornerstone of all his deeds: the persistent search for peace which he made our second religion; peace, which for us "is not a word but a way of life", a value to which ILO is likewise deeply attached: dialogue, without which there can be no true peace and which is for us the "arm of the strong, not the weak".

I think of his memorable press conference held in 1971, in Abidjan. He said: "All the rest, liberty, tolerance, justice, solidarity, the exercise of all kinds of rights, derive from these concepts; all this to reach one objective, human happiness, the end and final cause of all dynamics of actions. Solidarity within the Ivory Coast, among us, and also with the other African countries and with the world and most of all with our closest neighbours: the Ivory Coast never wished to be an oasis in the midst of a desert of deprivation."

After the setting up in 1959 of the oldest African institution for co-operation, mutual assistance and solidarity, the Council of Entente, came the OCAM, the Organisation of African Unity (OAU), the Economic Commission for Western African (CEAO), for Eastern Africa (CDEAO), and nowhere did the Ivory Coast stand aside; more than that, it always made sacrifices for the sake of these organisations, a living expression of our solidarity.

I will not speak of Boigny's exceptional kindness, altruism, his African sense of forgiveness: he is a traditional chief who trusts men of good will, for he believes sincerely that "there is nothing in the world, or outside the world, better than good will".

With the rich experience of his years in the Assembly, then in the Government of a country that proclaimed "human rights" two centuries ago, Houphouët is certainly well versed in the subject of our discussions. This is what made him as General de Gaulle said: "An outstanding political brain, well up on all the questions of his country, of Africa and of

the world; having exceptional authority at home and undoubted influence abroad to serve the cause of reason."

As regards respect for human rights in Côte d'Ivoire, let us simply say that our world has become so small since progress has reduced distances that anyone can come and see for himself what we are doing there; there is favourable witness enough.

Whatever values are involved, our basic premise, of which we are as convinced as a mathematic formula, is that a hungry man is not a free man; a man bowed down by material worries has neither the time nor the means to rise above the problems of the moment.

Finally, I think of what President Boigny said in 1985, which came from his very depths, his deepest self, his metaphysical ego, and which, for me, cover the whole question of human rights in Côte d'Ivoire: "Speaking of peace in our country, I mean peace of the heart, peace of mind, peace in our daily behaviour, fed by tolerance, active solidarity, respect for human rights and respect for human life."

Mr. AHERN (*Minister of Labour, Ireland*) – May I begin by congratulating the President, on his election and by wishing him and his Vice-Presidents every success in their important work during the session.

It is most appropriate that our distinguished Director-General has taken human rights issues as the theme of his Report in this the fortieth anniversary year of the Universal Declaration of Human Rights. Indeed, the ILO was founded to promote human rights. Its Constitution and the Declaration of Philadelphia anticipated many of the ideas underlying the Charter of the United Nations. In his Report, the Director-General has demonstrated how these basic texts of the ILO frequently mirror the Universal Declaration of Human Rights.

The Director-General's Report provides a wide-ranging review of the role which human rights has played in the new approach to social policy reflected in the work of the ILO over the past 40 years. The United Nations as a whole gives a central position in its work to human rights.

In the ILO the same general principles are translated into practical action by defining standards within its field of competence and by seeking to ensure the implementation of those standards. This orientation owes nothing to either charity or sentimentality. It recognises that social progress must come about through full employment, social security and better living and working conditions.

What is unique about the ILO is that it has the machinery to assess how its standards are put into effect. The fact that controversy has surrounded that machinery is some indication of its effectiveness. The monitoring function of the ILO is vitally important since the value of its work in setting standards is undoubtedly diminished if those standards are not effectively implemented. We know from experience that compliance does not automatically follow once standards are set. Even those who bind themselves to the observance of standards cannot always be relied upon to implement them. The Director-General has drawn attention to the gap between aspiration and achievement. Not only are there situations in which standards agreed by this Organisation are being dis-

regarded, but this regularly involves violations of basic human rights.

The Director-General has emphasised the need to continue to search for more effective measures to ensure implementation of ILO standards. The social policy principles reflected in the Declaration of Philadelphia contained in themselves a new driving force – the collaboration of workers and employers in the preparation and application of social and economic measures.

In many countries, the representative organisations of employers and workers have considerably enlarged their original purpose of safeguarding their members' interests and have become the watchdogs of the public interest. On this international stage, workers' and employers' organisations are now making increasing use of the various opportunities available to them to have problem issues examined by ILO supervisory bodies.

My Government is certainly willing to co-operate fully in that process. We consider that one of the most effective ways for governments generally to contribute to furthering human rights in this anniversary year would be to increase co-operation with supervisory bodies within the United Nations system. We regard these supervisory and review bodies as integral parts of the process of implementation.

I welcome the inclusion in the Director-General's Report of references to the matter of equal opportunity and treatment in employment. While the question of equal opportunity in its broad sense covers a wide range of equality issues relating to sex, race, colour, religion and other areas, I would like to refer in particular to the matter of equal treatment for men and women in relation to employment.

The positive influence of international standards on national law has been particularly significant in this area because the principle of equality between men and women is one of those rules of law which has not been derived from commonly accepted practice. Instead, the achievement of equality in employment often represents a challenge to conventional practices in the workplace.

This has sometimes created internal problems both of principle and practice for employers and trade unions. Tensions can arise, for instance over whether equality issues should be treated as an aspect of industrial relations or as an aspect of fundamental rights.

It is not, of course, enough simply to eliminate unlawful discrimination in order to achieve equality of opportunity. Equality of opportunity is a wider goal. As a concept it has not yet been integrated satisfactorily into the legal systems of many of those countries which originally introduced legislation on equal treatment in the light of the ILO Conventions. We have recently seen the development of what have been called positive action measures, aimed at removing practices and constraints which continue to inhibit the realisation of equality of opportunity and employment. We need to ensure that our laws are sufficiently flexible to incorporate principles of positive action.

We must ensure a proper balance between efficiency and fairness in pursuit of our economic objectives. Looking after the interests of disadvantaged groups in the labour market and establishing broad equality of opportunity represent a solid foundation

on which to base a strategy for genuine economic recovery and for improvements in employment.

Failure to take account of these very basic social policy objective will lead to a deterioration in relations between labour and management interests, greater resistance to change and in the long run declining competitiveness and standards of living.

Of course we need to analyse carefully situations in which a lack of flexibility seems to be undermining the effectiveness of the labour force. Trade unions, management and government have mutual responsibilities to ensure that flexibility is pursued as a positive development and not as a means of reducing employment protection and job security.

It is appropriate that the Director-General's Report should consider the implications of the economic difficulties faced by so many countries for the work of the ILO. We do not, of course, underestimate the problems faced by governments grappling with the adverse economic environment. Indeed, we ourselves have first-hand experience of the difficult consequences, particularly in relation to employment.

Current levels of economic performance and investment have been insufficient to bring about substantial reductions in continuing high levels of unemployment. My Government takes the view that the industrialised market economy countries must commit themselves to the application of macro-economic policies designed to increase demand and boost employment.

The tendency instead has been to accept that the best that can be achieved is modest economic growth and low inflation and to take comfort in the fact that high unemployment has ceased to get worse. The Governments of member States must be more ambitious and must focus especially on helping those who continue to suffer as a direct consequence of these conditions.

My own Government has sought to address our national economic situation with the particular objective of providing more employment. Shortly after taking up office in March 1987, it initiated discussions with the social partner with a view to securing an agreed programme for national recovery. These discussions culminated in the successful negotiation of a programme for national recovery to cover the period up to 1990. The programme is based on the recognition that the success of measures to improve economic performance, and particularly those measures directed at tackling unemployment, ultimately depend on the endorsement and support of the community as a whole, the responsiveness of the administrative machinery and especially on the co-operation and good will of employers and trade unions at local level.

We consider that the development of our programme for national recovery on a consensus basis reflects the Director-General's emphasis on involving trade unions and employers' organisations through participation with government in the formulation of policies for economic and social development.

The issue of human rights is of particular and special significance in the area of social security. It is a basic human right that each individual should be enabled to pursue his or her economic, cultural and social development independently and with dignity. That cannot be achieved unless each member of

society is able to rely on a certain level of economic support at all times.

The maintenance of adequate levels of social security for categories which need official support must be a priority for governments even in times of economic difficulty when the burdens of adjustment have to be equitably shared by the community at large. Our weaker citizens must be protected always, no matter what the circumstances are.

At the start of my address, I welcomed the fact that our Director-General should devote his Report to human rights issues 40 years after the adoption of the Universal Declaration of Human Rights. The issue of human rights was also the subject of a Director-General's Report 20 years ago, in 1968, at the 52nd Session of the Conference. On that occasion, Mr. David A. Morse, Director-General, concluded his Report with the expression of "hope that the discussion of my Report at the Conference will provide guideposts to the new avenues which we should follow to establish an ever firmer foundation for the realisation of the ideals of freedom and dignity, economic security and equal opportunity."

It is my hope that consideration of the Director-General's Report will not just renew that expression of hope of your predecessor of 20 years ago or consolidate what has been achieved in the interim, but that it will be instrumental in providing a fresh impetus to the efforts to achieve human rights for all.

Mr. DE KONING (*Minister for Social Affairs and Employment, Netherlands*) – I should like to associate myself with those speakers who have preceded me in congratulating the President, as well as the other officers.

The Director-General has submitted to this Conference an elaborate Report on human rights, a subject of the highest importance. The Report contains an impressive amount of facts, analyses and ideas. Like most speakers before me, I will limit myself to commenting on a few of them.

First, I should like to say something on the issue of human rights as such. For human rights are of particular significance this year as we commemorate the fact that 40 years ago the Universal Declaration of Human Rights was adopted. The common responsibility of which the Director-General's Report speaks can be directly traced to the Declaration. The issue of human rights is of the utmost importance as, in my view, it is the starting-point for all further developments.

Essentially, the ILO is firmly rooted in the idea of human rights. Any struggle for social justice, as well as against poverty, underemployment and unemployment, is, in the final analysis, linked with fundamental human rights. Social progress must be firmly based on the enjoyment of human rights, or else there is no progress at all. Substantial progress, if it is to be sustained, can only be based on freedom, equality and solidarity.

Human rights also mean a process of continuing progress. We can only move forward to the full and effective implementation of the fundamental principles embodied in these rights. The final goal is clear and may not be compromised. The path towards that goal, however, is of concern to us, as is the pace at which we proceed. Too many words have been written into conventions and declarations, but too few of them have been put into practice.

Looking back, we may nevertheless identify a number of positive developments, as does the Director-General's Report. Our views tend to be influenced by the present situation and perhaps less by what has been achieved over the past 20 or 40 years. Yet, the most pressing questions for our present discussion remains, how we can act in such stark contradiction to our very beliefs and convictions? How is it possible that we witness and condemn the most flagrant violations of human rights while at the same time we all agree that there can be no human dignity without the full enjoyment of human rights?

In part, the explanation for this lies in the so-called indivisibility of human rights. The Report of the Director-General gives a number of examples of the interference of social development with the enjoyment of human rights. But in my opinion this can only be part of the story. I believe that such indivisibility of human rights can never be an excuse for deliberate violations. Hence, I prefer to speak of equality of human rights. Equality implies that their status is linked but not their implementation. I feel that underdevelopment cannot be used as an excuse for the arrest and detention or worse of trade union leaders and trade union representatives, for discrimination, for curtailment of trade union activities etc. What I would like to stress here is that we should be very careful in linking the various elements of human rights to each other. Economic and social development can, in my view, be no precondition for the application of rights such as freedom of association or non-discrimination.

In the same vein, the concept of national sovereignty should never serve as a justification for violating human rights. The international responsibility which the application of human rights demands, calls for monitoring at the international level.

Now, let me comment on some of the other topics the Director-General has raised in his Report. While reading the report, I was struck by the relatively minor attention given to democracy at the workplace. In the context of human rights issues, I think the development of democracy at the workplace, participation of workers, codetermination or whatever name we use, is important as well as necessary. It is supplementary to some of the classic political and civil rights such as the several notions of freedom. In fact, one could say that of concept of democracy at the workplace constitutes more or less the bridge between the classic civil and political rights on the one hand and social and economic rights on the other.

At the political level, we witness in many countries of the world a tendency of central government to step back. In some countries, the role of central government has always been a minor one. More recently, we observe in a number of States in Western and in Eastern Europe that the role of the central government is undergoing a process of revision. These processes of change in both parts of Europe are to some extent identical. The omnipotent central government steps back, as it is felt that at the central level it is no longer possible to foresee and react adequately to all kinds of developments and impulses in and from society.

We all give it different names but essentially it means the same, namely that more responsibilities are placed within society itself and less with central government. In the sphere of labour, the participa-

tion of workers can be seen as the necessary supplement to this development. And especially in the context of our discussions on human rights, I felt it was appropriate to pay attention to this subject.

To conclude I wish to thank the Director-General, Francis Blanchard, for the excellent Report he has submitted to the Conference. It embodies his ideas and reflects his inspiration, as well as 15 years of experience as Director-General of this Organisation. Once again, we wish to praise Dr. Blanchard for his wisdom, his intelligence and for the statesmanship with which he has protected the Organisation and for the way he has guided us in our work throughout these difficult years.

Interpretation from Russian: Mr. KOVALEVSKI (Workers' delegate, Ukrainian SSR) – First, allow me to associate myself with the congratulations to the President and his Vice-Presidents on their election and to wish them every success in directing our deliberations.

In 1968, in the International Year of Human Rights, the Director-General's Report was devoted to human rights and now, 20 years later, this subject is the theme of our discussion. The Director-General's choice, of course, is no accident. The extreme importance of international documents concerning human rights is becoming ever more obvious.

The changes taking place in the world today, as few can doubt, call for a new political thinking in the practice of international relations.

As never before, our contradictory and complex world is interlinked and constitutes a whole. Recognising this general human truth leads us to the conviction that ensuring international peace and security in the interests of all peoples and each individual calls for co-operation, not confrontation. Favourable possibilities for such co-operation have arisen as a result of positive trends in the world today in international relations, and above all the historic agreements to eliminate two classes of missiles. This is a start to the process of disarmament.

Many people, ordinary people or political figures, international and national organisations, intergovernmental and public organisations, are now much exercised by the complex problems of human rights.

Speaking of human rights we must always remember that this concept may be very broadly interpreted. In our view, there are extremely close links between civil and political, social and economic rights and none of them can exist without the others.

It is extremely important that the ILO should clearly define the basic lines of its action and the fields in which efforts have to be made in the matter of human rights in order to avoid unnecessary duplication of effort with other international organisations and to combine the efforts of all men of good will so as to overcome, in the words of the ILO Report for 1968, "the urge to dominate, eagerness for gain and the forces of hatred, selfishness, prejudice and inertia".

As we see it, the terms of reference that the ILO has enshrined in its Constitution and the Declaration of Philadelphia unambiguously indicate that the ILO has to concentrate its attention on the social and economic rights of the workers so as to guarantee for each and every citizen a decent standard of living in a world of social justice.

As is well known, major changes are now under way in our country, designed to bring about qualitative renewal in our society. A radical economic reform is taking place, the process of democratisation is being developed and the workers and their organisations are becoming increasingly active socially.

A decisive means of attaining these ends is democratisation, further progress in improving self-management, the reinforcement of the people's power, greater participation by the workers in matters concerning the State, society and their own concerns.

This presents a most responsible task for the main workers' organisations, the trade unions.

In the past few years, the role and the possibilities of trade unions have increased considerably. By making a sensible use of their rights, the trade unions defend the workers' interests, oppose arbitrary action by individual administrative officials, strictly supervise the process of giving effect to decisions so that these are not at the expense of social issues and strive to strengthen the social orientation of economic decisions taken.

A radical reform of our economic procedures, accelerated intensive development, technical re-equipment in production and the introduction of technical innovation will inevitably give rise, and are already giving rise, to significant changes in the structure of the workforce. We are particularly concerned by the fact that this process will render a part of the workforce redundant.

And of course the trade unions cannot ignore those questions which the Director-General mentions in his Report: reconciling the process of displacement of labour with the guaranteed right to work, facilitating the mobility of labour, wage reforms, training, retraining and so on.

So far as the right to employment is concerned, which we consider to mean not only the possibility of getting work so as to earn a subsistence wage, but as a right to skilled creative work in accordance with one's level of education, qualifications and interests, this right is reinforced by law in our country and each worker released is guaranteed other work in the same or another enterprise or in the same organisation in his own profession or speciality. If for any reason this possibility does not exist, the option of retraining in a new profession is guaranteed, bearing in mind individual wishes and the opportunities for appropriate work.

When retraining or further training is undertaken by workers, full time they keep the average wage they earned in the former place of employment or the difference is made up to the average wage throughout the period of training when training is being undertaken full time.

From what I have said, it is clear that the workers released enjoy a high degree of social protection and the difficulties arising from the change in their activity are reduced to a minimum.

The trade unions play a major part in providing such protection. As we see it, it is possible to overcome the unfavourable social consequences of structural change and the introduction of new technology and new systems of organisation of work organisation only if the workers and their organisations – primarily the trade unions – are actively and directly involved in the process of change and innovation, starting at the planning stage.

Everybody knows that new technology can give a powerful boost to labour productivity and job satisfaction. We understand that the achievements of science and technology open up new possibilities for social and economic progress, but to use them for the welfare of people we need a broad democratic supervision of the implementation of new techniques.

We are therefore convinced that in the international instruments which will be adopted under item V of the agenda of this session, employment promotion and social security, provisions should be included acknowledging the right of the trade unions to participate in resolving all economic and social issues relating to structural and technological change, and especially in issues relating to dismissal or relocation of staff.

We can only welcome the attention given in the Report to an issue of such crucial importance to workers as the right to equitable and agreeable conditions of work. The Director-General is right in saying that occupational accidents and disease can and must be checked. We share the view of those who reject flexibility in application of occupational health and safety standards. We also attach great importance to worker's participation in the planning, implementation and observance of safety measures.

In our country, in accordance with the Labour Code, supervision of compliance with occupational health and safety legislation and regulations is the responsibility of the trade unions.

A major role in these matters is played by the technical labour inspectorate a special service rested by law with extensive prerogatives.

The technical inspectors of the trade unions can, without let or hindrance, investigate what is going on in undertakings, issue binding instructions to the management to eliminate infringements of safety standards and regulations and to stop work, if necessary, in individual shops, or on individual machines, and they make use of these rights.

Only last year, the technical inspectorate of the trade unions of the Ukrainian SSR carried out more than 74,000 such inquiries in undertakings. Work was stopped in those shops and undertakings where breaches in occupational health and safety standards were observed and officials guilty of such breaches, in accordance with the legislation in force, were brought to justice or dismissed at the request of the trade unions.

The appearance of new high-energy machinery, robots, microprocessors, flexible automated production systems, conveyor belt systems, and new substances and materials, of course have considerably changed the work done by people and often present new potential dangers. Taking this into account, the trade unions take part in inspecting all new equipment from the design stage up to its installation and use on the shop floor. Thus, in 1987, we undertook technical inspection of robots introduced into industry; machine tool factories were ordered to correct any shortcomings observed.

Participation of the trade unions and all workers in supervising occupational health and safety matters was given a fresh boost by the adoption of the Law on state enterprises. Under this Act, the work collectives play an active part in examining the complex plans for improving working conditions and occupational health measures whilst supervising the effect given to them. Close attention is paid to occupational

health and safety when concluding collective agreements. This year, during the run-up to collective agreements (33,200 such agreements and more than 7,000 agreements on occupational health and safety and social issues were concluded in collective farms) the workers took the initiative to include in these agreements a number of major social issues such as housing construction, leisure, health and other matters.

At the beginning of my statement I said that, in devoting his Report to a subject of such crucial importance to workers as human rights, the Director-General repeatedly reminds us of the need for co-operation, both at the national level and between States.

In fact, co-operation on an equal footing and to mutual advantage is one of the basic means of attaining the aims of the Universal Declaration of Human Rights and international covenants on human rights, which themselves emphasise the need to help bring about friendlier international relations.

The ILO too, unique in its structure and rich in experience of dealing with the matters within its competence, can do much to develop international co-operation.

Assistance in such co-operation, together with standard-setting activities and technical assistance, can become a major contribution of the ILO in assuring respect for human rights against a background of universal and lasting peace, a world without poverty, hunger, sickness and injustice.

Such action by the ILO will always have our support and understanding.

Mr. MALLIA MILANES (*Employers' delegate, Malta*) – In opening, I should like to add my sincere congratulations to those of my colleagues on the election by the President to chair this Assembly. We are convinced that he will bring to this office the distinction it has consistently enjoyed in the past.

This year, in his Report, the Director-General has chosen to grasp a nettle – and a particularly prickly one, at that. The subject of human rights, the basic rights of each and every inhabitant of this planet, from the starving child to the surfeited adult, raises many a discussion. Violations of perceived human rights cause protests not only in the country of commission but in the international sphere. This is truly an international issue, which finds expression in numerous forums. It is our obligation to treat it here with the gravity it deserves.

The Director-General warns that preoccupation with economic issues to the detriment of employment growth and social policy could jeopardise human rights, pointing out that gainful employment is a vital link in the enjoyment of other human rights. We in the private enterprise sector share Mr. Blanchard's visualisation of the right to employment as a link in the larger chain of human rights. It has always been the expressed view of my Association that human rights and employment are interlinked and that one should not be sacrificed for the sake of the other. Indeed our consistently-held view is that economic prosperity cannot be achieved in an atmosphere that is anything less than fully respectful of all human rights and freedoms.

It is hopelessly futile to live in a society where, even if you are fully employed, you do not have the liberty to enjoy the fruits of your employment. Con-

versely, the fullest freedom is illusory if you do not have the wherewithal to expand and take your rightful place in this free society. Man, indeed, does not live by bread alone, but bread is essential for him to continue living.

This, in truth, is the dilemma of the human condition, the continued balancing act which must be played out between the forces of rights on the one side and of obligations on the other, the genuine desire to improve the quality of life on the one hand and the stark reality of economic constraints on the other.

Taking one of the subjects dealt with by the Director-General, occupational safety and health, enables me to illustrate this dilemma. In Malta, an extremely valuable exercise in tripartism has just been completed. A Commission on Health and Safety, completing its task of examining the state of the art within the appointed time (itself an important achievement), has identified a number of areas within which improvements were required and proposed the establishment of an autonomous Occupation Health and Safety Authority, with wide-ranging powers to tackle the problems connected with the workplace in this area. The Commission which carried out this work was fully tripartite in structure.

This Commission, properly in my view, found that the protection of the workers' safety and health was not a matter for negotiation: so basic a right is that to protection of physical integrity that no discussion need take place about the concept. However, when one comes to implement the concept, I perceive that difficulties may begin to arise. Cost, as always, rears its ugly head, and the temptation to cut corners may become overwhelming, especially in the context of industries which may be living close to the margin of viability.

Let us examine another basic right – at least to those who operate a democratic free enterprise system – the right to industrial democracy. In principle, little can be said against the theory of co-determination by the economic partners of their common future. In principle, I repeat, this may be so, but in practice I query, how likely it is that the established lines of demarcation between capital and labour will be redrawn into something completely different at least, in the immediate future. As we have examined two aspects of human rights with a distinctly “industrial” flavour, so may we go on to examine all the others with which Mr Blanchard has so capably dealt. After just such a thorough examination, we will arrive, I would predict, at this conclusion: to each human right are attached such difficulties of definition and attainment that complete harmony is Utopian. Having, effectively, reached something of an obvious conclusion about the human condition to which I referred earlier, I will attempt to be constructive within the limitations imposed by the constraints of time and context.

Our Organisation, in its own sphere of activity, is the epitome of the process which must be undergone if lasting improvements in the more general field of human rights are to be achieved. Here, nothing is done except after discussion by all the parties concerned – the workers, the employers and the Governments. By and large, this pattern tends to be adopted all the way down to the level of the single firm or enterprise, at least in socio-economically developed areas.

If this pattern were to be followed in good faith in other spheres – if, for example, governments had to interact positively with opposition and with the electorate, in time an atmosphere would be generated which I am convinced would result in an acceptable human rights condition overall.

Admittedly, this process is not one of the most practical ones. The oppressor in defiance of an oppressed's human rights is not likely to enter into dialogue with the oppressed, and in the absence of good faith the whole structure collapses. However, I will not allow pessimism to overcome the concept which I believe to be possible. The gradual rationalisation of resources and ideas will result in a world in which we and our children can live in and not just survive.

I should like to inject a note of reality into the proceedings, as employers are wont to do. To everything there is a cost: if the demands made result in too high a cost, it is very possible that a flat “no” will be forthcoming and no progress at all will be made. This thought applies to all levels of the world of work, from this assembly down to the smallest firm.

We should ensure that we do not put the social cart before the economic horse. Rights and responsibilities are inseparable. But one has rights only as long as one is ready to fulfil one's obligations.

May I conclude by a warning note to participants at this Conference. Humanity is confronted with severe problems of unemployment and poverty, particularly in areas where social protection is highly limited or non-existent. This can cause an eruption of large sections of the world's human society. It is time for us to move from words to deeds. As the Director-General rightly points out, “the continuing effectiveness of these mechanisms depends on a genuine willingness by member States to collaborate in a common endeavour to secure the observance of freely assumed obligations. Expressions of support for international supervision must be borne out by actual performance, in the realisation that all nations stand to gain from greater respect for human rights and enhanced social well-being.”

Only this will change the course of history and events. The alternative is illusory.

Mr. BOGGS (*representative of the International Federation of Chemical, Energy and General Workers' Unions*) – The Organisation I have the honour to represent, the International Federation of Chemical, Energy and General Workers' Unions (ICEF), serves over 6 million workers in 60 nations around the world in the chemical, pharmaceutical, pulp and paper, rubber, cement, energy, including nuclear energy, and petroleum industries, and works closely with the ILO on many fronts. We know, use and appreciate this venerable institution and the broad reach of the programmes and services that it houses.

I have stood on this podium to comment on the Reports of the Director-General for several years, offering our constructive comments where we deem them appropriate, but this year, at this 75th Session of the International Labour Conference, the Director-General has condensed the very essence of the ILO in his volume called *Human rights – A common responsibility*. The essence of this august institution is precisely that of human rights and the mechanism that puts the ILO far above the other members of the United Nations firmament is the application, the

implementation of the human rights and other standards of the ILO. The review process makes the Conventions and Recommendations of the ILO come alive and give hope to workers and their families everywhere.

The Director-General makes us inordinately proud to be associated with the ILO in this Report because human rights and trade union rights are synonymous. Those rights are enshrined in the Conventions of the ILO which are part of the daily bread of workers everywhere, but beyond the right to strike, the right to bargain collectively, the right to organise, the right to equal remuneration, is the right to know. The right to know when an industry plans to close down or move its facilities, to know the risks involved in working with and around substances of hazardous nature, the right to live and work in a safe environment free from the risk of pollution of water and air, the risk of fire and explosion.

We must stress also the increasing difficulties in many countries for unfettered operation of trade unions. While the abuse of human and trade union rights in South Africa, Chile, Paraguay, lately Ecuador, South Korea, Malaysia, Indonesia and many other countries are familiar to many of us here, the industrialised democracies of our world ruled by conservative governments have also been busy clamping down on trade union freedoms.

Of course, this may be perfectly legal, the laws having been carefully tailored to abridge the right to strike, for example, all in the name of justice, but the effect is the same: workers in industrialised democracies find their rights encircled by new anti-union legislation on the one hand, and union-busting consultants, hired anti-labour mercenaries, on the other.

This onerous practice of union busting has spread from its native environs in the United States to the United Kingdom and indeed is beginning to be seen in other parts of Europe as well.

The forum of industrial relations in the United Kingdom has been moved from the negotiating table to the law courts. The sequestration of union funds and the imposition of massive fines for activities that were perfectly legal until recently are an attack on the basic trade union rights to organise and to bargain collectively. Union rule books and constitutions, established over many years of democratic debate and discussion within the membership, are increasingly subject to legal interference and controls. This government use of legislation and the law courts to curb union activity and influence provides an example that many reactionary governments elsewhere are following. The Labour Relations Amendment Bill in South Africa in many of its provisions owes a clear debt to Thatcher and Reagan.

Thus, trade union rights, human rights, can never be taken for granted, hence the international labour standards vigilance of the ILO and the timely Report of the Director-General on the subject of reinforcing, updating and sharpening the application of standards, the freedom of association procedures, the implementation of the human rights Covenants so clearly delineated in the Declaration of Philadelphia and woven throughout the fabric of this notable Conference document.

All eyes are upon Europe, the new Europe of 1992. Trade unionism was born alongside the inequities for workers and their families of the industrial revolution in Europe. Trade unionism and trade

union rights have reached their apex in the heart of Europe where social legislation has buttressed trade unionism in the recent past. But clouds gather as new legislation aimed at curbing trade union freedoms becomes more and more evident in parts of Europe. If the process of building a commercially and industrially unified Europe and the emergence of a powerful efficient Europe-wide industrial plant means displacement of workers in weaker European environments then trade union rights vigilance will once again be called to the test. We trade unionists must develop our own strategies to assure both the success of the unification of Europe and the defence of workers' rights and freedoms in that same socio-economic environment. The ILO, too, will have a central role to play in the process leading up to the Europe of 1992.

Last, but by no means least, in the Director-General's Report on human rights is the question of minimum labour standards; indeed, the observance of basic labour standards in all countries is a natural and necessary condition for a relatively free exchange of goods and services worldwide.

Those standards, must of course, include full respect for trade union rights and a just wage for all. Equally important, though, is the health of workers everywhere. Occupational safety and health are human rights, and they are a major concern of the ILO and the ICEF. Both Organisations have helped to create an informed awareness of the issues involved but much remains to be done.

We all know that hazardous jobs are exported from countries with high safety standards to those with laxer rules. In these circumstances, effective regulation of health and safety of the workplace must be international. That is a vital and urgent task for the ILO and for the workers' international representatives.

But trade unions' concern for health does not stop at the factory gate. A livable world is also a human right. The workers and their families demand that their industries build that world and not destroy it. ICEF members realise that public acceptance of their workplaces, and therefore of their jobs, is at stake.

Also, one industry's waste can easily become another industry's problem. The ICEF, for example, organises in both the chemical and paper-making sector. For us, acid rain is an acid test; no trees, no paper.

Environmental protection is now a priority for the ICEF. We would suggest that the ILO, in co-ordination with other United Nations agencies, could help to fight industrial pollution. For this is another international issue par excellence. Pollution knows no frontiers, nor is any country at any stage of development immune to major industrial accidents, as recent history attests.

That brings me to the greatest chemical risk of all: the continued stockpiling of chemical weapons. Inherently unstable, these horrific arsenals are a constant threat in peace as in war. We welcome the progress made so far in the negotiations to rid the world of chemical weapons, but we note that the main obstacle is now the practicalities of verification. In other words, how do we actually make sure that nobody cheats?

This is a more difficult problem than with nuclear armaments because there are thousands of civilian factories that could quite easily produce chemical

weapons. Real verification and confidence-building must therefore involve the chemical industry, that is the representatives of chemical workers and employers in all countries. We will be proposing initiatives on this in ILO committees and other appropriate forums.

Ever since the Chernobyl accident, the ICEF has found that purely practical co-operation on nuclear safety issues is possible and necessary between organisations of very different natures. Perhaps the time has come to develop similar, purely practical co-operation on pollution control and the verification of chemical weapons treaties.

I will close by noting aspects of a serious human rights/trade union rights issue that is being discussed in this venerable forum. In Turkey, where my organisation proudly counts six affiliated organisations, recent modifications of a repressive set of laws embodied in the Constitution of 1982 amount to nothing more than cosmetic changes, the end result of which is the continued blatant violation of ILO standards in that country. The Turkish Government promised in 1986 and 1987 to live up to ILO Conventions Nos. 98 and 111; in fact, however, the Committee of Experts' indications have not been taken seriously. The recent amendments to Acts 2821 covering trade unions and 2822 covering collective bargaining makes the repression of trade union freedoms even more Byzantine by extending the ban on the right to strike in so-called essential sectors. My affiliate PETRO-IS is currently prevented from taking trade union action in the chemical sector because it is now included in one of these essential sectors. My affiliates TES-IS and BELEDIYE-IS cannot bargain freely in the government sector owing to relentless government intervention in those negotiations. If Turkey is serious about coming into the Common Market it must take immediate steps to bring its Labour Code into line with ILO and accepted European norms. If it does not, the European trade unions will campaign vigorously until that happens. The ICEF will continue to monitor developments in Turkey on behalf of our affiliated organisations there very closely.

I thank you for your patience and renew our pledge of continued co-operation and support for the ILO and its human rights mission.

Interpretation from Russian: Mrs. TODOROVIC (*Workers' delegate, Yugoslavia*). – I am particularly pleased to be able to wish the 75th Session of the International Labour Conference every success in its work and heartily to congratulate the President on his contribution which provides a profound analysis of a most important theme from the point of view of the main requirements of human rights in terms of work, social security, trade union freedoms, etc., irrespective of a man's place of birth or residence.

The participation of each one of us in the discussion has been made significantly easier thanks to the extremely well-prepared Report of the Director-General, Mr. Blanchard. The well-founded analysis and proposals for the future activity of participating countries, employers' and workers' groups are giving impetus to the efforts of all progressive forces to overcome the consequences of the economic crisis. The Report showed that the consequences were much more serious and involved the majority of people in the developing countries in the conditions

of great external indebtedness of those countries, a fact which it is not necessary to prove to such an august, competent and benevolent assembly as this.

I intend to point to the complexity and difficulties of implementing development objectives which would create the conditions whereby human rights – to which the present session is devoted – would become a reality for all and a requirement for averting the most serious consequences of the economic crisis, which is dividing people into two basic groups: those who have the opportunity to build their own future with their own labour, and those who through no fault of their own find that their basic social security and conditions of existence are placed under threat. The basic message of the Declaration of Philadelphia states: "All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity." This is being placed in jeopardy for a growing number of people in the world due to the consequences of the economic crisis not so much in terms of defining human rights as in the more effective application of ILO standards. It is essential in this case to look again at the ILO's activities as an impetus and as a help – at the Conventions, resolutions and Recommendations – and to monitor obligations that have already been ratified.

Until recently we have been speaking of the problems of the unemployed in our country with an eye mainly to young people seeking first-time jobs. Under the burden imposed by the economic situation several thousand people remain without work as a consequence either of the modernisation of technology or of bankruptcy or of the disappearance of outdated and unprofitable production. At present in Yugoslavia the percentage of unemployed, according to international norms, is almost 14. In the poorly developed regions of our country this problem is even more marked. To this can be added the fact that the reduction and limitation of personal and general consumption countrywide seriously undermines the rights that have already been won. Since the developed countries and those which have developed through great dependence on imported technology are Members of the ILO, we must thank the ILO for the reminder that economic policy "can be only a means for implementing social aims". The exchange of views and experience in the tripartite set-up has enriched the activity of each participant and continually assists the speedier change of positions and broader application of ILO standards.

The signs of economic crisis in Yugoslavia, expressed in terms of a still high level of inflation, and a lowering of real wages and standard of living, demand radical changes in the economic system, and those changes are in fact already under way. In these conditions the trade unions acquire new tasks and bear great responsibility both in the mobilisation of greater productivity and utilisation of every potential, and in the rapid finding of solutions to the problems posed by social security and the maintenance of living standards, especially in conditions of unemployment, and particularly the observance of ILO standards. In our country the consequences of the crisis do not place in question the role of the trade unions in terms of their position in the political system, and trade union freedoms, but to a considerable degree they aggravate their role, particularly

because of the complex material possibilities of the economy and the complicated conditions of more rapid economic development. The employment percentage is stagnating, but in some branches of the economy – for example, construction – it is dropping, and together with that the means available for gaining qualifications in a new area of employment and restructuring the economy – which would ensure that people were placed in jobs – are diminishing. So last year the trade unions were very active in taking decisions in the area of economic policy, wages policy and social security, so as to avert the social consequences that go hand in hand with the restrictions accompanying the crisis.

Man is the basic factor in production, and he alone, through his work and creativity, can increase the energy put into it, can apply greater efforts and collaborate only if he himself takes the decisions on objectives, if he knows why and for how long the difficulties will continue, if he sees the effects of his own efforts – and that means if he is fulfilled as a man. In the very difficult conditions in which some collectives found themselves, the difficulties were overcome thanks to the self-managing participation of the workers in the taking of decisions and in the sense of responsibility for the effect of those decisions. Where decisions are taken in an authoritative and one-sided manner there is resistance, temporary work stoppages, discontent and strikes. In the past year we had 1,444 temporary work stoppages involving about 176,000 workers, or 2.5 per cent of the working population. These workers expressed their discontent mainly through their social position, through stopping work, for anything from an hour to several days. As a result of the fact that the aim of the trade union movement is the economic and social development of the workers, these expressions of discontent were a proof and a cause of the fact that seeking solutions in economic reform and economic policy should not threaten the economic and social security of the workers and the unemployed. Last year saw a real drop in wages of 7 per cent. A special report has been written, within the framework of the ILO, on the situation and activities of the trade unions in Yugoslavia, so I shall not dwell on it further here.

Legislation and regulations in many countries are based on the ILO and United Nations standard-setting activity in the field of work: specifically, the elimination of discrimination, which is still a difficulty as far as the position of women is concerned. It is harder for women to find work; the early retirement of women affects women themselves, first of all, but it also lowers the standard of living of the family as a whole, and burdens women with new obligations. Therefore it is valuable to check on formulations concerning the defence of women, so that they can be turned to their advantage and not against them. It is not because of threats to her health, or because of her working capacities or her maternity that the working woman should enjoy equal rights but because of her role as a worker as well as a mother. As for the situation of emigrant workers, the activity of our trade unions at bilateral meetings with trade unions from the developed countries in which Yugoslavs work is proceeding in the direction of implementing the objectives set out in the Report of the Director-General, Mr. Blanchard, concerning the situation of the migrant worker.

It is the right of man to decide himself on the beginning and end of his working life, and on the work he will do. Economic difficulties are more and more frequently jeopardising and restricting opportunities for placing people in work. So this is one area for intensive work by the trade unions. The influence of the commodities market, capital and labour capacity makes these problems more acute in a different sphere; instead of the "right to work" and the consequence in terms of implementing that right, there is increasingly frequent competition between accomplishments and abilities. The conditions in which the possibilities for the economy to open up new workplaces and for the job reallocation authorities to ensure equality of rights and social security for those rejected by competitiveness are both becoming reduced, pose a serious problem, in terms of answering the question as to how and for which specialisms young people should be retrained and given new qualifications, and in terms of educating lawyers, archaeologists, teachers, stomatologists, etc., for whom, at this level of development, there are no real opportunities for job placement and employment in other areas, and many of whom cannot expect to find jobs.

We fully agree that employment and social security are not aims that arise only in a period of economic upturn; they are valuable aims in themselves both for economic reasons and for their ability to motivate people in the current period of crisis. All the measures mentioned in the Report, and the decisions for the implementation of those aims, have proved themselves in our country. We are further convinced that early retirement on pension or deferment of the first job placement are not decisions of an economic or human nature. However, all this has been the subject of repeated and vigorous discussion in the committees of the ILO. Shortening the working day, the working week, the working month, and the length of the working life, and the shaping and organisation of work are considered along with the fact that different kinds of work and conditions interact in different ways and consume labour capacities, and offer the opportunity of finding optimal solutions and confirming them in new ILO standards. As confirmation of this we might mention numerous examples from various branches of activity in our country: from mining, the textile, chemical and food industries, etc., where the arrangement and shortening of working time has meant not only greater productivity, better results in the field of health care and securing the capacity to work, but also the creation of more opportunities for job placement.

In conclusion, I should like to express my gratitude for the support, the warnings and the appeals of the ILO, present throughout the Report of the Director-General, and for the analyses that have been prepared for this session of the Conference – particularly those directed at the developed countries and the IMF – although neither peace nor good international relations can be longlasting if economic policy and the policy of restrictions are jeopardising basic human rights – the right to work, social security and development, everything, in fact, contained in the instruments of the ILO.

Interpretation from Arabic: Mr. KARDAN (*Workers' delegate, Jordan*) – In the name of God, the Merciful, the Compassionate! Allow me, at the

outset, to join previous speakers in congratulating the President on his election to his high post, with my best wishes for his success in this important task. I am sure that with his wisdom and experience he will conduct the deliberations of our Conference with success, and I am sure that his election to this high post is an indication of the esteem in which he and his country are held.

It is a pleasure for me to congratulate Mr. Francis Blanchard, the Director-General of the ILO, and the ILO as a whole on the successes and achievements of this year, thanks to their efforts, wisdom and constructive collaboration. I should also like to congratulate the Director-General for his excellent choice of subject for his Report for this year. This is an important subject today for we all have mixed feelings of hope and pessimism as a result of the situation in the world today. Wars are going on in several areas and hunger, disease and poverty are increasing day by day despite progress and development. The economic crisis is worsening daily and relations are tense between creditors and debtor countries are increasingly tense. These are phenomena that inspire pessimism about the future of humanity and the progress of human civilisation on our beautiful planet, for a danger in any one place threatens peace everywhere. The spread of hunger, poverty and disease anywhere is a threat to peace throughout the world. What are we to do in these difficult and complex situations? Should we wait for miracles to solve the problems of our international community? This is an impossible dream. Or should we co-operate and devote our efforts to solving these problems in order to ensure peace in the world, to achieve international security and ensure the progress of humanity? Why do we have international organisations if not to take the initiative in this area? And what is the *raison d'être* of us all if not to co-operate in order to achieve the objectives of these international organisations which have been created to serve the cause and aims of peace in the world, to establish social justice and to fight the three-fold danger of disease, ignorance and poverty?

These organisations have been able to make a number of achievements, but they will be able to do even better with the good will of all the members of the international family. The Director-General has made an extremely judicious choice of theme and title for his Report: *Human rights – A common responsibility*. If we must co-operate to protect human rights, since it is a responsibility of all of us – countries, organisations or individuals – one might well ask if all countries understand what their responsibility is in that field and play their full and proper role. What are the human rights which must enjoy the protection of all of us? What must be the attitude of the international community to a country which denies its responsibilities, violates human rights, tramples underfoot international conventions, and practises all the acts of which morals and civilisation disapprove? Does a country which stoops to such practices have the right to live in the family of international organisations? Or must we isolate it and forbid relations with it until it responds to the appeal of the human conscience and respects the obligations of its participation in the international organisations, and its obligations in respect of human rights, and places itself at the service of human rights and international conventions?

All these questions are connected with the protection of human rights, and if they are applied to what is going on nowadays in Palestine and the occupied Arab territories, which witness barbarous practices and crimes that exceed even the atrocities of nazism and facism, we could say that a country that perpetuates such acts has any right to be in the international organisation has already adopted resolutions that condemn such acts, and the United Nations in 1975 went so far as to describe this country as a racist country.

Now that events in Palestine and the Arab territories have shown the true face of this State and now that all the make-up has been removed from the face of the Zionist entity, whose unnatural birth was a flagrant violation of human rights, which occupied the territory of the Palestinian people and dispersed them throughout the world, replacing them with a racist entity full of hatred. So can we consider that those who violate others' rights, steal their property, commit sadistic murder and torture are observing human rights? Will the international community continue stand by while the danger in one place threatens peace everywhere in the world, especially when we consider the protection of human rights is a common responsibility? Or is it our duty to move in order to stop these inhuman practices which are carried out by the occupying authorities against the Arab citizens to end the racial discrimination, the provocation, the repression, the arrests and the lawsuits of which trade unionists are the victims and which are totally unacceptable and unimaginable, and to adopt the proper international attitude so as to punish Israel for its barbarous crimes against man and against humanity.

In spite of the dark picture I have painted of the situation in the world, there are some positive indicators which are a source of hope for the future. The treaties on the dismantling of nuclear weapons, the attempts to consolidate the policy of international détente between the two superpowers and the peaceful settlement of conflicts are reasons for satisfaction. The courageous initiative taken by the USSR to withdraw its forces from Afghanistan is a highly appreciated act and a positive example to be followed by others, because it can be considered a victory for human rights and an affirmation of the rights of peoples to self-determination. We hope that all the peoples will be able to exercise this right and that an end will be put to colonialism and the domination of people in every part of the world.

The situation in the Middle East and the Arab-Israeli conflict, with its threat to world peace and security, require the international community to exert pressure on Israel to accept the convening of an international conference under United Nations auspices with the participation of the permanent members of the Security Council and of all the parties concerned including the Palestine Liberation Organisation, the sole legitimate representative of the Palestinian people.

Unless this conference, which is the sole means of settling the conflict, is held, the possibility of another war breaking out in the area will increase. Such a war will not affect the countries of the region alone but will threaten world peace and security.

A desire for world peace and security, the protection of human rights and freedoms require the international community to exert its efforts to put an end

to the Gulf war so that the two warring countries can devote their efforts to rebuilding, eliminating the effects of war, to development and welfare, and to binding up the wounds of a devastating war which benefits no one and serve no end in the region. We feel that Security Council resolution 598 creates a suitable climate for the establishment of peace in the Gulf region.

We are also concerned at the situation in South Africa and Namibia, which is occupied by the military forces of the racist regime of Pretoria, and we condemn the intensification of the practices of the Government of South Africa against the indigenous African people and the territory of Namibia. We condemn these inhuman and immoral practices, and join with those who have called for an end to the policy of apartheid and an end to the occupation of Namibia, with a view to freeing the African people so that they can take their place among the liberated peoples of the world.

Finally, I wish your session every success, the workers of the whole world more achievements on the path to consolidation of social justice, and the peoples of the world progress, prosperity and the achievement of peace on the basis of law and justice. I wish that international efforts will come together at all levels to put a stop to violations of human rights, and to punish the enemies of freedom and human rights in order to protect and promote these rights and enable men to exercise them in freedom and dignity.

Interpretation from Spanish: Mr. ARAGÓN MARRÍN (*Employers' adviser, Nicaragua*) – May I first of all join preceding speakers in congratulating the President on his election to the Presidency of this session of the Conference. We are sure that with his skilful guidance, our work will yield fruitful results.

This year the Report of the Director-General refers to the problem of human rights and the responsibility shared by all forums and social protagonists in this field.

Special reference has been made to the problem of economic and social rights, particular emphasis being laid on the critical situation of employment and on social security.

Undoubtedly, as the Report of the Director-General states, without economic growth the possibilities of achieving full productive employment are remote and the needs expectations of an extremely fast growing labour force cannot therefore be met.

However, we must add that there can be no economic growth unless enterprises are truly able to develop their vital activities energetically. No economy in the twentieth century can deny the importance – at the very basis of the economy – of enterprise management as a direct source of work, goods and basic services.

Enterprises are the basic units of economic management. Consequently, to protect their operating conditions is an important prerequisite on which the possibilities of satisfying the employment needs of the economically active population depend.

However, it is necessary to point out that enterprises in the Third World, over and above their nature or specific structure in accordance with the various economic models in existence, operate in extremely difficult conditions.

Unequal terms of trade not only affect governments but also have a direct impact on the true protagonists in production and services. This is all the more important in relation to agricultural enterprises. The prices of our countries' agricultural exports are constantly subject to price fluctuations, and this affects profitability and possibilities for reinvestment in productive units.

Hence, guaranteeing the exercise of economic and social rights is objectively linked with the concept of enterprises, whose operating conditions enable them to become stable sources of dignified and fairly remunerated work.

In Nicaragua, in the new society which is taking shape, we Nicaraguan employers have responsibly accepted the social changes that are inevitable, in the belief that economic democracy is part and parcel of the basic rights that have to be safeguarded.

The right to land, to loans, access to markets on a truly competitive footing are some of the requirements of a society in which the values of social justice and equity are properly combined with the encouragement of a spirit of private enterprise or of joint ventures which pave the way for a productive relationship with fruitful results.

The Nicaraguan employers have chosen to produce, to co-operate in reconstructing the country, and to safeguard the lively presence of private enterprise in this new stage of our history. We are determined to show that the social changes taking place in the present-day world can be accepted without necessarily sacrificing economic freedom in the modern sense of the word, with its unavoidable social connotations.

Therefore, the employers' sectors we represent fully enjoy the legal guarantees established in Nicaragua within the context of the joint economy. While there have been some mistakes and flaws in this, as was only to be expected, they can be corrected, and private and joint enterprises continue to exist in healthy competition with state-owned economic units.

The scope for influencing macro-economic decision-making has been broadened on the basis of our role in adjusting the new social model. Associations of private employers and public bodies are an example of this new relationship, which seeks to strike a balance between individual economic prospects and collective forms of production and ownership.

Against this background, we cannot fail to mention the fact that most employers are truly committed to producing, and they have been affected in recent years by the military conflict that our country is suffering as a result of foreign aggression.

There is no doubt that the economic blockade, while affecting the Government, has actually had a greater direct impact on Nicaraguan employers. Our ability to repair, maintain and expand equipment has been drastically impaired. Financial difficulties which have been caused in the country impair the financing possibilities of the public and private sectors, radically restricting the opportunities for reinvestment and economic growth.

War was then declared in practice, not only against those in Government but also against the direct factors of production, whose rights and possibilities of political and economic survival are allegedly defended.

The situation became clearer when we found that the response to the efforts we were making to amplify and strengthen productive activity and promote job growth in the rural areas of the country was the assassination of more than 2,600 members of our organisations by the forces which purport to be struggling for the restoration of democracy in the country.

For these reasons, we also are firm believers in peace and we have as moral duty to support all efforts in that direction.

A deep-seated feeling of patriotism leads us to reject outside interference by those who seek to boycott the on-going efforts to find a political solution. They are directly to blame for the fact that the conditions for a lasting cease-fire have not yet been agreed upon for they are encouraging military solutions and the ultimate triumph of force.

We hope that the forces of good will triumph over evil and that sooner rather than later we shall manage to achieve a stable and lasting peace that will enable us to reconstruct our devastated country.

(Mr. Tsujino takes the Chair.)

Mr. JESIC (*Employers' delegate, Yugoslavia*) – Allow me to congratulate the President upon his election and to wish the Conference under his leadership much success in its work and further contribution to strengthening the ILO's reputation as well as to more intense co-operation among its member countries.

It is my privilege and pleasure to greet the President and all the delegates to the Conference on behalf of the Yugoslav Chamber of Economy, an association of all the economic organisations in my country.

All the issues on the agenda are of importance and I believe that comprehensive dialogue will help us to reach the best and most generally acceptable conclusions on what the ILO and all of us should do in the period to come.

In its regular activities, the Yugoslav Chamber of Economy devotes great attention to issues of development of our economy, primarily from the standpoint of the necessary structural changes and a more successful integration of our country into the international division of labour. Closely connected also are our initiatives to develop small-sized business, to set up joint ventures with foreign partners, to achieve further progress in the private-sector economy, in agriculture and services in particular. These objectives are difficult to attain without appropriate personnel training. Our chambers of economy devote particular attention to the training of business executives. Great attention is also paid to developing the economic infrastructure and sources of energy, in particular. We are getting increasingly involved in environmental protection and, within this context, in providing for fair labour standards.

These few remarks have been intended to illustrate that the issues this Conference has on its agenda are also our daily concern. We are therefore highly interested in an exchange of views on these issues and in reaching corresponding conclusions and determining actions to be taken on the part of the ILO. As regards the proposed standards prepared for this Conference, we may state at once that they enjoy our support. We have also participated in their preparation, particularly those on fair labour standards in

the building and construction industry and the promotion of employment. This shows our active relationship with the ILO which is also reflected in the way our country respects all the Conventions and Recommendations this Organisation has adopted.

We confirm our full agreement with the past and proposed orientation of the ILO's activities. We believe it is appropriate to mention the need for a constant critical assessment of the economic management of funds. I am of the opinion that in our efforts directed towards finding solutions relatively less funds from the ILO budget should be spent on conferences and administration, while relatively more should be used for other activities which the ILO has quite successfully carried out or in which it has participated, above all in developing countries, for a number of years.

I should say that not only is the need for such an orientation evident, but actual possibilities for doing so exist. We have heard some concrete proposals here.

In his Report entitled *Human rights – A common responsibility*, the Director-General has dealt with the issue, comprehensively indeed, meeting with our approval and full acknowledgement.

We can clearly see how very complex, but also extremely simple in its essence, this problem is. It is clearly shown that the characteristics of human rights have not been set once and forever; that they depend on a number of circumstances which should be viewed in the broad framework of the world as a whole, recognising in this way our common responsibility. Viewing things in such a way clearly shows the complexity of the issue.

On the other hand, it is an established truth – to which attention was drawn by the greatest men who lived many centuries ago – that the aspiration for the equality of all men, in general, and of every individual person, in particular, is immensely powerful.

Those who founded the ILO, as well as those who have been leading the Organisation up to now, deserve full credit for the pioneering role of the ILO in revealing the perspectives, the historically real sense of the struggle for human rights.

I believe that it is so today, and that we are bound to ensure that it will remain so in the times to come.

As far as my country is concerned, we are continually preoccupied with the aspiration to make human rights richer in content. We are a country with great differences in levels of economic development.

At the end of 1987, for instance, the rate of unemployment in the Socialist Republic of Slovenia was 1.5 per cent; in the Socialist Republic of Croatia, 5.5 per cent; in the autonomous province of Kosovo, it reached 27.5 per cent; while the average rate of unemployment in the country amounted to some 15 per cent.

In addition, our society is a multinational one – which makes conditions still more complex and our task even more difficult.

Human experience has taught us that there is never too much of human rights and freedoms. In my country, particular importance is accorded to the rights and freedoms of man in his working collective and to his right to manage his labour and its results.

This constitutes the basis of our political and economic system, which we briefly call "socialist self-management".

Our experience of almost 40 years of workers' self-management indicates that our general course of development cannot be changed. There used to be some one-sidedness which may still be noted. We were not always fully aware of the "other aspect" of the rights. What I mean is responsibility: first of all, economic responsibility of an individual and of the working collective. Critical evaluation of the experience is under way and reforms of the political and economic system, aimed at further strengthening of the rights of workers and citizens, with a corresponding system of responsibilities.

The ILO documents, some of which have been mentioned in the Director-General's Report, constitute a source of inspiration for proper orientation in widening human rights in every country, with no exception at all.

I wish to stress as exceptionally useful that, as the Director-General reminds us, the ILO Constitution proclaims that labour is not a commodity.

It is well to remember that in the times when the degree of man's mastery over nature was much smaller than it is today, the greatest minds and men of the highest moral qualities became aware of the fact that human labour was not to be treated as a commodity.

We are witnesses to an unfavourable development of the economic situation in recent times which carries some wide-ranging consequences: the close interdependence prevailing in our world today makes mutual responsibility and international solidarity most significant. There is also good reason today to emphasise the responsibility of every individual and every nation for its own development and for more favourable prospects.

We have to admit that we are not capable to recognise common interests without corresponding connections with the others. This is, *inter alia*, the purpose of international organisations, the ILO being one of them.

In his Report the Director-General tactfully mentions the fact that in the past four years a slowing down has been noted in the rate of ratification of the ILO documents. The reflections on the implications of unfavourable economic conditions in the world, as well as those on the particular responsibility of the developed industrialised countries, are issues very close to us.

In 1968, in the ILO's concluding debate on human rights, it was said that the debate on these rights should be placed in the context of crude reality and everyday life which, for many, unfailingly means underdevelopment and lack of food.

I think that this time we all can and should state in illustration the above-mentioned interdependence and, as a significant element of our today's "crude reality", the problems which result from the indebtedness of the countries of the so-called Third World.

My country is one of those which is relatively heavily in debt and it has a responsible attitude where its liabilities are concerned. It is not my intention to tire this gathering with issues from the sphere of bilateral relations. I wish to share with you our perception and strong conviction – which is not only ours and of which other countries, besides the debtor countries, are becoming increasingly aware – that the so-called debtor crisis is a term only partially correct to describe the problem facing a large number of countries.

In fact, the problem in question is of such a nature that we may frankly say its solution presents a priority task for all the members of the international community and for all international organisations as well, so that the ILO is, with good reason, expected also to make its contribution to this end.

Interpretation from Spanish: Mr. PONCE ITURRAGA (*Workers' delegate, Ecuador*) – "Human rights are a common responsibility" as Mr. Francis Blanchard, Director-General of the ILO, has stated in his magnificent Report, presented for discussion at the 75th Session of the International Labour Conference, in which we are participating. Nevertheless this very Report highlights the fact that despite various solemn declarations that have been signed, in practice nothing is actually done. And, in fact, "fundamental human rights like human freedom and dignity are being flouted, often in dramatic circumstances".

The Director-General adds that "at a time when demographic expansion is speeding up, indebtedness is increasing, unemployment and poverty are stagnating and in danger of spreading, when the gap between the rich and poor – individuals as well as nations – is becoming wider, the disarmament process has still to get fully under way and regional conflicts threaten peace."

All these judgements are shared by us, the workers of Ecuador. We are distressed at the national situation which we also qualify as dramatic, which has brought about nevertheless a tremendous unity of the trade unions and people's organisations of all tendencies, and it is on their behalf that I am speaking at this Conference.

It was very opportune and appropriate, in the light of the present situation in Ecuador, that the subject of the Report of the Director-General this year is human rights, although other subjects, on promotion of employment, social security, indigenous populations and tribal peoples, rural employment and apartheid are complementary issues which are closely inter-related with the fundamental human rights of the worker when seen as a human person with dignity.

When we look at the figures at global level in relation to the situation in the Third World, we see that there are more than 700 million unemployed and more than 500 million underemployed, or more than 900 million persons who somehow manage to survive in miserable conditions of extreme poverty, we, the workers of Ecuador, regrettably have to confirm these figures, which in certain cases are even more dramatic. The gap has grown wider between labour and capital, between the working class and a small monopoly group which concentrates in its hands tremendous riches, which in fact further increases the contradiction between the monopolies, financial capital and the rest of the population.

In Ecuador more than 15 per cent of the economically active population is in fact totally unemployed. In addition, approximately 60 per cent of the population is underemployed or marginalised, which has resulted in a situation where scarcely a third of Ecuadorians have a regular income, although this income is itself restricted by inflation and devaluation. The minimum monthly wage is approximately 30 dollars. Therefore, you can well imagine how a family with an average of five persons manages with 30 dollars a month to cover its expenditure on food, clothing;

education, housing, health, etc., when the socioeconomic studies of reliable national institutions indicate that in order to survive it is necessary to have at least the equivalent of 100 dollars a month. It is this reality that flagrantly violates the basic human rights of the Ecuadorian workers, and the person primarily responsible for this situation is the present President of the Republic and his élitist team in the Government, which on 1 June of this year we again rejected and protested against calling for a national strike. There was full support for this from all organised sectors of the workers, political parties of the centre-left and also international support from the solidarity groups represented in this Conference by the group of Workers as a whole. And here we should publicly like to express our thanks to them for their support.

We find a repetition if we look back over history and see that the trade unions have no responsibility whatsoever in the light of this profound political, economic, social and cultural crisis experienced by the workers both nationally and internationally. It is the structure of the economic system at present in force that is directly responsible for this situation. It is the models of monetarist development and the élitist systems applied by national governments that violate human rights and the basic principles which have been acquired over the years by the workers.

We accept what the Director-General says when he asks "can trade unions be held responsible for such major aspects of the world economy as turbulence in the monetary system, Third World indebtedness, famine and poverty, or the shifts in methods of production brought about by technological changes?" No. The workers are the ones who suffer the consequences of the crisis, of misgovernment and the violation of human rights.

If we look at other subjects relating to full employment, a fair wage, living and working conditions the questions of social security and minimum standards of work, the national realities are dramatic and there are innumerable and unbelievable examples which we could give you but which would take much too time to recount. Nevertheless, we should like to tell you that during the present Government, all individual and collective guarantees have been violated, despite the fact that they are enshrined in our political Constitution; that the trade union organisations, people's organisations, students' professional and indigenous organisations have constantly been repressed. On 10 August 1984 a repressive and immoral regime was initiated which has completely disregarded the principles of legality and justice.

In this dark, fatal period of our history, there has been an increase in poverty and malnutrition (some 600,000 children from birth to 5 years of age are suffering from serious malnutrition), 2 million Ecuadorians are unemployed or underemployed, there has been an acceleration in the use of our natural resources by pro-imperialist transnational companies, depleting our public funds, and in the light of this mismanagement, the workers have expressed their rejection of this tyrannical Government which has not ceased to perfect its methods of torture, repressing any protest by the people and the trade unions. There are many cases of insurgents who have been assassinated despite the fact that our legislation expressly prohibits the death sentence. There has been a disregard of this legislation by the Govern-

ment. From this tribune and inspired by the Report of the Director-General of the ILO on human rights, we appeal to the workers of the world to help us in our struggle for freedom and amnesty for all political prisoners in Ecuador.

In order to confirm what is taking place in our country, I should like to say that an ex-Chancellor of the Republic, a personal friend of the Head of the Executive, has stated: "It is impossible that in a country which calls itself civilised and Christian, which is ruled by a so-called democratic and Christian Government, there should have been a case where an injured man was violently killed by police forces." In fact, it was the son of the ex-Chancellor who was referred to.

We are not surprised when we hear the Government of Ecuador state that it respects its rights and its laws, that wages and living standards are rising, that Ecuadorians live in what is almost paradise; but that is very far from the truth.

Human rights cannot continue to be manipulated by those who in practice disregard them and who in fact generate violence, hunger, unemployment, and immoral external debt which cannot be paid, discrimination, apartheid, which are suffered by the poor throughout the world. The responsible force is North-American imperialism.

All aggression against the people of Palestine, of Nicaragua, of Panama should therefore cease. We express our profound solidarity with the people and the workers of Colombia. We join our voice with the millions of voices that are calling for an end to the violence in this and in other neighbouring countries.

I should like, on behalf of the Ecuadorian workers' group in national trade union confederations – CEOSL, CEDOC and CTE – to express our thanks to you for your attention and congratulate the President on his election to the presidency of this Conference. A breath of fresh air is blowing through the ILO and we hope that it will increasingly lead to unity and peace.

Interpretation from French: Mrs. SALA (representative of the Federation of International Civil Servants' Associations) – I should like to start by thanking you for giving the Federation of International Civil Servants' Associations (FICSA) of which I am President the opportunity to address you. It is indeed a great honour for me to address this 75th Session of the International Labour Conference, which focuses on the theme of human rights.

The Federation represents not only the staff of the ILO, but also the staff of all the specialised agencies of the United Nations system, of the UNDP and of certain United Nations offices – some 30,000 officials in all, the majority of whom work away from headquarters and in the field. Although we were interested in a number of items on your agenda, I shall limit my comments to two issues which, in the eyes of international civil servants, are of fundamental importance. On the one hand, human rights, and consequently trade union rights and the right to engage in collective bargaining, and on the other, multilateral co-operation.

The concept of human rights is fundamental to the activities of the United Nations and of its specialised agencies. The ILO has for its part given expression to basic rights in numerous international standards or instruments which have been ratified by a majority of

member States. Of course the work of the ILO does not stop there; the Organisation also strives to ensure that these texts relating to basic human rights are implemented, in order that workers throughout the world may live in dignity and freedom.

As international civil servants we are proud to contribute to this immense and inspiring task. We intend to fulfil our mission with all possible efficiency and enthusiasm. An essential condition for the effectiveness of the organisations of the United Nations system is that international civil servants themselves should enjoy the same basic rights and principles as the United Nations strives to have respected throughout the world.

However, in the United Nations system, staff management relations at all levels are totally archaic, compared with labour relations in the industrialised countries and with what is set out in ILO Conventions, notably in Convention No. 151.

Ten years after the adoption of the Labour Relations (Public Service) Convention, 1978 (No. 151), it has to be recognised that the international organisations have hardly made any effort to show the way in this field. In solemn denunciation of this shocking situation, the two federations representing the 50,000 officials of the United Nations system have decided to suspend all participation in the activities of the United Nations system have decided to suspend all participation in the activities of the International Civil Service Commission which, at its session in March, did not hesitate, in spite of all our warnings, to take a decision which was both arbitrary and illegal.

We do not ask for privileged treatment. We simply think that it is abnormal that in our system we do not enjoy the right to negotiate. At present we are subject to arbitrary decisions clothed in a cloak of respectability by a system of so-called consultation. This so-called consultation merely enables the bodies which determine our conditions of employment to give a semblance of legitimacy to their decisions.

Negotiation is practically unknown in the international organisations. However, we are convinced that it would serve to increase the efficiency of the system in the interests of the world community.

Indeed, the fact that we insist on having the right to organise and to bargain collectively recognised is because we are convinced that an efficient system of multilateral co-operation, such as the United Nations can provide to its member States, has become more indispensable than ever before. Just one example I shall cite is the enormous effort going into the programme of humanitarian and economic assistance to Afghanistan, thanks to the collaboration of most of the international organisations. Now, the staff is the essential instrument of this co-operation and we believe that it must be given the means to perform its role. The question is first and foremost to determine, through collective bargaining, conditions of service such as to attract the qualified staff the system requires. The work of the organisations is complex. The responsibilities are delicate and the staff, 50,000 in all, are few in number given the task they are called upon to perform.

Civil servants must be able to devote themselves in all independence to serving their organisations. However, more and more member States are granting supplementary payments to their nationals working in the secretariats, as the conditions offered by

the organisations have deteriorated to such an extent that they are no longer able to recruit the specialists they need. This practice, just like the deductions made by certain governments, is contrary to the constitutions of the international organisations and can only prejudice the multinational co-operation which has to be implemented by secretariats able to work in full independence. Only collective bargaining carried out in accordance with well-established, objective and impartial procedures can help to determine equitable and satisfactory conditions of employment, and thus to guarantee the independence of the international civil servants.

It is also essential for member States to respect the security of international civil servants and their families. Some 60 of our colleagues or their families are still detained, imprisoned, held hostage or prevented from leaving a country against their will. Some have disappeared or have died in detention. Too often there is a tendency to forget that international civil servants sometimes put their lives or their freedom at risk in the fulfilment of their mission. The Commission on Human Rights deemed the situation to be so serious that at its 44th Session in March 1988 it adopted a very firmly worded resolution in which it requested member States to respect the rights and security of international civil servants and their families. In the absence of such respect the organisations cannot fulfil their mission and programmes of multilateral co-operation cannot be implemented.

I wish to tell you, on behalf of the Federation, how much hope we place in the International Labour Conference and in the ILO.

For almost 70 years the ILO has been constantly striving to develop and implement procedures, norms and principles governing labour relations in the modern world. The ILO has built up an unequalled fund of expertise in this field. In this connection we welcome the proposal submitted to the last session of the Governing Body requesting the ILO, in view of the technical expertise at its disposal, to prepare a report for the Fourth Session of the Joint Committee on Public Service. It is intended that this report should focus on the needs and technical constraints affecting labour relations in the international civil service and we hope that it will lead to concrete solutions being found. The ILO, it seems to us, has a fundamental role to play in helping to resolve the crisis which now exists in the international civil service and which absolutely must be resolved if we do not wish to compromise the work of the organisations and international co-operation. It is to the ILO that international civil servants now turn in order to ensure that their basic rights are respected, notably the right to collective bargaining to determine fair conditions of service such as to attract the best-qualified and most highly committed men and women, and the right to independence and security. We count firmly on the support of the ILO to help restore the status and dignity of the international civil service in the interest of the peoples which the ILO exists to serve and in the spirit of international co-operation which is its driving force.

Mr. SANYAOLU (*Workers' delegate, Nigeria*) – Please permit me to salute all delegates to this 75th Session of the International Labour Conference, presently being held in Geneva. I want to particularly congratulate the President on his well-deserved

election to head this august assembly and sincerely hope that he will apply his experience and maturity to conducting the affairs of this assembly to a successful conclusion.

Apart from the reports of the Governing Body and of the Director-General, the programme and budget proposals and other financial questions, and information and reports on the application of ILO standards, there are the issues of safety and health in the construction industry, as well as other areas of human activity which will apparently receive considerable attention. The question of employment promotion and comprehensive social security schemes, partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), also deserve attention. The issue of rural employment promotion and, of course, the updating the Declaration concerning the Policy of Apartheid in South Africa, all these are very vital issues to my delegation.

Previous sessions have already underscored the importance of the construction worker in development. The activities of this group of workers have tremendously assisted in the development of nations. Speaker after speaker has attested to this fact, as have the various committees. What is needed now is positive resolution and concrete proposals on how to provide safety and health in the construction and allied industries.

Another very important item which is relevant to my country is the question of rural employment promotion. Unfortunately, planning in most Third World countries has been to the disadvantage of the rural areas. This has principally led to rural drift of the population to urban areas with its negative consequences. It has also led to the total neglect of the rural areas, thereby impoverishing the rural dwellers.

Today there appears to be widespread agitation against rising unemployment in most parts of the world, particularly the Third World.

Increasing technological advancement has led to decreasing job opportunities; and the IMF and the World Bank conditions have combined to exacerbate the already complex situation in all the Third World nations.

However, it is encouraging to note that the present Government of Nigeria has devised concrete plans and strategies to face up to these grave challenges by a deliberate investment programme being handled by the Directorate of Food, Road and Rural Infrastructures (DFRRI) to improve life in the rural areas of the Federal Republic of Nigeria.

It is also significant to mention that the present Military Government of Nigeria has, under its self-employment programme, created awareness amongst university graduates who have developed their own skills, thus employing their practical knowledge to make the Structural Adjustment Programme (SAP) a reality. The scheme is established by the Government through the National Directorate of Employment (NDE) where small-scale industries are being encouraged with loans granted with government guarantee.

In this connection, the National Directorate of Employment has been charged with the responsibility to create new jobs. So far, thousands of university and college graduates have been gainfully employed. Added to this is an agricultural loan scheme through which thousands of farmers have obtained loans for increased food production throughout Nigeria.

On South Africa, let me add my voice to the recurring issue of apartheid policy. The ILO has consistently declared its opposition to the policy of apartheid in South Africa. Updating the Declaration, therefore, is a reminder that we have not ignored the deplorable condition of workers in that country. But let us propose a more dynamic approach to intensify decisive pressure on that Government for quicker results. The release of Mr. Mandela should be given the priority it deserves.

Please permit me to add a further dimension to this brief address. This has to do with the problem facing trade union movements in Africa.

The question is how to achieve free and democratic trade union movements in Africa.

The history of the struggle of trade unions in Africa is very well known to most of us. Time was when we all joined hands to fight against a common enemy and for our freedom. Having won that freedom, trade unions in Africa were in a dilemma as to what role they should further play to achieve social justice for all.

In some African countries, trade unions are denied the right to democratic existence. We think that this is a travesty of democracy. In Nigeria, however, successive Governments have maintained a record of fostering sound trade union principles based on the desires of the workers themselves.

Admittedly some trade union leaders in Africa offer bad leadership and lack accountability.

It is my view that trade unionists must be answerable for lack of accountability and for deceitful leadership.

African workers demand genuine, free and democratic trade unions. We want responsible, patriotic and independent trade unions that can radiate a positive image in all spheres of our collective endeavour to achieve our set objectives.

Interpretation from Russian: Mr. TSAGAAN (Workers' delegate, Mongolia) – First and foremost, allow me to congratulate Mr. Beyreuther and his deputies warmly on their election to the high offices at the 75th Session of the International Labour Conference and to wish them every success in their responsible task.

The agenda of this session of the International Labour Conference is replete with topical problems the solution of which requires the endeavours and co-operation not only of governments but also of all international and national organisations without exception. It is pleasing to note that 1988 is for all of us, especially Workers' representatives, full of many noteworthy dates and events, in particular the 40th anniversary of the adoption of the Universal Declaration of Human Rights, the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), which was adopted at the suggestion of the World Federation of Trade Unions, the 30th anniversary of the ILO Discrimination (Employment and Occupation) Convention 1958, (No. 111), as well as the tenth anniversary of the World Declaration on Trade Union Rights adopted at the Ninth World Congress of Trade Unions in which are enshrined fundamental human rights as well as trade union rights and freedoms.

However, we are profoundly concerned today that between the principles set out in these and other fundamental United Nations and ILO documents

and the real situation existing in many countries, there is a serious gap which has been described objectively in the Report of the Director-General, entitled *Human rights: A common responsibility*. I wholeheartedly endorse previous speakers' support for the realistic approach and stand taken by the ILO with respect to the indivisibility of human rights encompassing to an equal extent political, civil, economic, social and cultural rights, as well as on the inter-relationship between respect of human rights and the preservation of lasting peace based on social justice.

We proceed from the view that all human rights constitute an integral whole, therefore I would like to draw your attention to the fact that the division of these rights into groups of sub-groups as can be observed in a number of member States of the ILO, runs counter to the interests of workers. One should especially underline the priority significance of social and economic rights, first and foremost the right to peaceful and constructive work, education, the right to safe working conditions, social security, housing and others.

We have considered the rather interesting concept set out in the Director-General's Report, regarding full, productive and freely chosen employment. But it is difficult to agree with those postulates which infer that a member of society will not always need the right to work.

It seems to me correct and advisable to proceed from the view that labour is not only the source of all wealth, but also the fundamental sphere of life in which man reveals his talent and abilities and gains an awareness of his usefulness and significance. It seems to me that a man who does not have guaranteed work is always compelled either to bend unquestioningly to the will of his employer or to join the ranks of the unemployed.

An inseparable, integral part of fundamental human rights are the rights and freedoms of trade union organisations, without respect for which no State is able to resolve the social and economic problems before it.

Therefore the struggle to protect trade union rights and freedoms is directly linked to the observance of human rights.

We express the hope that the ILO, guided by the noble goal set out in its Constitution and in the Declaration of Philadelphia, will continue actively to support the just struggle of trade unions and workers for the protection of their vital interests, especially today, when many countries are undergoing structural changes in their economies, where the employers and transnational corporations are not only undertaking a deliberate assault on the democratic gains of workers but also seeking to establish an "environment without trade unions". In this regard we accord special significance to the International Centre for the Protection of Trade Union Rights set up last year; the co-ordinated and effective actions of this Centre in close co-operation with national and international organisations including the ILO, will undoubtedly contribute to eliminating violations of trade union rights and freedoms wherever they take place.

The Mongolian trade unions and workers most resolutely condemn the flouting of the most elementary human rights in southern Africa and the Israeli-occupied Arab territories as well as in other coun-

tries where trade unions are becoming victims of repression and arbitrary violence.

It is well known that 15 years ago apartheid was branded by the international community as a crime against humanity; however, this appalling system continues to function to this day.

We are well aware of the efforts undertaken by the ILO to deal with the Pretoria regime. None the less, this Organisation should not confine itself to a description of whatever cosmetic changes may be taking place under the apartheid regime, but should become actively involved in adopting urgent comprehensive sanctions relevant to its field of competence, with a view to eradicating the existing inhuman regime in that country.

Many of those who have spoken at the plenary sessions as well as in the Committees and in the media bear witness to the gross and wholesale nature of the violations of human rights in the occupied Arab territories. The acts of aggression and oppression against the peaceful Arab population are absolutely incompatible with the concept of compliance with human rights and freedoms.

Forty years of history show that so long as the Palestinians are not granted the right to self-determination, it is not possible to resolve this problem – one of the most painful ones of the modern age.

The inclusion in the agenda of this session of the item dealing with rural employment merits the heightened interest and support of Mongolian trade unions and workers since agriculture continues to play an important role in the economy of our country.

In recent years we have undertaken comprehensive measures to overcome the adverse trend of agriculture output lagging behind population growth, as well as measures to improve further the cultural and day-to-day living conditions of agricultural workers.

Today the attention and activities of Mongolian trade unions are focused on such priority social questions as improving the wages system, making arrangements for leisure and recreation of workers, improving their working and living conditions, and strengthening monitoring and supervision of compliance with labour laws, among other issues. In short, intensive work is under way to implement the decisions of the 13th Congress of Mongolian Trade Unions which took place last year and which set out for the trade union organisations every stage to be reached in order to step up the socially oriented activities of these organisations.

We attach the utmost importance to the involvement of trade unions in drawing up standards related to regulation of labour relations.

In accordance with article 19 of the Constitution of the Mongolian People's Republic, trade unions have the right to take legislative initiative. At present, on the initiative of and with the direct participation of the Central Council of Mongolian Trade Unions, a Bill is being drawn up containing relatively extensive amendments to the Labour Code of our country with a view to consideration by the supreme organ of legislative authority of the country, the Great People's Hural. In this process, special attention is devoted to democratisation of the management of state enterprises and the economy in general, as well as to strengthening the social guarantee of the right to work, which constitutes the basis for other rights and freedoms of citizens, and other specific aspects relat-

ed to this right, including the rational distribution of labour resources, the provision of privileges and favourable conditions for training, retraining and reintegration in labour, especially for those who may be made redundant in the course of the introduction of the new economic mechanism.

The PRESIDENT (Mr. TSUJINO) – I now call on Mr. Leoro Franco, Government delegate, Ecuador, to exercise his right of reply to the intervention of Mr. Ponce Iturriaga, Workers' delegate, Ecuador.

Interpretation from Spanish: Mr. LEORO FRANCO (*Government delegate, Ecuador*) – On behalf of the Government of Ecuador, I would like to say that some of the views and expressions of the Workers' delegate of Ecuador were highly derogatory, and are unacceptable in a debate at the level that should prevail in a body such as this.

In Ecuador, individual freedoms exist, and in particular freedom of expression, which allows the most violent criticisms of the Government to be made.

As regards the question of Workers' rights, a clear account of these has been given on behalf of the Government and on behalf of the Minister of Labour. As regards the economic situation of the country, it is not unique of its kind nor can it be attributed solely to the Government. We all know that the economic crisis is world-wide and that it has created difficulties for all the developing countries, more particularly the Latin American countries which, as you are aware, are burdened by an enormous external debt. None of this is the fault or the responsibility of a particular government, but has to be looked at in the light of an economic crisis that the developing countries are struggling to resolve.

It must all be examined in a much more general context in which the crisis we are passing through and economic problems from which the country is unfortunately suffering cannot be attributed in a personal way and in the terms that have been used in this forum.

(The Conference adjourned at 6.45 p.m.)

CORRIGENDUM

Provisional Record No. 16

On page 16/40, fourth paragraph of Mr. Bhagirutty's speech, for "My country, Mauritius, has only ratified Convention No. 87." read "My country, Mauritius, has ratified Convention No. 98 but has not yet ratified Convention No. 87."

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Twenty-First (Special) Sitting

Tuesday, 14 June 1988, 10.a.m.

President: Mr. Beyreuther

ADDRESS BY HER EXCELLENCY MRS. CORAZON C. AQUINO, PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES

Interpretation from German: The PRESIDENT – It is my pleasure to open this special sitting of the 75th Session of the International Labour Conference and to welcome Mrs. Corazon C. Aquino, President of the Republic of the Philippines.

I invite Mr. Blanchard, Secretary-General of the Conference, to introduce Mrs. Aquino to the Conference.

Interpretation from French: The SECRETARY-GENERAL – It is a very great honour for me to introduce to the Conference Her Excellency Mrs. Corazon Aquino, President of the Republic of the Philippines. Her presence affords the Conference for the first time the great privilege of welcoming a woman Head of State in whom are vested the high responsibilities of a country which delights all those who visit its shores and a people who command the affection and respect of all those who know it.

Mrs. President, a few weeks ago you gave me the warmest possible welcome in Manilla. We talked together about this visit you are paying us today at the cost of a long journey. To my knowledge, this is your first visit to Europe. The International Labour Conference assembled before you here cannot but appreciate all the more keenly the honour you are doing it when so many duties claim your attention in Manilla, duties which you discharge with the determination and courage we all admire. You unquestionably owe this strength of character to a happy childhood and adolescence, to the education you received, marked by assiduous studies in your own country and in the United States, and to a harmonious family life for years with your husband and your five children.

But your well-known courage has also been put to the test by trials such as that faced by your country in 1972 with the institution of martial law, against which your husband, Senator Benigno Aquino, rose up in protest. You shared his struggle. You stood by him during the 2,700 long days and nights he spent under particularly harsh conditions in prison. You shared his hopes during his years of exile. These hopes were brutally dashed on that dreadful day of 21 August 1983 when, shot down by a cowardly hand, your husband did not even have the joy of treading his native soil once more. Deeply affected by this tragedy, you showed strength of mind of an uncommon degree and a resolve which has marked the political action you may be said to have carried on – the

action in which you had already been engaged with him for so many years, but which after his tragic death you marked with your own personal imprint.

Thus it was that between 1983 and 1986, in the midst of immense difficulties due to an unhealthy political climate, an economy in a state of upheaval, an intolerable foreign debt and armed conflicts in various parts of the country, you waged the battle to find once again the path to democracy, progress and justice.

As soon as you came to power on 26 February 1986, you decreed a general amnesty. You set to work to restore law and order and create a law-abiding State. You defined – most recently on May Day this year – a social policy dedicated to the satisfaction of basic needs, the creation of jobs, equality of opportunity. Loyal to the principles of the ILO, you have encouraged the social partners to handle their relations by means of collective bargaining. You have opposed the banning of the right to strike. Lastly, under your leadership, land reform has just been adopted – I believe it was last Friday – by Parliament.

Mrs. President, approximately 100 years ago, the great patriot José Rizal visited Geneva for talks about his country's struggle for independence and freedom. Could he have imagined that the Head of the Spanish Government would plead from this very rostrum, as he did just a week ago, for the independence of peoples, of all oppressed people? Could he have imagined that a woman would one day come to speak on behalf of a country – her country, your country – which has three times recovered its freedom? It is to you, Mrs. President, that this task is allotted today.

I know that the Conference is impatient to hear you and I therefore request the President of the Conference to be good enough to give the floor to Her Excellency, Mrs. Corazon Aquino, President of the Republic of the Philippines.

Interpretation from German: The PRESIDENT – I would now like to invite our distinguished guest, the President of the Republic of the Philippines, Mrs. Corazon C. Aquino, to address our Conference.

Interpretation from French: Her Excellency Mrs. CORAZON C. AQUINO (*President of the Republic of the Philippines*) – It was with great satisfaction that I received the invitation extended to me to address the International Labour Conference. First of all, because it is concerned with human rights, but also

because of the generous attitude shown by Europe towards the historic struggle of the February Revolution in the Philippines to restore human rights.

The European ambassadors were the first to recognise, at first tacitly and then openly, my right to assume the Presidency when efforts were made to defraud the Philippine people and deny my electoral victory.

Other governments waited to see whether right would triumph over the forces of evil; their attitude changed only after it became clear that no government other than mine would be allowed by the people of the Philippines to assume command of the country.

The Europeans acted as their conscience dictated. Undoubtedly, two thousand years of bitter conflict arising from selfish ambitions had somewhat dampened their idealistic ardour, but it was otherwise with the fight to bring freedom to the Philippines. Europe's idealism was rekindled and it offered its help with the rebirth of freedom in the Philippines.

(The speaker continues in English.)

I want to thank the Director-General, Mr. Francis Blanchard, for inviting me to address the 75th Session of the International Labour Conference here in Geneva and for the opportunity to express my people's appreciation of the support that Europe gave to their struggle.

The various themes of the Conference – human rights, labour relations and debt – make this a very appropriate forum to convey their message. After all, our non-violent Revolution was one of the most celebrated victories of human rights in any country. The burden of debt weighs heavily on the developing nations: it threatens to end all prospects of their recovery and growth, and threatens also to create the anarchy and despotism in which human rights are the first victims.

The Revolution reaffirmed the principle that the protection of human rights is the first duty of government, and that the deliberate and systematic violation of those rights by government imposes on the people the sacred obligation to overthrow it. Equally, the Revolution revealed new depths of faith and courage and a new strategy and hope for democratic victories. It is that hope of oppressed peoples everywhere that I must defend against the criticism that the heroism of the people came to nothing in the Philippines.

The Revolution was the work of the people, of the ordinary men and women of the working classes: priests and nuns who work with their hands to care for the poor, clerks, factory workers, school teachers, secretaries, managers, professionals and their families. The involvement of the rich in the Revolution was widely noted, not because they were many but because it was unexpected that there should be any.

The Revolution offers hope, and yet the national experience that provoked it taught a bitter lesson: liberty is non-negotiable; it cannot be traded for progress or social justice.

This truth is self-evident to men and women who respect themselves as persons. Yet many still ignore it, only to learn too late that foregoing freedom for progress or social justice merely adds torture and

indignities to worsening poverty and underdevelopment. It is a strange but incontestable fact that countries regarded as too poor to afford the luxury of democracy are precisely those that cannot do without it. The reason is this: nothing can resist the greed of the few, except the power of the people freely exercising their rights and liberties. "Poverty increases in so far as freedom retreats throughout the world", Camus observed. "If this cruel century has taught us anything at all, it has taught that the economic revolution must be free, just as liberation must include the economic."

As the Revolution was the work of the people, it was only right that the order it established should express, in its laws, institutions, policies and leadership, a preferential option for the people, a bias towards their immediate relief and economic improvement, without exacting the price of their virtual slavery in the workplace.

The policies of the Government which the Revolution brought to power have consistently expressed that option and bias.

Thus, immediately after the flight of the dictator, we moved to heal the divisions of our society and establish the framework, institutions and laws essential to the security of the people's rights and the permanence of their freedoms, and aimed at the improvement of their material well-being and at national recovery and progress.

We released all political prisoners, giving special attention to the immediate release of the chief Communist Party ideologue, Jose Maria Sison, against the strong objections of the military faction that had helped in the ouster of the dictatorship.

Again, against the strong objections of that faction, we signalled to the insurgency that we were prepared to negotiate a peace. That effort ultimately failed. Yet in retrospect, it had to be made to establish a moral basis for the resumption of war. Equally, the failure of our peace initiative definitively fixed the predominantly military character of the insurgent challenge, and the necessity of an appropriate military response.

Yet again, we made sure that the renewed hostilities would be conducted, at least on our side, in a manner consistent with the values we are defending against the insurgency. I therefore signed Protocol Two, which accords to the enemy in civil conflicts the protection of the Geneva Conventions.

We drafted a Constitution that would provide a pro-people framework for the policies we were preparing – policies that would upset established patterns of property relations and expectations, and which therefore required a mandate across the spectrum of economic classes. That Constitution which was ratified by a near unanimity of the voting population, provides in its Declaration of Principles and State Policies that: "the State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all."

Further: "The State shall promote social justice in all phases of national development."

"The State values the dignity of every human person and guarantees full respect for human rights."

"The State affirms labour as a primary social economic force. It shall protect the rights of workers and promote their welfare."

In this Declaration are summed up to the primary concerns which the Revolution sought to address, and the lesson which dictatorship had seared in our minds: that we will not accept progress at the expense of the workers or by exacting the price of their liberty.

So that these promises will not remain words on paper, the Constitution empowers the Supreme Court to promulgate rules for the protection and enforcement of constitutional rights.

I shall forthwith take the necessary steps to secure the approval by the Court of the rules for a new Philippine writ of *amparo*, a special constitutional remedy to enforce human, social, and economic rights through a speedy and inexpensive procedure.

To the security given by the Constitution, we have added the protection of international conventions.

I have ordered the dissemination of the Universal Declaration of Human Rights throughout the Philippines, translated into the national language and the major dialects.

I have submitted the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), to our Senate for ratification, along with the Instrument for the Amendments of the Constitution of the ILO, 1986, which will widen Third World representation in the Organisation's Governing Body.

As mandated by the Constitution, human rights have been included in the curricula of all schools.

To answer fears that democracy has proved inadequate in protecting human rights in the Philippines, I have strengthened the Philippine Commission on Human Rights by providing for the permanent tenure of its members and by giving them sufficient powers to bring violators to justice. The Commission recently issued guide-lines to the military to safeguard the rights of arrested persons, including the right of visitation.

We have appointed to the Congress men and women from the underprivileged sectors: labourers, farmers, the poor, the disabled, women, and youth, selecting those who have distinguished themselves despite great disadvantages.

We launched an emergency employment programme to alleviate unemployment, especially in the countryside. Admittedly, the programme was modest, given the number of the unemployed.

A few days ago, after more than a year of bitter debates, I signed into law a Comprehensive Agrarian Reform Program that will redistribute agricultural land to the landless tillers, and more importantly, give them the support services that will make Philippine agriculture productive again. Agrarian reform is not justice if all it achieves is the subdivision of the present miseries on the land. What the Program aims for is the liberation of the economic potential of the countryside, the increase in its standard of living and the creation of a market that will support the industrial progress we likewise seek.

This is only the start. More good might have been accomplished if so much evil did not have to be undone. And we shall go on.

Violations of human rights still happen, even in democratic States most determined to protect them. The attraction of democracy is also its weakness, for it must accord the same constitutional safeguards to the perpetrators as to the victims of human rights abuse. And in the free spaces created by democracy, evil goes about its work, sometimes more efficiently than good.

It behoves us then to narrow the scope of evil. This must be done by expanding democracy, not by curtailing it. By removing the present restraints on human freedom imposed by poverty and underdevelopment, and by granting wider rights and liberties. The next liberation must be economic. This includes a fair resolution of the debt problem, for the tightening grip of its austerities threatens to strangle the life out of the new democracies of the Third World, even as it threatens to upset the stability of the international economic order. The linkage of debt, development and democracy is undeniable and is the most pressing issue this body must address.

The first duty of democratic institutions like the ILO is the protection of human rights. Chronic underdevelopment is the most systematic abuse of human rights. I put before the ILO the challenge of finding a resolution to this threefold issue in the just, sober and democratic fashion that alone can win the consensus and co-operation of everyone involved – a resolution reflecting the spirit of the ancient lawgiver: "I establish this law in the language of the land... for the welfare of the people... to cause justice to prevail and to destroy the wicked and the evil... that the strong might not oppress the weak... to rise like the sun over the people and to light up the land."

Interpretation from German: The PRESIDENT – Mrs. President, may I thank you on behalf of all who are taking part in this 75th Session of the International Labour Conference, as well as on my own behalf, for your most inspiring speech.

You have spoken most impressively of your country's special experience with respect to *Human rights – A common responsibility*, the subject chosen for this year's Conference by the Director-General of the International Labour Office, Mr. Francis Blanchard.

Your speech will give further impetus to our Organisation as an important forum for exchange of opinions. As a representative of a developing country, you are naturally called upon to express your ideas on what can be done to create proper conditions for the promotion of human rights at the international level. I have in mind most specifically your views on the question of foreign debt. In listening to your words, our conviction has deepened that we have been listening to a true stateswoman who has commendably tackled all the questions which have always been at the heart of our Organisation's activities.

Your words, coming as they did from a person of such high renown, clearly show the heights to which nations can soar when equal rights for all races are not a dead letter but a reality.

Allow me, in bidding you farewell, to say how greatly we have appreciated the opportunity of having you with us and of having heard your ideas on the important matters with which our Organisation and our Conference are concerned.

(The Conference adjourned at 10.30 a.m.)

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Twenty-second sitting

Tuesday, 14 June 1988, 11 a.m.

Vice-President: Mr. Aitken

NINTH REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

The PRESIDENT (Mr. AITKEN) – The first item on our agenda is the consideration of the ninth report of the Selection Committee. I call on Mr. Vargas Escobar, Government delegate, Nicaragua, Chairman of the Selection Committee, to submit the report.

Interpretation from Spanish: Mr. VARGAS ESCOBAR (Government delegate, Nicaragua; Chairman of the Selection Committee) – It is my honour to submit to the Conference the ninth report of the Selection Committee, which is to be found in the *Provisional Record* No. 5H.

The report deals solely with changes in the composition of the Conference committees.

I recommend to the Conference the adoption of the report.

The PRESIDENT (Mr. AITKEN) – The ninth report of the Selection Committee is now before the Conference. If there are no objections, I take it that the report is adopted?

(The report is adopted.)

RATIFICATION OF A CONVENTION BY GREECE

The PRESIDENT (Mr. AITKEN) – I have pleasure in announcing to the Conference that the Director-General of the ILO has registered the ratification by Greece of the Workers with Family Responsibilities Convention, 1981 (No. 156).

This brings the total number of ratifications of International Labour Conventions to 5,370.

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (Cont.)

The PRESIDENT (Mr. AITKEN) – We shall now continue the discussion of the Reports of the Governing Body and of the Director-General.

Interpretation from Russian: Mr. BOZHINOV (Employers' delegate, Bulgaria) – Our delegation wishes the President success in his complex and exalted mission and expresses confidence that his experience and professional knowledge will help all of us successfully to conclude the work of the present session.

The present session of the International Labour Conference is being held at a time of important international events. We are witnessing real practical steps towards peace and co-operation between the USSR and the United States and towards disarmament and broader economic, scientific, technical and cultural co-operation. In these circumstances, it is extremely relevant to consider the work of the ILO from the point of view of its contribution to protecting and extending human rights. In his Report, the Director-General has quite rightly touched on the close connection between all the human rights listed in the Universal Declaration of Human Rights, adopted by the United Nations in 1948 and the rights whose protection is enshrined as being among its fundamental objectives in the Constitution of the ILO and the Declaration of Philadelphia.

The Report put a number of questions for solution before the ILO, namely, technological change, the development in workers' rights, equality of opportunity, the unsatisfactory implementation of the right to freedom of association, rights to safe working conditions, rights to social security, among others. I would like to take this opportunity to note that in Bulgaria obvious positive results have been achieved in these areas.

In our country, we are implementing a broad economic reform and deep-rooted changes are taking place in all spheres of life, introducing many new elements into the organisation of socialist enterprises and the right to work. The substance of these changes is a new high level of democratisation which is taking place as a result of introducing self-management into the economy, the establishment of new principles for the selection of managers of enterprises and economic organisations, introduction of competition in selecting staff, freedom in decision-making and initiatives in the new management of the economy and the provision of wider opportunities for setting up state, co-operative and joint ventures with foreign firms. In our legislation and in practice there are real guarantees for the right to social security with respect to all the risks that are subject to insurance, including illness, accident, childbirth, invalidity, old age, as well as assistance in other cases provided for by law. We consider that the serious difficulties that may affect pension funds and social security funds are easier to overcome with the help of a centralised state insurance system.

Today in Bulgaria there is no difference between the positions of men and women apart from the privileges and special care which mothers enjoy and that is why we support the ILO's efforts to improve

the standards of equality in all countries as well as social care for young persons.

We consider it right that the ILO should pay special attention to the position of the Arab employers and workers in the Israeli-occupied Arab territories and the struggle against apartheid in South Africa. We consider this to be the ILO's contribution to the fight for human rights. We feel, however, that this does not exhaust our Organisation's possibilities and we must increase our efforts in the future.

Our position is that the only real action to take is a complete boycott of the apartheid regime and its isolation.

Efforts by employers in market-economy countries to influence the regime from outside have failed and the fact that they are continuing to maintain links with businesses in that country can only be explained by the pursuit of profit, which in practice provides support to the apartheid regime. We support the struggle against the South African regime and the adoption of effective measures by the ILO to that end and we will assist co-operation between the ILO and other organisations opposed to the policy of apartheid.

As regards the ILO's efforts to counteract unemployment and guarantee the right to work, it is recognised that in market-economy countries and other countries efforts are being made along many different lines. For instance, to overcome unemployment, they have had recourse to shorter working hours, early retirement, more holidays and days off, on-the-job training courses, and so on. All these are interesting experiments, but we should not forget the significance of our success in guaranteeing the legal right to work, nor should we accept unemployment as inevitable.

The processes for accelerating the development and efficiency of production which is taking place in the economy of the People's Republic of Bulgaria do not mean that the next stage will be unemployment. For us that lies in the past, and as managers of socialist enterprises we consider that in the future too we shall, in achieving accelerated development and the introduction of high-efficiency technology and production, be utilising released labour resources in those branches of our economy which are still short of trained personnel and understaffed. In our country this is resolved by an effective system of training, retraining and qualification of personnel. It is obvious that the experience of other countries in this field is of great importance, and we shall borrow from it everything that can find an application in our country and is compatible with our economic principles.

As a representative of managers of socialist enterprises in the People's Republic of Bulgaria, I consider that for those working in construction in all countries it is really necessary to create all the conditions for a safe and healthy working environment, and support the adoption of the Convention together with its supplementary Recommendation.

On the basis of what I have already said about the close connection between employment and social security, we support the adoption of a Convention and a Recommendation on employment promotion and social security.

The fourth European regional conference was held recently and noted the need for even broader co-operation and using it as a means of increasing the efficiency with which labour resources are utilised in

an effort to increase employment. Of particular interest to us is the study of problems of setting up small and medium-sized enterprises and their role in the utilisation of the released labour force. Managers of socialist enterprises in the People's Republic of Bulgaria are showing an interest in questions of management, technical information and contributing to expanding their share in the production of goods in the training and retraining of personnel and the impact of the introduction of the new technologies on employment, which would be a good basis for co-operation. A subject of co-operation can also be an exchange of experience within the European region on questions of improving working conditions, and occupational safety and health, and also the co-ordination of economic policy directed towards increasing employment, limiting pollution of the environment, and also reducing to a minimum the consequences of accidents in enterprises. What is of interest is the great benefit which co-operation and the co-ordination of the efforts of the European countries can bring in rendering assistance to the least developed countries of Africa and other continents, particularly now when agreement in principle has been reached regarding co-operation between the European Economic Community and the Council for Mutual Economic Assistance.

The positive changes in international relations have been reflected in the results of the ILO's activities. Recently, we have been able to observe certain progress in improving the situation in the Employers' group. The majority of delegates have expressed their support for certain positive changes regarding their attitude to the managers of socialist enterprises and as regards their participation in the work of the Employers' group and in the different bodies of the Conference.

We consider that given the new conditions for the development of international co-operation we, together with the majority of the Employers' group, will be able to find possibilities and common ground for resolving unresolved issues. We believe that this new atmosphere will change the climate in our Organisation, so that we can adopt more constructive and mutually acceptable decisions with respect to implementing human rights and achieve the objectives of the ILO.

Interpretation from Arabic: Mr. BENNANI (*representative of the Arab Labour Organisation*) – In the Name of God, the Merciful, the Compassionate! First of all, allow me on behalf of the Arab Labour Organisation and on my own behalf to express our appreciation of your competence in directing the work of this session of the Conference. You have already demonstrated that your election was a happy choice, and one which also sanctions the right of all regional groups to occupy the post in rotation.

This session is being held at a time when important events with both local and international dimensions are placing even more weighty responsibilities upon the International Labour Organisation. We note first of all that the basic themes for this session are of capital importance. I am speaking of human rights, updating the programmes for the struggle against apartheid, and the situation of the Arab workers in Palestine and the other occupied territories. This session is also being held at a time when we are celebrating the 40th anniversary of the Universal Dec-

laration of Human Rights, adopted in 1948, which sets forth in a historic instrument all the rights and freedoms to which mankind has aspired over the centuries following devastating conflicts and wars.

Furthermore, the session also coincides with the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the 30th anniversary of the adoption of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

Finally, it also coincides with the extension of the heroic uprising of the Palestinian people, which has been going on now for seven months. Destiny decreed that the Palestinian tragedy broke out in 1948, the year in which the Universal Declaration of Human Rights was adopted, which proclaimed, among other things, that all men are born equal, free and dignified.

The Director-General has, in the most timely manner, in his Report entitled *Human rights - A common responsibility*, chosen a topical theme which fits, in the most objective manner, into the ILO's mission in defence of man's basic rights and freedoms. To tell the truth, the Director-General's account is objective, serious and forceful, and Mr. Blanchard deserves the respect of all participants in the session. The Director-General was quite right when he said that the protection of rights and freedoms was a common responsibility, and that they were by their very nature indivisible and embraced political, economic, cultural and civil rights. The Director-General has demonstrated the interaction between respect for human rights on the one hand and peace and stability on the other. He has also affirmed that the denial of civil and political rights exerts a negative influence on the enjoyment of economic and social rights.

The in-depth study contained in this Report, which is richly instructive, and the comparative analysis of the conclusions of the ILO mission which has been visiting Palestine and the occupied Arab territories every year for more than ten years demonstrate the flagrant injustice and continuous aggression of which the Palestinian workers and people have been victims since 1967.

For the past two decades now an entire generation has been born and has been growing up under Israeli occupation: a generation which has never been able to enjoy one of the rights or freedoms set forth in the Universal Declaration of Human Rights. It was therefore natural that the refusal of the Palestinian people - all categories together - should crystallise in this heroic uprising against occupation and colonisation, which is simply an appeal to the international community to take the necessary measures to make amends for the sufferings and injustices and put an end to the colonial practices, and to the confiscation of lands and natural resources. These practices have reached such a level that one can no longer remain silent and it requires that an end be put to the Israeli occupation.

This uprising asserts before the whole world that the Palestinian people remains attached to its homeland and its land, the land of its fathers and ancestors, and that the Palestine Liberation Organisation is its sole legitimate representative and standard-bearer in its struggle for freedom and independence.

The report of the mission sent by the Director-General to Palestine and the occupied Arab territo-

ries is rich in information, facts and irrefutable proof, all of which demonstrate that the Israeli occupation authorities are according no importance to the wishes of our Conference and to the conclusions of the International Labour Organisation's mission.

The ILO's action to ensure that the Conference resolutions are followed up, in particular, the mission sent annually, is undoubtedly useful but is quite insufficient. Clearly, the impact of such action remains modest, particularly in view of the new situation brought into being by the heroic uprising of the people against the Zionist occupation and colonisation. This is why your Conference is called upon to adopt new measures to strengthen the role of the ILO vis-à-vis this tragic situation with its profoundly serious social and human dimensions. These measures should be in the form of follow-up action, or take place in the framework of technical co-operation or again be in the form of permanent pressure on the Israeli occupation forces. This is precisely the substance of the Arab resolution which is now the Resolution Committee.

We have noted in Part I and II of the Report of the Director-General the major challenges that must be met by the international community and the governments of developing countries as regards the development of human resources and of economic development programmes, structural adaptation, external debt problems, the problems relating to the fight against poverty and the problems of migrant workers.

In view of the short time I have been given, I shall make a few brief comments that could, I believe, be usefully discussed in this important international assembly.

Firstly, the development of human resources should be given top priority now and in the future because it is an integral part of the whole complex of economic development activities and one of the most important instruments of such development. The reduction in external economic assistance to the developing countries has had serious repercussions on their possibilities of economic and social development as a result of the decline in investment and public expenditure on infrastructure, education, training and the development of human resources in general. This situation is being exacerbated by monetary fluctuations and the strengthening of protectionist barriers.

Secondly, the principles of justice and equality compel us to keep the problems of migrant workers in mind. The interest of the International Labour Organisation in these questions, and particularly the problems of the second generation, seems to have declined in recent years, although there is a deterioration in the social, economic and humanitarian aspects of these problems. We are still waiting for the project concerning the second generation of sons of Arab workers who emigrated to Europe to be put into effect.

Thirdly, it is extremely important for all the resources, and the human and material energies, of the developing countries to be mobilised for development and growth. Wars are the worst calamity that can befall countries, and especially the developing countries, absorbing as they do all resources available to acquire destructive and death-dealing weapons. That is why we address an urgent appeal for the cessation of the conflict between two neighbouring

Moslem countries, the Islamic Republic of Iran and Iraq, and urge the Iranian Government to respond to the appeals for peace, and notably Security Council resolution 598, so that reason and wisdom may prevail and that peace may be established and that the efforts and the material and human energies of the region may thus be devoted to the well-being of the region and of all peoples throughout the world.

We also hope that 1988 will see the end of the Israeli occupation of southern Lebanon as well as the cessation of internal conflicts. We trust that the agreement will be in the interests of the unity and progress of Lebanon.

At a time when the peoples of the world are celebrating the 40th anniversary of the Universal Declaration of Human Rights, it is utterly unacceptable that two racist regimes that are oblivious to the fate of their subject peoples - regimes which retain the same archaic mentality that prevailed in colonial times - should continue to exist in the present-day world. I refer to the apartheid regime in South Africa which is imposing white minority rule on the majority of the African population and continues its illegal occupation of Namibia.

By the same token, inspired by the same ideas, the Zionist forces in Palestine and in the other occupied Arab territories have been illegally occupying other peoples' territories by means of violence and terrorism for more than 20 years. During this period, the Zionists have used every means, all the illegal practices and policies possible, to confiscate land, set up colonising settlements, drive away the inhabitants, destroy the houses, enforce collective sanctions and deprive a whole people of the power to exercise its rights and fundamental freedoms, and in particular its right to self-determination.

In view of these practices and violations contrary to the principles and objectives of the International Labour Organisation, your Conference, which is considered to be the "World Labour Parliament" has not hesitated to assume its international responsibilities.

In 1964 your Conference took the initiative with a Declaration concerning the Policy of Apartheid in South Africa, which has been updated and reinforced by the plan of action at the Harare conference this year, and the Committee on Apartheid has confirmed the decisions taken by that conference. We take this opportunity of congratulating the Committee on its work, which can be summed up in a single phrase: "Adoption of the rule for applying global and mandatory sanctions". Our Organisation has made considerable progress in the struggle against apartheid, which deserves our respect and admiration. As for the Zionist entity, which has vital links with the Pretoria regime, it is continuing to defy the entire world, and to defy the wishes of your Conference which have been expressed in two historic resolutions vigorously condemning the policy of occupation and colonisation and confiscation of basic freedoms and rights.

In both cases, the two regimes would not have been able to carry out their practices without the material and political support - and even the military support - of certain governments which, albeit only in words, defend human rights as if they were different according to race, colour and ideological affiliation, while their policies and practical positions remain in complicity with these two racist regimes.

The ILO, which is celebrating the 40th anniversary of the adoption of the Universal Declaration of Human Rights, is confronted by the need for self-examination in making a historic choice. It must confirm in its practice that its commitment to the protection of human rights, freedom and dignity is a doctrine and a code of conduct. It must therefore reject the pressures which are striving to deflect it from its principles and transform it into an institution which closes its eyes to flagrant violations of human rights and fundamental freedoms by racists and colonisers.

The stone-throwing children in Palestine look towards you with the eyes of a people that has suffered various forms of injustice, oppression and aggression for more than 20 years and which continues to suffer from them. No one has the right, in this Conference, to snuff out the flame of hope in the hearts and eyes of these children.

As long as the Israeli occupation and colonisation in Palestine last, as long as the Palestinian people remains deprived of the exercise of its internationally recognised rights and freedoms, as long as the African people in South Africa remains subject to the racist Pretoria regime, and as long as the African people of Namibia remains deprived of its independence - justice, peace and stability cannot prevail in this world.

May the Peace and Mercy of God be with you.

Mr. TIHELI (*Minister of Employment, Social Welfare and Pensions, Lesotho*) - I would like to convey to you all warm greetings from the Government and people of the Kingdom of Lesotho. On behalf of my delegation, I wish to congratulate the President on his election to guide the proceedings of this important Conference. I am convinced that, under his chairmanship, this Session of the Conference will reach important conclusions in its deliberations.

The 75th Session of the International Labour Conference is meeting in the year in which the whole world is celebrating the 40th anniversary of the Universal Declaration of Human Rights. We commend the Director-General for having chosen the theme of human rights as an item of the Conference agenda. This demonstrates the importance the Organisation attaches to the subject of human rights, without which there can be neither social justice nor peace.

By adopting a number of human rights instruments on matters falling within the sphere of its competence, which have become and will continue to be a useful guide in the formulation of national policies, the enactment of labour legislation on the part of the ILO member States and the codification of international law, the ILO has gone beyond mere verbal pronouncements.

The work of the ILO is, without doubt, of importance. The ILO is committed to the attainment of universal and, indeed, lasting peace through the promotion of social justice in the world. To this end, it works closely with member States, assisting and guiding them in the development of national policies and practices. The technical co-operation programmes are a means of ensuring the practical implementation of adopted international standards. They are a channel for maintaining the ongoing dialogue between the ILO and the member States. My delegation believes in and supports the use of dialogue as a vehicle for the achievement of social justice and international peace.

We note with regret, that, owing to circumstances beyond the control of the Director-General, there has been a deficit in the finances of the Organisation. We commend the Director-General for his efforts to reduce the deficit, and appeal to all member States to meet their financial obligations in order to avoid the disruption of the Organisation's programmes.

This session of the Conference has on its agenda, inter alia, such items as the Revision of the Indigenous and Tribal Populations Convention (No. 107) of 1957 and the Updating of the Declaration Concerning the Policy of Apartheid in South Africa. My delegation not only supports the inclusion of these agenda items but also notes with appreciation their timeliness. Discrimination based on colour, creed or race is unacceptable.

We further note with appreciation the inclusion of the "Promotion of rural employment" on the agenda. My Government attaches great importance to the creation and promotion of rural employment. It is common knowledge that the majority of our able-bodied men are employed in South African mines as migrant workers. The evils of the system of migrant labour are well known. It is incumbent upon the Lesotho Government to create jobs for these migrant workers, particularly because there is always the threat that they will be repatriated. For instance, no fewer than 8,000 minners lost their jobs as a result of the miners' strike in 1987. We hope and believe that our partners in development will continue to demonstrate their solidarity as we tackle this problem.

At the present moment, arrangements are under way to lessen Lesotho's dependence on the migrant labour system as the main source of employment for its people. To this end, the Lesotho Government is taking steps to rehabilitate disabled miners, upgrade the skills of returning miners and develop the skills of would-be migrant workers so that they can be self-employed and play a constructive role in the national economy.

We are preoccupied at present with improving our National Employment Service, so that it will be able to process all data relating to labour matters. It is from such data that we hope to be able to match labour market demands with available skills and also to address the question of the skills needed in the market. Once the Service is fully functional, we hope to be able to say which parts of the country are in most need of projects for self-employment.

My Ministry is addressing the question of an overall policy on social security as the present system only covers civil servants and a very limited number of workers in the private sector.

In the year of the 40th Anniversary of the Universal Declaration of Human Rights and one of the human rights Conventions of this Organisation - Convention No. 87 of 1948 - Lesotho is among the countries that have ratified that Convention, and indeed, a number of other ILO human rights Convention. Consequently, our labour legislation permits and protects trade union activity, including the promotion of the related collective bargaining process. However, it is worth noting that industrialisation is a recent phenomenon in my country. The process of collective bargaining is understood still less and is therefore not widely practised. This is despite the multiplicity of trade unions competing for membership out of about 40,000 workers employed in commercial and industrial establishments within

the country. There are, at the moment, 33 registered trade unions, two trade union federations and an employers' union. The two trade union federations have, for over 20 years, not only remained ideologically antagonistic but have also introduced trade union structures which overlap and create rivalry. It is regrettable that, because of their continuing rivalry, the workers in my country failed to designate a delegate to this Conference. I would, none the less, assure the Conference that the Government of Lesotho is doing its best to encourage the development of sound trade unionism in the country and, therefore, the promotion of collective bargaining. We believe too that the absence of meaningful collective bargaining should not unduly result in poor labour conditions. In the circumstances, the Government administers tripartite consultative machinery, which advise my Ministry on all matters of policy, labour legislation, workmen's compensation and labour relations, including the setting of statutory minimum wages. Furthermore, in addition to mediation and conciliatory services, the law provides for tripartite dispute settlement machinery, such as the Unfair Labour Practices Tribunal and Arbitration Services.

In an effort to improve our labour laws so that they can embrace the ideals and principles of the ILO, there is an ongoing consultancy to upgrade and codify these laws. We hope, by this exercise, to simplify and minimise costs in the disputes settlement process.

Interpretation from Arabic: Mr. AL-ATROOSHI (Deputy Minister of Labour and Social Affairs, Iraq) - In the Name of Allah, the Merciful, the Compassionate! It is a great pleasure for me at the outset to present to you my warmest greetings. It is an honour for me to bring to you from Baghdad, from the land of civilisation, love and peace, greetings from the President of the Republic, Mr. Saddam Hussein, and from the people and Government of Iraq, as well as their best wishes for a successful Conference and the achievement of its aims of peace and justice in the world.

I would like to congratulate the President on the occasion of his election and express to him our esteem and confidence. With his personal qualities and abilities, as well as his wide experience, he is the most suitable person to guide our discussions and to help us to achieve the conclusions that will prove most favourable to social progress in the world.

This session of the Conference is being held at a time when the world is at dangerous crossroads: the international economic crisis is worsening and affecting many nations which are suffering as a result of the drop in the price of commodities and the increase in the price of manufactured goods. All this has led to a drop in living standards and increased unemployment. This is occurring at a time of increased military spending, the amounts of which far exceed the amount of aid accorded to development assistance. Thus social justice is declining in the world and more backwardness is on the increase in large numbers of third world countries.

What further compounds the problem is the heightened tension in international relations and the increase in the factors conducive to regional wars. These factors include the intervention of certain States in the domestic affairs of other countries, increased racist tendencies and more hegemonistic

and terroristic regimes which are being led by the regimes of Tel Aviv and Pretoria, and other sources of tension, terror and racial domination.

Although I have referred to these conditions in the world of today at the outset of my speech, I nevertheless wish to congratulate the Director-General of the International Labour Office on his fortunate subject for his Report this year, *Human rights – A common responsibility*.

I agree with the Director-General when he gives this vital subject top priority because recognition of equality of rights for all human beings on the basis of freedom and justice and the struggle against oppression have become today the main factor for peace and security in the world. It behoves international society therefore as well as its organisations and institutions, including the ILO which has forged many instruments to guarantee social, economic and cultural progress throughout the world, to pursue these aims.

I also find myself duty bound to point out from this rostrum some of the achievements of my country in strengthening human rights as well as political, economic and social rights.

Despite the war conditions imposed on us, democratic life is thriving in my country. It is expanding its horizons. Political, occupational and trade union activities are advancing, our democratic institutions are increasing in strength, as is popular participation which is paving the way to a better future.

The years of aggression have been accompanied by great progress in our social life. Parliamentary activity has thrived and democratic practices are taking their natural course. The popular masses of our nation have elected their representatives during two successive sessions of the National Council and are now preparing for a third parliamentary election.

Trade unions and other popular organisations are exercising their activities and rights in an atmosphere of freedom and democracy and for the first time in the history of Iraq, a special law has been promulgated – Act No. 52 of 1987 which gives special importance to trade union rights.

Furthermore, the experience of self-rule for Kurdistan in Iraq is a creative and a humanitarian reflection of our appreciation of human rights. Our political leadership has given the question of self-government special importance and has sought to restore equality of opportunity in daily life. Democratic and constitutional procedures have therefore been set up in this part of the country and two councils, a legislative and executive one, have been established. Federations and other popular organisations have been created in respect of the press, culture and information as well as a number of important development and social projects.

My country's position since the revolution of July 1968 has been characterised by the adoption of the principle of co-operation, which aims at achieving economic and social progress and promoting security and peace throughout the world. This approach has been accompanied by efforts to enhance the conditions of our people through large-scale development plans. However, this peaceful development policy has also succeeded in arousing the ire of the forces of evil who have sought to undermine the achievements of our nation by waging war against us.

From the first week of the war, my country has responded to all international proposals and initia-

tives for peace. This attitude was repeatedly confirmed by the President of the Republic, Mr. Saddam Hussein (may God Bless him), subject to the total withdrawal to earlier borders, the exchange of prisoners, the signing of a peace and non-aggression treaty, the non-interference in each other's internal affairs and respect for each other's choices.

Here, I would like to refer to the historic resolution 598 adopted unanimously by the Security Council; my country has fully endorsed this resolution, but the other party has rejected it. The international community is therefore called upon to take the necessary measures under the Charter of the United Nations with a view to implementing resolution 598 according to the chronology contained in its operative paragraphs.

We are convinced that our Conference, which represents the social conscience of humanity, will fulfil its obligation, reject the aggression and call for dialogue and understanding to restore peace in our region and throughout the world.

In Part II of his Report the Director-General discusses the activities of the ILO, and in particular the report of the ILO mission concerning the situation of Arab workers in Palestine and the other occupied Arab territories, in compliance with Conference resolutions adopted in 1974 and 1980 concerning the violation of trade union rights and freedoms by the Israeli authorities and the establishment of settlements.

I would like to express my thanks to the mission, and to inform the Conference of the inhuman practices to which the occupation authorities have resorted against Arab citizens for the past six months.

The Palestinian people have been bravely confronting this fierce racist attack launched by the occupation authorities, in violation of the principles of the United Nations, international laws and the humanitarian and civilised values of international community. These inhuman practices have been condemned by world public opinion, both officially and by the people. The time has therefore come for us to decide to expel this regime from our Organisation for its failure to abide by the principles of our Constitution and the decisions and resolutions of our Conference.

My Government fully supports and approves of all decisions taken to put an end to apartheid in Namibia and South Africa. We call upon the international community to assume its moral and legal responsibilities by applying mandatory sanctions against the racist regime in Pretoria in order to put an end to it.

The agenda of our Conference includes very important subjects for workers and world progress. The subjects of safety and health in construction, employment and social security and rural development are our top priorities and merit serious discussion.

However, I would merely like to say that social security today has become the main instrument for promoting social justice. Through social security, the State and society guarantee safety, health and the future of the nation. Therefore, social security is no longer a simple humanitarian claim but an economic requirement for the development of any society.

In the light of these facts, social security has been accorded the highest priority since the revolution of July 1968. Occupational safety and health in all sectors, including construction, enjoys the same priority.

Rural employment has suffered in most countries of the Third World, as mentioned in the reports prepared by the Organisation. Without the combined efforts of the international community and the assistance of the rich countries to the poor countries of Asia, Africa and Latin America, the inherent dangers of this problem will not stop at the borders of the Third World, for as the Declaration of Philadelphia states, "poverty anywhere constitutes a danger to prosperity everywhere". The war against poverty and underdevelopment requires continuous and concerted international efforts.

I would like to point out that my country has worked especially hard to eliminate underdevelopment in areas. Since the revolution, vast projects have been undertaken to promote culture, education, transport, communications, irrigation and agriculture in rural areas. Other projects have sought to enhance the protection of rural women.

Finally, allow me to reiterate my heartfelt wishes for a successful Conference whose results shall serve all humanity.

May the Almighty guide us all to the path of justice and peace.

May the mercy and grace of God be with you.

Interpretation from Polish: Mr. MIODOWICZ (*Workers' delegate, Poland*) – On behalf of the Polish trade union delegation I would like to congratulate the President on his election to his honourable and at the same time responsible post. We are convinced that his great experience, talent and abilities will contribute to the success of this session of the International Labour Conference.

It was with great attention and interest that our delegation studied the Director-General's Report to the 75th Session of the International Labour Conference. The selection of the question of human rights was, in our opinion, right because of its timeliness and significance. This year we celebrate important anniversaries such as the 40th anniversary of the adoption of the Universal Declaration of Human Rights, the 40th anniversary of the adoption by the International Labour Conference of one of the most important instruments in this field, namely Convention No. 87, adopted on the initiative of the World Federation of Trade Unions, and the 10th anniversary of the adoption by the 9th World Congress of Trade Unions of the Universal Declaration of Trade Union Rights.

This offers an opportunity to use this lofty rostrum for an exchange of views and experiences as to how to counteract effectively attempts at curbing the role of trade unions in their struggle for the improvement of working and living conditions of employees. Such attempts are being made across the world, irrespective of geographical latitude or political system.

We in Poland have just won the battle in defence of trade union rights. The first draft of the law on special powers for the Government envisaged considerable restrictions of trade union rights. In the light of the firm stand taken by our member organisations, the All-Poland Alliance of Trade Unions – as their representative – took decisive and energetic action, first of all in Parliament. Despite criticism from certain quarters in the state and economic administration, our efforts produced results and nearly all our demands were reflected in the form of the Govern-

ment's self-correction and a considerable modification of the texts of laws subsequently adopted. First of all, there were modifications in the principles governing collective disputes instead of the previously envisaged ban on them. Now initiation of collective disputes has been made dependent on gaining the support of a nation-wide trade union organisation. We also managed to prevent the introduction of a ban on strikes and of additional sanctions for taking part in them.

On this issue we are in full agreement with the opinion expressed by the Director-General of the ILO in his Report, that "strike action is one of the essential means available to workers and their organisations to protect their economic and social interests".

However, we are of the opinion that a strike should be the ultimate weapon and that it should be used only after the legal procedure for solving a collective dispute has been exhausted.

In our present economic situation, we Polish trade unionists are trying to observe this principle extremely strictly. We protect the interests of working people within the existing legal order without abusing the strike weapon. In our opinion, organising strikes against the law and manipulation of workers' protests by petty politicians are harmful and cause deep divisions among the workers. They also weaken the effects of our trade union efforts in the struggle for the implementation of economic demands. Some of the strikes that have recently taken place in our country have proved this. On the other hand, we believe that a strike is the ultimate expression of the workers' protests and that it should be settled through negotiations without the use of force.

The Polish trade union movement employs a number of methods for protecting the interests of the working people. The trade unions' right to appeal to the Supreme Court against any binding court sentence concerning labour and social insurance matters is undoubtedly one of them. During the past two years, the All-Poland Alliance of Trade Unions (OPZZ) has appealed against 37 valid court sentences and the Supreme Court has agreed with us in 28 cases.

We have also had positive results in appealing against some governmental decisions to the Constitutional Tribunal as incompatible with parliamentary Acts.

Such authentic activity within the existing legal order for the protection of employees' interests strengthens our position among the workers as well as within the state and economic administration.

I would like to stress that the trade unions which we represent here operate in 27,000 enterprises and have 62.3 per cent of all Polish workers affiliated to them. I said "we represent" because the trade union delegation consists not only of the representatives of more than 23,000 union organisations (about 85 per cent of the total) unified in the OPZZ. It also includes a representative of the nearly 4,000 independent trade union organisations outside our structure. Therefore, the composition of the trade union delegation for the current Session reflects the present structure of the trade union movement, the model of which has been shaped voluntarily and emerged from the very grass roots. We believe that it represents one of the many possible models of trade union pluralism.

The most important thing, in our opinion, is that trade union organisations should independently and autonomously represent the interests of their members in the best possible way. Present legislation gives the basis for such activities. On the other hand, the existence of pluralism in supra-factory structures is quite a different matter. As I have already said, that is why our delegation represents here the present Polish model of trade union pluralism, which requires further development.

Attempts to diminish the role of trade unions are usually accompanied by a propaganda campaign focused on their allegedly negative influence on various spheres of life in a given country. Some of our managers, whenever we have a clash with the Government, especially concerning prices and income policy, try to present us as opponents of the current economic reform. This is not true. We would like to stress that our trade unions have supported the process of reforming the economy since the very beginning. In particular, we perceive the need for an increased supply of goods, for strengthening the national currency and struggling against inflation, as well as for regarding economic equilibrium and enhancing the effectiveness of our economy. However, we oppose half-measures, which eventually end by having a negative impact on the living standards of the working people. We have never confined ourselves merely to criticism, but we put forward our own proposals for alternative solutions. However, the aim adopted of achieving market equilibrium leads to price increases, which cause social discontent. The recent social unrest in Poland was a confirmation of that. For us it was a signal to speed up work on the conclusion of new branch and enterprise collective agreements which requires quick amendment of the legislation concerning the factory remuneration systems. In our opinion it is the best way to extinguish the causes of discontent and sources of conflicts.

The adoption of the ILO Medium-Term Plan for the period 1990-95, that is, the final years of the twentieth century, is one of the major points on the agenda of this Session. The implementation of this Plan will have a decisive influence on the role and position of the ILO in the world. In this context, it seems purposeful for the ILO, independently of other international organisations, to devote more attention in its activity to creating conditions conducive to the development of multilateral international economic co-operation as a means of solving the acute social problems. The international labour movement has faced new realities or world economic development, reflecting the growth of the interdependence of States, the worsening of the economic situation in the world and the rather bleak prospects for its improvement. This has been reflected in the Report of the Director-General. It is obvious that the situation of working people is becoming increasingly dependent on business trends in the world economy and on the undisturbed development of economic exchange. The International Labour Organisation could play a more significant and constructive role in the search for platforms of co-operation, e.g. between the East and the West, which would be helpful in solving at least the problem of unemployment which was so pessimistically outlined in the Report. The elimination or considerable reduction of barriers impeding the process of co-opera-

tion among countries with different socio-political systems is a prerequisite for the development of economic co-operation and trade. In the expansion of co-operation we see a chance to improve productivity in Poland and to create additional job opportunities in the West. Regardless of their political convictions, trade unions, as organisations defending the living standards of the working people in their countries, cannot remain indifferent to these issues. The Polish trade unions are prepared to co-operate actively in preparing initiatives and proposals in all spheres relating to the interests of working people. We are of the opinion that tackling the difficult problems of the working people together, levelling out enormous disproportions in development, counteracting the effects of excessive indebtedness and protecting against ecological hazards can contribute to solving those problems.

Interpretation from Spanish: Mr. BARRERO-STAHN (*Government delegate, Namibia*) – On behalf of the United Nations Council for Namibia, the legal authority for the administration of Namibia until it becomes independent, as well as on my own behalf, I should like to take this opportunity to congratulate the President warmly on his well-deserved election to conduct the debates of this 75th Session of the International Labour Conference. We are confident that his great ability and gift for diplomacy will enable him to bring our deliberations to a successful conclusion.

We have read with particular interest and close attention the Director-General's Report on the activities of the International Labour Organisation in 1987, as well as the Special Report on the Application of the Declaration concerning the Policy of Apartheid in South Africa which reviews the most recent developments in labour and social matters in South Africa and illegally occupied Namibia, as well as the action taken against apartheid by the Members of the ILO, the Organisation itself and other international bodies.

We are particularly indebted to the Director-General for these Reports and we are especially glad that more emphasis has been laid on the question of Namibia. Nevertheless, we note that in the immediate future the question of Namibia is to be dealt with in a different section of the Director-General's Report.

We have devoted special attention to the draft report of the Tripartite Conference on Action against Apartheid held in Harare, Zimbabwe, last May, which contains an updated version of the Declaration concerning Action against Apartheid in South Africa and Namibia.

We note with special satisfaction that the question of Namibia is once again being given special consideration and express our hope that the updated version of the Declaration will receive overwhelming support.

While the majority of the countries of the world are still trying to find solutions to the problems of unemployment, shortage of housing and other tribulations, the Namibian people are desperately continuing their struggle to free themselves from the illegal occupation of their territory. It has clearly and resoundingly established in the Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South

Africa that the authorities of that country show no sign of the slightest intention of complying with the decisions of the United Nations on Namibia.

The racist regime of South Africa is continuing arbitrarily to detain and imprison leaders and members of the South West Africa People's Organisation (SWAPO), as well as murdering and torturing innocent Namibians. This regime is also making use of other inhuman means of intimidating the people of Namibia and annihilating their firm determination to secure the achievement of their most legitimate aspirations: self-determination, freedom and national independence. The racist regime of South Africa is continuing to intimidate trade unionists by means such as arrests and illegal detention, the destruction of union offices, among other measures.

By means of an elaborate and unjust, and in essence, illegal system of land expropriation, taxation and the introduction of tight controls, the Black population of Namibia has been dispossessed of its own country. Thus deprived, Namibians have been forced to look for work in the service of the White minority under conditions that resemble those of the colonial system where workers are denied all possibility of claiming their basic and fundamental labour rights.

Namibians have to work under totally hostile and exploitive conditions. There is no labour legislation to protect the workers, they have no right to a pension, they have no wage-fixing machinery, nor is any payment made for days of rest or maternity leave, workers can be dismissed without notice and frequently are.

While all this is happening, the minority of White employees are entitled by law to negotiate freely their conditions of work and their trade union representation. Worse still, the Wages and Industrial Conciliation Act of 1985 deems to be illegal the registration of trade unions attached or affiliated to any political party. It is unquestionable that this legislation was introduced to hamper the activities of the main trade union organisation for the Black population, the National Union of Namibian Workers (NUNW), which was founded in 1978 and is affiliated to SWAPO. This National Union of Namibian Workers is a member of the ILO and its objectives include, in addition to the immediate and unconditional securing of the independence of Namibia under the terms of Security Council Resolution 435 of 29 September 1978, the obtaining of a fair labour system, an adequate national minimum wage and a general improvement of the standard of living of Namibian workers.

Despite the strict laws which deny Blacks the right to strike in Namibia, the number of strikes increased in 1987. On May Day, International Labour Day, 25,000 workers from all over Namibia took part in different events to commemorate the day of the workers, including a march and a meeting organised by the National Union of Namibian Workers. In addition, numerous religious services were held to celebrate this day in the war-torn north of Namibia.

In July last year almost the whole of the labour force of the Tsumeb Corporation, that is to say some 5,000 workers, employees of this Corporation which operates three copper mines, went on strike to demand higher wages, better working and living conditions as well as protective equipment and clothing and better safety in the mines. As agreed with the

Mineworkers' Union of Namibia, affiliated to the National Union of Namibian Workers, the Black workers of the Tsumeb Corporation receive an average hourly wage of approximately US\$0.51 for a 48-hour week, that is to say about US\$97.50 per month. The company in question refused to negotiate with the union and dismissed practically all the workers and evicted them from the hostels in which the company had allowed them to live.

Since we last addressed the Conference at its 73rd Session, Namibian religious and political leaders have frequently and desperately drawn attention to the rapid deterioration in human rights in Namibia. Nevertheless, these appeals have been completely ignored by the international communications media or have received little attention.

The aspirations of the people of Namibia and practically the whole of the international community were greatly encouraged and stimulated when the United Nations Security Council adopted Resolution 435 in 1978, since it was believed at that time that the long hope for the independence of Namibia would finally become a reality. The Resolution made an appeal, *inter alia*, for a cease-fire and called on the United Nations to supervise the holding of general elections with a view to setting up a constituent assembly and proclaiming independence. Ten years have passed since the initiative was taken and due to the violation of Resolution 435 by South Africa, Namibia continues to be a South African colony in which political and military battles are continuing to take place with increasing intensity.

The Namibian people are the victim of brutal repression and oppression by the racist regime of South Africa. Namibia has become a huge military garrison in which the racist security forces exercise a regime of terror in an attempt to destroy the desire of its noble people to continue the struggle for their inalienable right to self-determination and national independence as well as attempting to destabilise the neighbouring front-line countries.

Throughout all these years the international community has firmly rejected South Africa's claim to a link with Namibia as being alien to the application of Resolution No. 435 (1978). In 1987 the world welcomed, as a new spur to progress on the question of Namibia, the adoption of Resolution No. 601 (1987) by the Security Council, which authorised the Secretary-General to negotiate a ceasefire between South Africa and SWAPO as a further step towards the independence of Namibia.

It is, however, deplorable that the same Security Council has systematically blocked attempts to establish wider ranging mandatory sanctions against South Africa through the regular imposition of a veto by some of its permanent Western members. As a result, the minority racist regime has been encouraged to continue its repressive policy in defiance of the principles and decisions of the United Nations.

In view of the grave and steadily deteriorating situation in Namibia this Conference cannot do less than intensify the international campaign of support for the Namibian cause and denounce all acts of collaboration with the racist regime of Pretoria in the political, economic, diplomatic, cultural and military field. We have to acknowledge that the struggle of the people of Namibia for independence is in the final instance a struggle which has to be settled by the Namibians themselves. Nevertheless, through its

firm support the international community can help them to achieve victory and reduce the cost in terms of human life and suffering.

The mobilisation of international public opinion through the dissemination of information on Namibia is a most important aspect of the efforts the ILO can make for the achievement of the independence of Namibia. Despite years of illegal occupation of Namibia by South Africa and growing interest in and attention to the situation in South Africa itself, the great majority of the public have only limited and very restricted access to information about this territory. The communication media in certain countries either publish no information about Namibia or publish it only in a partial and distorted way.

It is therefore imperative that the ILO's position with respect to Namibia should receive proper attention and publicity in order that it can be brought to the knowledge of public opinion, particularly in those countries whose governments have ties with South Africa, so that they may receive fuller and more reliable information.

For our part, as the United Nations Council for Namibia, in pursuance of the mandate given to the Council by the General Assembly as the legal administrative authority of Namibia until it becomes independent, we shall continue our constant scrutiny of social conditions in the territory, as well as development in the social sphere and the struggle of the Namibian people for self-determination, freedom and national independence in a unified Namibia. The Council has expressed on various occasions its profound anger at the violation of the Namibian people's fundamental human rights by the illegal colonial regime of South Africa. The Council has made and will continue to make unstintingly every possible efforts to fulfil the mandate given to it by the General Assembly.

The United Nations Council for Namibia has constantly sought international support for the taking of measures to secure the withdrawal of the illegal administration of South Africa from Namibia in compliance with the relevant resolutions of the United Nations. The Council will continue to oppose South African policy which is evidence of its stubborn refusal to put an end to the illegal occupation of Namibia, its increasing military presence in the territory and constant aggression against its people.

In particular the Council will continue its campaign against the recognition of the illegal administration imposed on Namibia by South Africa, or any other administration or purported entity installed in Windhoek which is not a result of free elections in Namibia under the auspices, supervision and control of the United Nations. The Council will also continue to reject any form of link or parallel between the independence of Namibia and any external or irrelevant aspects; this has been widely recognised and accepted by the vast majority of the international community.

On behalf of the United Nations Council for Namibia, I thank all the governments, employers and trade unions in the West which have taken practical steps to bring pressure to bear on South Africa, with a view to the dismantling of its odious system of apartheid and putting an end to the illegal occupation of Namibia. We appeal to all governments and all delegations of employers and workers to make every effort to secure the immediate and uncondi-

tional application of resolutions 385 (1976) and 435 (1978) of the Security Council, which are the only internationally accepted basis for the immediate and unconditional independence of Namibia.

As we have said at past sessions of this great Conference, I should like to take this opportunity to reiterate the request made by the General Assembly in its resolution 42/14C and in earlier resolutions, appealing to all specialised agencies and other organisations to exempt Namibia from the payment of contributions during the time that it is represented by the United Nations Council for Namibia.

I wish to express the gratitude of the Council for the valuable assistance provided by the ILO to the Namibian people and renew our appeal that it continue and widen the range of its action to assist Namibia through SWAPO, its sole and genuine representative, as well as through the same United Nations Council for Namibia. The Council also urges the national community to increase, as a matter of urgency, all types of assistance and political support for the front-line States.

In approving the updating of the Declaration concerning the Policy of Apartheid in South Africa which is on the agenda of this Conference, we insist on the need to bring the greatest pressure to bear on the racist regime in South Africa so as to help the Namibian people to see the realisation of their dearest wishes.

If you want to talk of respect for human rights or their violation, think of Namibia.

Mr. SIMMONS (*Government delegate, Barbados*) – Mr. President, I join the preceding speakers in offering you my congratulations on your election to preside over this Conference. Your wealth of experience will, I am sure, enable you to discharge the responsibility of the office with great competence. I wish you success in your task.

This is the second session of the International Labour Conference since the democratic Labour Party was returned as the Government of Barbados after a ten-year absence. It is also the first session at which I as Minister of Labour have been afforded the honour and privilege to address this most important and distinguished gathering.

I should like at the outset to reaffirm the commitment of the Government of Barbados to the pursuit of the aims and objectives set out in the Constitution of the International Labour Organisation and pledge my country's continual and unstinting support of, and participation in, the activities of the ILO.

Permet me to seize this opportunity to share with you some of the basic principles upon which the governing party is based. It is imperative that I do so because I feel that those principles find a kindred philosophy with the tenets of freedoms, social justice, harmony and peace – the foundations of this noble Organisation.

Our basic philosophy has always been enshrined in the doctrine of democratic socialism which is all about planning and equality of opportunity. That is why we have been striving and will continue to strive to ensure that every child born in Barbados has every opportunity possible to develop his or her fullest potential physically, mentally, socially and culturally. The notion of the right to work, that is that every man and woman who wishes to work has the right to

do so, is a key element in this philosophy. We have always recognised the inter-relationship between this notion and human dignity. For if you take away a man's job, which is his livelihood and his family's livelihood, you take away his pride, his dignity and the wherewithal for him to take care of himself and his family.

I must, however, acknowledge that this goal is becoming increasingly difficult to attain as we continue to struggle in the vicious grasp of worsening economic conditions. I am well aware of the valiant efforts of the International Labour Organisation to obtain from its member States the commitment to the goal of the right to work, through the pursuance of an active policy designed to promote full productive and freely chosen employment. It is unfortunate that the Convention which embodies this principle has only received 71 ratifications out of a total of 150 member States. I am happy that the Government of Barbados considers its objectives to be of such importance that it has seen fit to ratify this Convention.

I should like to urge member Governments to commit themselves to this instrument, which should be like a beacon of hope, an inspiring challenge to meet as we fight our way out of this economic morass. Whereas the goal of full employment is desirable, it is only too obvious that it is a difficult issue confronting almost all nations. But I would implore the ILO to provide more resources to small nation States to increase their capacity to deal with the problem of unemployment. I am sure that you understand that I should want to impress upon you that when, dealing with such issues, the Organisation must give special consideration to the needs of the Caribbean.

The youth unemployment situation in the developing world is virtually at a crisis point. The statistics published by the International Labour Office in 1986 paint a gloomy picture. It is projected that in the more developed regions of the world, the young (15 to 20 years old) economically active population will decrease from some 111 million in 1985 to 104 million by 2025. However, in the developing regions, this same population will increase from 469 million to 608 million by the same time.

You will therefore appreciate the straits of our situation when you consider the incapacity of our labour market to absorb this growing youth population. As the economic outlook unfurls before us, the task, particularly for small developing States, is a daunting one; and it is one that we cannot successfully tackle without the assistance and co-operation of the developed world.

But let me acknowledge at the same time that our survival depends largely upon our self-reliance. I share the view of the Director-General when he says that the developing world must reduce its dependence on the rest of the world and make use of its own resources. In these sentiments he struck a crucial note – a note to which the Government of Barbados fully subscribes.

I feel, however, that the issues involved are so fundamental that they cannot be approached only through self-reliance, for no man is an island and we need each other. It is crucial for us to develop and utilise our natural resources, but it is also crucial for the socio-economic development of the globe that co-operation between the developed and developing countries plays its full role.

As we are well aware, rapid technological change has been taking place all over the world. Although it is generally accepted that these changes have been largely for the benefit of mankind, it must be equally recognised and accepted that they are not without their attendant problems.

The discussion at this time of the subject "Safety in construction" is particularly timely, for although the increasing mechanisation of construction work has resulted in reduced human fatigue and a simplification of tasks, accidents in that industry continue to increase and result in catastrophic injuries to a greater extent than in most other areas of economic activity. These accidents, for the most part, occur in the area of machinery operation, elevation and trenching.

In spite of widespread mechanisation and a high injury rate, the construction industry remains nonetheless one of the most labour-intensive industries. In Barbados, in 1986, the construction industry employed some 7,900 persons, which represents 8.2 per cent of the labour force. The industry is one of the major growth areas, contributing during the same period 6.0 per cent of the country's overall growth in real output and averaging a 6.4 per cent share in the country's gross domestic product.

It is therefore not surprising that this subject has been on the agenda of this Conference for the past two years, and this year the objective is with a view to the adoption of instruments on the subject.

The activities of the ILO regarding occupational safety and health of workers can easily be measured by the number of instruments which the International Labour Conference has adopted over the years calling for improvements in conditions of workers and providing greater benefits for those who have been unfortunate enough to have suffered an occupational injury or disease.

I should like at this time to congratulate the Conference on its initiative and wish the technical committee on the subject success in its deliberations. I know that the preventive and protective measures proposed for inclusion in the new instruments will go a long way towards setting standards to ensure the safety and general health of the workers in the construction industry.

This year's Conference has many anniversaries to celebrate, among them, the 40th year of the existence of the United Nations Universal Declaration of Human Rights which proclaims human rights as a common standard of achievement for all people and all nations. The Conference also celebrates 40 years of the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and 30 years of the adoption of another of its human rights instruments, the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

I am sure that during these celebrations stock will be taken of the achievements so far, in the area of human rights and a path will be charted for the future. Therefore, I exhort you not to lose sight of our goal which is to rid the world of this scourge upon our economies – the unemployment crisis.

Let us therefore resolve to strive for sustained economic development; let us resolve to strive to put our peoples back to work; let us resolve to strive to raise the morale of our people, particularly our young people, who are the future of our nations, for

I firmly believe that these are the very foundations upon which human rights are cemented.

I could not conclude without some reference to the subject of apartheid which has become a burning issue in international relations and which this Conference has rightly addressed over the years. It is a subject about which my Government feels very strongly.

Barbados was one of the first countries to take steps against the racist regime in South Africa by banning South African goods as early as the 1950s. The Government proposes to continue to assist in maintaining such pressures as it can, until our brothers and sisters in that country are liberated.

The Government of Barbados feels compelled to view the continued defiance of the South African regime in the face of all efforts as a serious indictment against the major actors in the international community. That this regime should continue is due in large part to the support it receives directly and indirectly from some powerful nations that choose to put economic considerations before humanity.

As we focus our attention on the issues of human rights and apartheid during this Conference, it is imperative that we keep before us the blatant disregard by the South African Government of fundamental human freedoms, human dignity and the sanctity of human life. Let us therefore begin to take action to eradicate this evil from our midst.

My Government has recently pledged the sum of \$100,000, half of which has already been paid to the Solidarity Fund for South Africa to assist front-line States suffering economic aggression from Pretoria. Let each of us take a stand to show our commitment.

I feel sufficiently encouraged by its good work in the region to say a word of commendation for the Caribbean Labour Administration Centre (CLAC), an agency of the ILO for which my Government has the privilege of providing host facilities.

CLAC provides training for Caribbean labour administrators, a service which has been long needed in the region. Through the organisation of training programmes and working attachments in the region, CLAC has been successfully drawing upon the vast reservoir of knowledge and experience that the region possesses, furthering the concept of technical co-operation among developing countries.

I welcome the demonstration of support by the ILO for CLAC in the recent appointment of an associate expert.

I hope that the Organisation will continue to support this much needed agency and seriously consider its institutionalisation and an increase in its financial allocations to enable it to expand and continue its assistance to the Caribbean region.

To this extent, my Government feels that the capabilities of CLAC should be expanded by recruiting Caribbean expertise in its required services, as in the current offering at the ILO's regional office in Trinidad and Tobago. And these positions should be designed to attract suitable candidates.

Special mention should also be made of the useful contribution being made by the ILO Area Office in Trinidad and Tobago. However, it must be recognised (as in the case of CLAC) the specialist personnel positions are too few for the requirements of the region. I would recall that to date an insufficient response has been the offering of that agency regarding the provision of technical assistance in the area of small business development and youth in particular.

This request has been voiced by the various Caribbean labour ministers at the Conference.

I also hope that the ILO will find it possible to put that Office in a position, staffwise, to enable it too to provide improved technical assistance in the region.

(The Conference adjourned at 12.45 p.m.)

Twenty-third sitting

Tuesday, 14 June 1988, 3.15 p.m.

Presidents: Mr. Beyreuther, Mr. Aitken

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (Cont.)

Interpretation from German: The PRESIDENT – We shall now continue with the discussions of the reports of the Governing Body and of the Director-General.

Interpretation from French: Mr. DELEBARRE (Minister of Employment and Social Affairs, France) – It is a great pleasure for me to take part in the work of the International Labour Conference and to address to the President, as well as to the Vice-Presidents, my heartiest congratulations upon their election.

May I express my satisfaction and thanks to the Director-General for having devoted his Report this year to the topic of human rights. Of all ILO's activities this is possibly the most essential.

In France, where human rights are concerned we have a particular sensitivity which comes to us from our history and our culture. We have in the 1789 Declaration of the Rights of Man, whose bicentenary we shall celebrate next year, the words: "All human beings are born free and equal in dignity before the law", which are also in the Declaration adopted by the United Nations in 1948.

These principles of individual liberty and of the equality of human beings have subsequently been supplemented by the values of social rights and recognition of the collective identity of the labour world. As Jean Jaurès said, "The code of civic equality quickly becomes a lie when it is not supported by a code of social equality".

These principles and these values together constitute the basis of human rights as they are defined today. The ILO, more than any other, is imbued with these rights.

Established after the First World War, our Organisation has been able to combine faithfulness to the great principles of freedom and equality of the individual with the affirmation of social and collective rights. The Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), states that: "Workers and employers, without distinction whatsoever shall have the right to establish and ... to join organisations of their own choosing without previous authorisation." This one sentence clearly sets forth the collective right to association, the freedom of the individual to join trade union organisations, and the inalienable nature of these rights in all systems and in all latitudes.

The same is true of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the anniversary of which we are also celebrating.

It is customary to place all of the instruments of the ILO directly inspired by the rights of man under the overall heading of basic Conventions. We should like in this connection to mention the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) and the Equal Remuneration Convention, 1951 (No. 100). These Conventions have received more than 100 ratifications. This is a large number but still insufficient in view of the importance of the issues involved. It is to be hoped that there will be further ratification of these fundamental instruments.

The topic of freedom of equality of human rights is also placed very dramatically on the agenda of our Conference in connection with a reality that is profoundly shocking and repulsive to the minds of men – that of apartheid. It is a good thing that year after year this world assembly, which brings together governments, workers and employers, should tirelessly revert to this topic and thus help to mobilise world public opinion. We must all hope that respect for human dignity will some day prevail in that part of the world as well, and that that day will come soon.

In general, I fully support the Director-General's statement in his introduction: "All ILO activities are related to human rights in one way or another because the achievement of human rights is an integral part of efforts to secure man's material well-being and spiritual development, and in this sense economic development cannot be separated from social development."

There are not many forums where the links between economic policy and social policy are so earnestly discussed.

This is why the French Government, under Mr. Michel Rocard, is particularly grateful to the Director-General of the ILO, Mr. Blanchard, whose remarkable ability has made it possible to overcome very difficult times and whose role in the Organisation is well known to all. We are grateful to him for having boldly encouraged the idea of the High-Level Meeting on Employment and Structural Adjustment which was held in November 1987.

The conclusions of this meeting constitute for the ILO, in close and trusting co-operation with the International Monetary Fund and the World Bank, a definition of a new and important mission: to help obviate the adverse social consequences of readjustment policies. This is particularly essential for trade union freedoms. The President of the French Republic, Mr. François Mitterrand, has expressed similar

concerns. The stringency which in our countries is imposed by the preservation of basic economic balance makes it more than ever indispensable to maintain social cohesion through increasing efforts to achieve equity and social justice and to safeguard acquired social rights.

The same concern for equity and balance should imbue the search for a solution to the problems of the indebtedness of the poorest countries. That is why, some days ago, the President of the French Republic, in a letter on this question addressed to the countries which are to participate in the Toronto summit, proposed a reduction in the external debt of those countries. As you know, the desire of the President of the French Republic has already been translated into reality. France has committed itself to cancelling one-third of the debt-servicing of the poorest nations. I should like to point out that the proposals of the President of the Republic of Argentina, Mr. Raúl Alfonsín, are on the same lines. I am also very happy to see the collaboration between our Organisation and the Committee on Economic, Social and Cultural Rights set up by the Economic and Social Council of the United Nations. The Committee will thus be receiving regular information on the results of the operation of the ILO's supervisory machinery in its sphere of activity.

The introduction of machinery for supervising the application of standards was a bold move when the ILO was set up in 1919. The obligation for member States to submit reports on the application of standards, the setting up of the tripartite Conference committee within which representatives may be called upon to give explanations on the subject was at the time a quite revolutionary innovation.

For about 70 years now, this supervisory machinery has evolved and adapted while the basic structure and principles have been maintained. Thus, the ILO, a world institution, has harmoniously combined the acquired rights of written law as set out in the Constitution and regulations with the contribution of customary law in creating new bodies, which, with time, have proved themselves indispensable.

Lastly, there are procedures for complaints, comments and claims.

In the past few years there has been a large increase in the number of cases brought before the ILO by the social partners, which reflects a relative worsening of social relations in the world and in particular profound economic changes and their social consequences. The reason for the increase in the number of such cases is also that there is a better knowledge of ILO and its operating methods and the possible recourse provided by its procedures.

Such as it is, the supervisory system of the ILO is a composite mechanism, but it is pragmatic and effective, its individual and collective results are clearly visible and, in its field of activity, it makes human rights fully operational, as the lawyers say, by protecting individuals against arbitrariness and government abuse.

However, it is also fragile. It has often been criticised by some States in terms of respect for national sovereignty. I am happy to note, on the occasion of this Conference, that there seem to be new signs of a significant development of opinion on this subject.

The mechanism - and this is, of course, true for the ILO as a whole - cannot function properly unless governments play the game of tripartism by enabling

the two non-governmental groups of workers and employers to choose their representatives freely.

Moreover, while the ILO should be able to expand its assistance to the least privileged States on the administrative level, it is also threatened - again, like the ILO as a whole - by current acute financial difficulties.

I should like to dwell on this point for a moment.

Regardless of the fluctuations of the United States dollar, the financial difficulties of the ILO are due to non-payment, partial payment and late payment of some contributions.

The dues payable are, however, proportional to the financial means of member States.

My country pays its own dues regularly, fully and very early in the year. It will continue to do so. I do not consider this exceptional, but just a normal respect for our commitments. We hope that other countries have the same attitude.

However, the most regrettable fact is that owing to defaults in payment of their contribution by certain member States the prospect arises of a decrease in the credit set aside by the Organisation. There is a possibility that it will have make economies, despite the fact that it is extremely efficient, particularly in the field of human rights.

If economies must be made, the opinion of the Government which I represent is that slowing down, still less reducing, programmes already planned must be avoided at all costs.

On the other hand, large economies should be sought in the time table and procedures of meetings. To this end, an indepth and responsible tripartite study ought to be carried out on the traditional formula of Industrial Committees, the number of sessions of the Governing Body and their contents, and on regional conferences. Consideration should also be given to the difficult question of the contents of the General Conference.

Some ideas were put forward at the time of the discussion of the Medium-Term Plan. They should be pursued with determination.

Resources are not everything. The will to act and to progress is fundamental. All the more reason for it not to be hindered by material difficulties, since this will to progress remains indispensable.

When we look at the road we have travelled for a whole century, we should all realise the progress that has been made, particularly by this Organisation, towards greater respect for human rights, victory for the freedom of association, the recognition of trade union rights and the development of social dialogue.

But we also know that there is still much progress to be made, always and everywhere, and that the danger of slipping back, indeed regressing socially, still exists. As a French poet wrote, "nothing is ever acquired for ever". The European countries must therefore ensure that their continent becomes not only a single market, but also an area of progress and social justice. We must, therefore, in all international incidents, be vigilant and persevering in the defence of human rights and of the labour world. This is a continuing struggle.

The existence and the development of the International Labour Organisation helps us in this. The ILO represents, and for this we are profoundly grateful to the Director-General, Mr. Francis Blanchard, a reason for satisfaction and grounds for hope for all who believe, as the French President, Mr. Mitterrand,

said a few days ago, that "social cohesion and social dialogue are essential elements of economic modernisation".

Mr. HALMOS (*Secretary of State, President of the State Office of Labour and Wages, Hungary*) – It is a special honour for me to extend to Mr. Beyreuther, on behalf of the Hungarian delegation and in my own name, our congratulations on his election to the office of the presidency of the 75th Session of the International Labour Conference. May I express my pleasure to see in the Chair the representative of the German Democratic Republic, with which my country maintains relations of friendship and good co-operation.

My recognition also goes to the Director-General for his timely choice in devoting a special part of his annual Report to human rights issues. The fact that the Universal Declaration of Human Rights was born 40 years ago, and that the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) was adopted by the International Labour Conference in the same year provides an auspicious occasion to assess the action of the ILO to promote the respect for human rights, the achievements and the problems still remaining in this field.

In our view, both instruments, as other international labour standards on human rights, have played important role in furthering social justice, and we recognise the efforts of the ILO to this end.

At the same time, we are aware of the increasing number of complaints because of the violation of freedom of association and trade union rights, as is pointed out both in the Report of the Director-General and by the Committee of Experts on the Application of Conventions and Recommendations. Apparently there is a lot the ILO can do in the future to assist a more complete realisation of fundamental human and trade union rights, all the more as grave violations of these rights continue to exist. One of the most flagrant forms of them is the policy of apartheid pursued by the Republic of South Africa. This policy has always been rejected by the Hungarian Government at all international forums. Our Government has equally condemned the violation of the human rights of Palestinian Workers and employers in the occupied territories.

Concerning the special topic in the Report of the Director-General, I would like to confine myself to just a few remarks. Although political and civil rights are to be regarded as national responsibilities, I share the view that it is hard to ensure the observance of these rights, if they are not backed by developments reflecting the common efforts of all countries and unless there is enough strength to overcome the world-wide social and economic difficulties.

Worthy of attention in my opinion is the endeavour of the Director-General to consider human rights, such as freedom of association, not in isolation from fundamental economic and social rights but in a reciprocal relationship. He also rightly points to the interdependence between the respect for human rights and peace and stability.

I am persuaded, and last November's High-Level Meeting on Employment and Structural Adjustment, which I had the opportunity to attend, confirmed my conviction, that employment and social protection of

workers also belong to the matters requiring concerted international action.

The possibilities inherent in international co-operation based on mutual interests were exemplified by the Fourth European Regional Conference which, as I see it, advanced the convergence of the European countries in the field of social and labour relations. The results were also a good argument for this forum of dialogue among the European member countries of the ILO. Therefore, ways and means should be identified to render feasible the convocation of the European Regional Conference with the same frequency as other regional conferences. And till the next session, we expect the International Labour Office to organise and keep a firm hand on the implementation of the resolutions adopted last September.

We are confident that the negotiations started some time ago between the socialist representatives and other members of the Employers' group will not be discontinued and that they will yield results in the foreseeable future.

I consider the relations between Hungary and the International Labour Organisation to be good and ever improving.

In autumn last year, an ILO employment policy expert mission visited Hungary, at our invitation, to study the situation of the Hungarian economy and the resulting concerns and tasks in the field of employment. Despite the limited time spent in Hungary, they managed to put on the table concrete and practicable proposals. We hope this was a first step in a co-operation which will continue to help us in shaping our employment policy.

The structural adjustment and the unfolding reform process in my country require fundamental changes, and a renewal in our employment policy, too.

We have frequently declared before that we were aiming at simultaneously ensuring full and efficient employment. Our objectives have remained unchanged. However, the interpretation of these notions has changed. We perceive today the term efficient employment not only – and not in the first place – as implying higher productivity and more intensive work and better utilisation of working hours but also as a change in the workforce structure: people should be employed at places where they can produce up-to-date, profit-yielding articles or render such services.

On the other hand, full employment involves neither a right to a particular job nor the highest possible employment. It may be more advantageous for family, children and society alike, if one of the parents stays at home to take care of the children: in that respect, we should create the necessary conditions, instead of encouraging employment.

We are not unaware that the implementation of the government stabilisation programme demands a structural change in our economy which would entail the loss of tens of thousands of jobs while at the same time creating new ones. We realise that many people will not be able to find employment under such circumstances unless they are willing to be retrained, and there will be persons temporarily without work. However, we deem lasting unemployment unacceptable, for both economic and social considerations: we disagree with those who look upon the conflict

between full and efficient employment as an unsolvable dilemma.

Our labour administration has managed to prepare for coping with the recently generated employment tensions. Our employment policy instruments are functioning well and easing the strains. Nevertheless, the increase in the number of jobs lost requires our employment policy instruments to be reinforced. We aim at elaborating an active employment policy that would not abandon the goal of full employment but would rather attempt to attain it by promoting labour mobility, thus acting neither to the detriment of efficiency nor at the cost of slowing down the adjustment.

In view of this it is essential to strengthen the employment services, to improve both their informational background and their nation-wide communications network, to widen retraining opportunities for those who are unable to find employment, to broaden the scope of community works, to promote small business start-ups, and to encourage regional mobility of labour.

To counterbalance the growing labour supply, we have stimulated the introduction of forms of employment that would enable family responsibilities to be met in more flexible ways. Our other objective is to reduce, by higher money rewards for regular work performance, the number of those in need of a secondary income.

In addition to the development of our employment policy, or rather as a part of it, we are engaged in elaborating substantial changes in our wage policy, too. At the end of last year, we started with large-scale preparatory works, involving both scientists and practitioners: we have outlined so far the basic objectives of the modifications which will be put to a comprehensive public discussion.

Preparation for these works has been greatly assisted by a conference held in May this year in Hungary. At this Conference, along with the best Hungarian experts, researchers of high reputation from abroad, among them ILO representatives, made a valuable contribution to its success.

We perceive the comprehensive readjustment of our wage system not as a single measure but as part of a broader reform process, therefore, we devise the changes so as to be in harmony with and instrumental in it. As the most important step, we envisage a gradual elimination of the central wage and earnings regulation in the sphere of the market.

These are my thoughts inspired by the Report of the Director-General, the discussion during the session up till now and, of course, our concerns in the field of labour. We hope to be able to praise, at the end of this session, too, the contribution of our Conference to the improvement of the living and working conditions of workers. The Hungarian delegation will do the best in its power toward that purpose.

Interpretation from French: Mr. VAN DEN BRANDE (*Minister of Employment and Labour, Belgium*) – On behalf of the Government of Belgium, it is a particular pleasure for me to congratulate you on your election to the presidency of this session.

In electing you as President, the International Labour Conference has demonstrated its confidence in you and I am convinced that, thanks to our skilful

management, this session will be successful and attain its basic objectives.

It is also a great honour and pleasure for me to address you for the first time.

Since 1988 marks the 40th anniversary not only of the Universal Declaration of Human Rights but also of the important ILO Freedom of Association and Protection of the Right to Organise Convention (No. 87), it is most appropriate that the Director-General should have chosen human rights as the central theme of his Report to the Conference I have studied this Report with great interest and was much impressed by its direct style and outstanding qualities. Allow me to congratulate the Director-General for this remarkable success.

The ILO is well placed to study this question. Since its creation, it has never ceased striving to increase human happiness, to protect men and women and to defend their rights and achievements. And even if the expression "human rights" is not used as such in the ILO Constitution, the idea itself is omnipresent both in the objectives and in the principles of our Organisation.

I shall not dwell in detail here on the work undertaken by the ILO in this field.

I do not have to emphasise the importance which a country as profoundly democratic as my own has always attached to human rights and especially to rights protected by international labour Conventions. As the new Minister of Employment and Labour, I am proud to observe that the seven Conventions mentioned in the Director-General's Report have all been ratified by Belgium.

I quite agree with the Director-General when he says in his Report that economic problems cannot be settled at the expense of employment growth and social policy. However, I also believe that in the absence of a sound economic climate, we cannot aspire to increase employment. Hence, our aim is to create conditions favourable to economic development as an indispensable basis for the creation of jobs, without, however, undermining what has been achieved under our social legislation.

The present situation therefore raises the question of the relationship between the economy and social matters. Some people think that economic matters determine social aspects. Others are of the opinion that social matters cannot be considered as a sub-product of the economy but as something entirely separate. I believe rather that we must combine the two aspects. We all need standards which will guarantee a minimum of rights. But on the other hand, we cannot overlook the major changes in the world economy which force us to make certain adjustments. We have to create a framework within which the social partners can react to change, while maintaining inviolate a certain number of rights. The aim is to render legislation more supple with a view to putting it at the service of an employment policy. The Belgian Act of 17 March 1987 on hours of work in undertakings is an excellent example of collaboration between the Government and the social partners. This kind of collaboration has worked also in other countries and shows that a model of economic and social development can be flexible while offering basic social guarantees.

We must, of course, ensure that standards adopted are respected at the world level. The Freedom of Association and Protection of the Right to Organise

Convention, 1948 (No. 87), is probably one of the most valuable instruments ever adopted by the ILO. It guarantees workers the right to set up the organisations of their choice and to become members of them. It also affirms that these associations are entitled to draw up their own statutes and regulations, to elect freely their representatives and to organise their programmes in such a manner as best to serve the interests of the workers.

However, I fear that certain countries, whether they have an industrial tradition or are in the process of development, have a tendency to neglect this first principle. I come from a country where collective bargaining, which is a prerequisite of trade union freedom, is at the basis of society. The signing of collective labour agreements at the inter-occupational level or amongst sectors and undertakings is generally governed by laws and regulations. It is for this reason that I am relying very much on the new international inter-occupational agreement to be concluded between workers and employers to establish the necessary climate for the creation of employment which we all need. Social dialogue, which we have practised over a number of years, gives the necessary drive to our society. It is for governments to take the responsibility of guaranteeing free exercise of trade union rights and of other freedoms.

In the same way as my predecessor, Michel Hansenne, who was Minister of Employment and Labour from 1981 to May 1988 and has assumed other duties within the new Government of Belgium, I shall support tripartism as the first and basic condition of economic and social development.

Furthermore, the Director-General's Report emphasises that we cannot neglect the close link which exists between enjoyment of trade union rights and enjoyment of other freedoms. The gradual development of freedoms and basic rights had occurred, as you know, on two fronts: on the one hand, with the declaration of political rights, and on the other hand, with the reinforcement of social and economic rights. These two categories of rights must be further widened and guaranteed if we wish to leave people with enough freedom and responsibility to develop as they wish.

Nevertheless, although these are rights which cannot run counter to human interests, they are often flouted. At this stage, I wish to congratulate and support the Committee of Experts on the Application of Conventions and Recommendations for the work it has done. This is one of the most valuable instruments of the International Labour Organisation. It is impossible to imagine that there will ever be greater respect for basic human rights without a permanent exchange of views between States.

Apart from freedom of association, the Director-General's Report draws our attention to other standards which are also affected by world-wide economic difficulties. The Reports also mentions the problem of atypical forms of work which could become degraded forms of employment that workers are forced to accept. There is in fact a risk that society will be split into two divergent groups, namely: those who are fortunate enough to have a job with a permanent contract and social benefits; and those who are confined to precarious employment, offering no guarantee of stability.

These atypical forms of employment can be attractive to certain workers, providing they can make a

free choice and are protected by an adequate social status. Furthermore, I am convinced that we can go much further in the field of time-sharing. We can take initiatives designed to encourage part-time work. These formulae have the advantage of offering a more classical kind of social protection.

Moreover, this kind of work meets a real need in our societies. In Belgium, about 10 per cent of the workers are part-time employees. Examples from abroad show that progressively we can reach much higher figures than this. As regards career breaks, I am also convinced that our society should be able to work out less rigid arrangements, more especially for men and women who for any reason may wish to leave the labour market temporarily, or re-enter it once again. I also think that to eliminate inequality of opportunity, we must first of all provide workers and young people with the means to be better trained in order to combat, from the outset, the long-term causes of unemployment. Training is essential to facilitate the access of young people to the world of production, to upgrade the occupational skills of those who have a job and to allow those who have lost their jobs to find another one. Improvements in basic training depend not only upon retraining those at work but also upon adjusting training to the requirements of the labour market. Here, incidentally, is a field in which international co-operation, and first and foremost co-operation in Europe, could be profitable. Contrary to what happens today, we should encourage and facilitate training abroad. At a time when national frontiers are becoming ever less impermeable to economic and technological influences, it would be to give priority to training and occupational retraining as a matter of co-operation amongst our various countries.

However, we cannot ignore the fate of long-term unemployed persons who are victims of the economic crisis; in their case, training is inadequate and we have to create programmes of social integration.

I conclude my statement by reaffirming the need for the International Labour Conference to deal with the problem of human rights.

As stated in the Preamble to the Constitution of the ILO: "Universal and lasting peace can be established only if it is based on social justice."

Mr. HORDIJK (*Workers' delegate, Netherlands*) – At the outset of my contribution to the Report of the Director-General, I should like to congratulate Mr. Beyreuther and his colleagues on their election to the presidency and vice-presidencies of this Conference.

The Director-General delivered a very important Report on an item which is of the highest importance for the establishment of a just, participatory and sustainable society. Human rights are – it is sad to say – at stake all over the world. There are a lot of troubles and tensions in the field of human rights. In my view it has to do with the fact that human rights as such are no juridical phenomena only; on the contrary. Above all, we have to do here with a social-ethical issue. It has to do with the attitude of human beings, their style of life, their full respect for human dignity, for justice and righteousness. In short, we have to deal with the principal question: How can we do justice to the people?

In practice we see that many people who make a plea for human rights are tempted to follow the strict logic of their own position, namely when it is based

on power, pure power. The implementation of human rights means that one should be prepared, however, to refrain from pure power positions. If there is no spread of power, if there is no willingness to establish common responsibility; human rights turn into the reverse.

That is why, in my view, the Declaration of Philadelphia is today as significant as it was at the time when it was adopted after World War Two.

The late Director-General of the ILO, Mr. Wilfred Jenks, one of the founding spiritual fathers of the Declaration, made it very clear that the postulate that lasting peace can be established only if it is based on social justice was elaborated into a grand affirmation of the equality of men in the pursuit of freedom and dignity as the central purpose of national and international policy.

The Declaration of Philadelphia was, and is, a programme of action, a statement of social, economic philosophy. It is an affirmation of the unity of mankind, and Wilfred Jenks rightly pointed out that the ILO is a continuing challenge to dictatorship, to bureaucracy and technocracy.

The ILO is a partnership between the welfare of the community at large, represented by the State, and the vitality of effective forces of management and labour. The Declaration will always be an incentive to such partnership throughout the world, irrespective of a political system, an economic doctrine or any social structure.

Reading the Report of the Director-General on human rights, I was reminded of the approach of Mr. Jenks who played such an important role for many, many years, namely in the field which is under discussion at this Conference again.

It is not without reason that if we are looking at the several categories into which ILO Conventions are divided, the first category deals with fundamental human rights, and to that category belong, among others, the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). It is a fundamental category, underlining the ILO's activities as they are defined in the Declaration of Philadelphia.

The fundamental human rights laid down in those Conventions must be based on the respect for several liberties as enunciated in the Universal Declaration on Human Rights and in the United Nations Covenant on Civil and Political Rights and in the one on Economic, Social and Cultural Rights. Many countries which are fully fledged Members of the ILO forget, however, that interdependence of human rights and for that reason it is a pity that in the past four years there has been a marked slowing-down in the rate of new ratifications, which is currently equivalent to an average of one ratification per member State of every four years. I know it has to do with the economic difficulties many countries are faced with, and for that reason there is a real threat that many countries, taking into account their own specific difficulties, are no longer prepared to stick to the full implementation and application of both the ILO Conventions and the United Nations Covenants concerned.

That is why the ILO has to play in the near future, as has been the case in the past, a crucial and important role in explaining and defending the fundamental human rights which came into existence in a

period of many political and economic tensions and that was the case with almost all the countries which were Members of the ILO at that time.

I should like to ask your attention for a very important issue and that deals with human rights and development.

The Director-General refers in his Report to the fact that in 1968 he pointed out that the human rights debate at that time had to be placed in the context of the harsh realities of daily lives which, for many, are the realities of underdevelopment, of undernourishment. Twenty years later, however, in 1988, we see that there are still always the same problems.

For many people in the Third World there is a serious deterioration in the conditions of work and life, and we should realise that any human rights policy is possible only if we can really reduce the gap between rich and poor.

In many discussions on development we can hear the word "liberation", and that word is, for many people, a more acceptable and actual term for human rights. Liberation means setting men free from whatever it is that enslaves them. Millions of people at this moment are enslaved by other human beings. Many systems all over the world, either military, politically or those systems characterised by religious fundamentalism, hamper an effective human rights policy. Instead of liberating people the rulers concerned are oppressing and they use their power in a negative way only. In such a climate human rights policy can never be developed in a due way, and as long as people are not liberated from those evils, they cannot be free from poverty, they cannot be free from control, from fear, from hostility or anything that enslaves them. Any function of human rights policy should therefore be to provide guidelines for action that will humanise society rather than brutalise persons. In that way, we can promote a process of setting men free.

It will become clear from my remarks that one can never promote and stimulate responsible development co-operation if there is no clear linkage with the human rights policy. In my own country we have an advisory committee on human rights and foreign policy. That committee regularly advises our Minister of Foreign Affairs. In a recent report the committee tried to elaborate ideas on the place of civil and political rights, on the one hand, and of economic, social and cultural rights, on the other hand, and that in relation to clear development co-operation. For that reason the advisory committee took the approach that when assessing human rights situations and taking policy decisions in relation to development co-operation, it is necessary to consider human rights in their entirety.

In other words, we have to do here with a simultaneous translation of civil and political rights and of economic, social and cultural rights as well. The linkage between human rights and development co-operation does not mean, however, that we have to do here with a one-way process whereby, for example, Western donor countries concern themselves with the human rights situation in developing countries while the latter are debarred from criticising violations of human rights in wealthy countries.

The Dutch Advisory Committee believes, however, that it is impossible to separate the process of economic and social development from the extent to which citizens of developing countries are allowed to

exercise their civil and political rights. There is no example whatsoever from which it has become clear that successful economic and social development is possible in a repressive society.

As long as one has to do with oppression in a society, people can never be free in the real sense of the word. As long as, for example, there is no freedom of expression or of association, there can never be sustained progress. In that connection, we should not forget the important declaration on the right to development as it was adopted by the General Assembly of the United Nations in 1986.

I have to conclude. The last remark I should like to make is that in my view the ILO is the only valuable organisation where, on the basis of tripartism, we can have in the framework of the other United Nations agencies a due and responsible development co-operation.

We should try to implement those ideas everywhere.

Mr. PERERA (*Minister of Labour, Sri Lanka*) – I have great pleasure in extending to you, Mr. President, on behalf of the Government of Sri Lanka and on my own behalf, warm felicitations on your unanimous election to the office of President of this 75th Session of International Labour Conference. The honour conferred on you and your country is richly deserved. Allow me to convey my sincere congratulations to the Vice-Presidents and others elected to office.

This is the first International Labour Conference I have had the opportunity of participating in after I assumed office as the Minister of Labour in the Government headed by His Excellency J.R. Jayewardene, the President of Sri Lanka. It is a great privilege, indeed a singular honour and good fortune to me personally, because the event and the occasion coincides with a number of significant anniversaries for my country as well as for the ILO and the United Nations.

This, the 40th anniversary of the national independence of my country, it was on 4 February 1948 that Sri Lanka, then known as Ceylon, ended 443 years of colonial servitude and emerged as an independent sovereign State. This is also the 40th anniversary of Sri Lanka's membership in the ILO. The ILO is the first international organisation in which Sri Lanka, soon after national independence, sought and attained membership. We joined the ILO in June 1948 and from that time onwards we have consistently adhered to the principles and ideals of this Organisation and supported and actively participated in its activities.

The Director-General, in his Report submitted to this session of the Conference, refers to a number of significant anniversaries marked by the year 1988, particularly those relating to human rights. Once again, it is the 40th anniversary of the proclamation of the Universal Declaration of Human Rights by the United Nations and it is also the 40th anniversary of the adoption by the International Labour Organisation of its most important human rights Convention – the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

I wish to congratulate Mr. Blanchard, the Director-General, on choosing human rights as the main subject for his Report to this year's session of the International Labour Conference. The choice could

not have been better, both in terms of its contemporary relevance as well as in terms of its signal and integral relationship to social justice, for the promotion of which the ILO itself was founded. I read the Report with great interest and considerable benefit, and I wish to commend it as essential reading and reflection by all those policy-makers and administrators responsible for the destiny of peoples.

An anniversary is an appropriate occasion to look back and take stock of the progress achieved. The Director-General has provided us with a very objective and comprehensive account of the situation as seen from the unique vantage-point available to him, as the chief executive of the premier international organisation devoted to the promotion of social justice. In his assessment of the developments over the past 40 years and the situation as it exists today, he refers to two conflicting tendencies. On the one hand are the many examples in which international human rights standards have had a striking impact on attitudes, policies, laws and conduct. On the other hand are the innumerable other situations in which these same standards are disregarded and where the weak and vulnerable suffer merciless exploitation. In South Africa the odious practice of apartheid continues, though 40 years have passed since the Universal Declaration of Human Rights was adopted. In the occupied Arab territories, Palestinians and other people continue to be deprived of their inalienable rights. The existence of such situations – as the Director-General rightly observes – necessarily raises the question of the credibility and effectiveness of all the efforts that have been made.

Human rights embody long-cherished ideas and ideals of emancipated human beings throughout the ages, and all civilised societies the world over. These ideals found international and formal recognition in the proclamation of the Universal Declaration of Human Rights. The principles laid down in the texts proclaim a common standard of achievement for all peoples of all nations. To the extent that these principles are rooted in ideals which would always remain ahead of practical reality, and to the extent that there are economic, social and political disparities among nations, the existence of a gap between proclamation and performance in the field of human rights is no cause for surprise and alarm. What causes serious concern, however, is that this gap is daily growing wider and that double standards have entered the indivisible realm of human rights. Even more deplorable is the tendency to ignore the individuality of human rights, to ignore that rights impose reciprocal obligations.

As I have already mentioned earlier on in my statement, this is the 40th anniversary of Sri Lanka's national independence. Therefore, I consider it my duty to present to this august assembly a brief account of the developments in the field of human rights in Sri Lanka. In this regard, it would be most appropriate to quote the words of our first Prime Minister, the Right Honourable D.S. Senanayake, spoken on the inaugural independence day in 1948, and also a statement very recently made by the President of Sri Lanka, His Excellency J.R. Jayewardene. In his statement on independent Sri Lanka's state policy, the Right Honourable D.S. Senanayake said: "We have learned to value the right of individual liberty, the right to the protection of person and property, to freedom of speech, to the free exercise

of religion. We value the privilege of equality before the law, of trial by one's peers, of equal opportunity to fulfil one's personality." These words spoken on 4 February 1948 – that is, as you would note, even ten months earlier than the proclamation of the Universal Declaration of Human Rights – mark the beginning of Sri Lanka's record in promoting and protecting human rights.

As for the Sri Lanka Government's endeavours at present, I quote the following statement of His Excellency J.R. Jayewardene, the President of Sri Lanka: "Human rights are deeply respected by the people of Sri Lanka. They have consistently sought – through the Government and through government-supported institutions – to promote and protect these rights. As a Government, we have introduced many safeguards, including solemn constitutional safeguards, which not only entrench human rights but also prevent their abuse. Democracy is the strongest guarantee of fundamental rights, and Sri Lanka has an assured place among developing countries which have preserved and protected democracy. We will continue to preserve democracy in our land, in the highest and purest form."

During the past four decades we have brought our domestic law and practice into conformity with the provisions of the Universal Declaration of Human Rights and subsequent Covenants. Human rights and related freedoms are entrenched in our Constitution. They have been made justifiable. The Government has set up the Sri Lanka Foundation with the primary responsibility of promoting and protecting human rights.

Sri Lanka is a developing country with a multi-ethnic, multi-religious and multi-lingual society. In such a society, conflicts of interests are inevitable. As the most appropriate means to minimise and resolve such conflicts, we have strictly adhered to the principles of democracy and the protection of fundamental rights of each and every citizen. In these endeavours, we have achieved a degree of success we can legitimately take pride in. Admittedly, there have been ups and downs over the years, imperfections and blemishes, as would be reasonable to expect in the circumstances we have found ourselves in. Even so, the sincerity and genuineness of our endeavours to promote and protect human rights at all times, under all circumstances, have been consistent.

Part II of the Director-General's Report gives an account of the activities of the ILO in 1987. I am pleased to note that satisfactory progress has been achieved in many fields despite the continuing resource constraints. I wish to thank the Director-General and his staff for achieving such progress. I am particularly pleased to note that there has been a 5.6 per cent increase in the value of expenditure for technical co-operation, which is the field of activity of great importance to developing countries like my own.

The programme of activities proposed in the Medium-Term Plan, 1990-95, are well-conceived and will receive Sri Lanka's wholehearted support in implementation. However, in this context, I wish to draw the attention of the Director-General to the resolution passed at last year's session of the Conference concerning the International Year of Shelter for the Homeless and the role of the ILO. It will be recalled that this resolution, initiated by the Sri Lankan delegation to that session of the Conference, was

voted to number one place by the Resolutions Committee. Its operative paragraphs call for special attention to be paid in the ILO's programme of activities to research, dissemination of information, meetings, technical co-operation and advisory services, especially when preparing the Medium-Term Plan for 1990-95, as a means of contributing to the objectives of the International Year of Shelter for the Homeless. I am pleased to note that these proposals are included in the Medium-Term Plan. This is of particular importance to Sri Lanka, as it will be recalled that the International Year for the Homeless was declared by the United Nations on the initiative of the Honourable R. Premadasa, Prime Minister of Sri Lanka.

It is my delegation's expectation that the programme envisaged in this and all other fields in the Medium-Term Plan will be very successfully implemented. Towards that objective, Sri Lanka will extend wholehearted co-operation to the Director-General.

(Mr. Aitken takes the Chair.)

Interpretation from Spanish: Mr. MENESES FONSECA (*Minister of Labour, Nicaragua*) - We should like first of all to congratulate the President on his election to the presidency of the Conference. We are convinced that under his leadership our work will unquestionably yield the best fruits.

On the 40th anniversary of the Universal Declaration of Human Rights, the main theme of our discussions at this session of the Conference could only be human rights. The Report of the Director-General of the ILO, Mr. Francis Blanchard, unquestionably makes a valuable contribution to the analysis of the difficult conditions now confronting humanity.

The very serious problems of unemployment and poverty, the limitations of social security coverage and the lack of basic services for the enormous majority of the Third World population are the major obstacles to a genuine guarantee of human rights in the economic and social fields.

Whole peoples and nations continue to suffer from various kinds of discrimination on grounds which include race and political beliefs. Dramatic examples of this are to be found in the suffering and struggle of the people of Namibia and South Africa under the abusive regime of apartheid which, in the last decades of the twentieth century, is one of the greatest affronts to mankind.

In the same way, the people of Palestine are subjected to Zionist aggression in their own land, and to a systematic violation of their human rights by the Israeli occupation. They withstand these attacks heroically, and have awakened the admiration and solidarity of the international community and the specialised agencies of the United Nations.

The efforts of the United Nations to safeguard basic human rights deserve our highest respect and recognition. There have unquestionably been certain achievements and progress towards a universal awareness of the importance of the full guarantee of human rights.

The work of the ILO is very important, especially its international standards on basic social and economic rights. International Conventions on freedom of association, the right to productive full employment, social security, and other subjects have truly

been banners around which million of workers have rallied.

But as the Report of the Director-General points out, while the standard-setting work of the ILO has unquestionably encouraged the struggle for economic and social rights, their full effect has been hindered by social injustice and inequitable economic relations.

We have only to look at the very serious problem of unemployment to get a better view of this reality. Unemployment in the Third World affects some 70 million persons; more than 500 million are underemployed and 900 million live in extreme poverty. This outlook, which is frightening and terrifying in itself, is growing even gloomier as a result of the economic inequality that can be traced to the technological gap which separates our nations from the developed countries and has serious repercussions on productivity. The moral authority which the ILO has earned over the years should be used persistently and tirelessly to convince the industrialised countries that it is impossible to maintain an economic system when the progress and well-being of a very few stand in such contrast to the misery and backwardness of most countries.

The great poles of industrial development have the responsibility of sharing with the rest of mankind the advances of science and technology; these should not be considered a monopoly, but the heritage of the whole human race.

In these conditions, we must accept the premise which the Director-General lays down in his Report, that the full achievement of human rights in the economic and social fields, including the right to work, can only be obtained through economic solidarity and fairness among nations, as a remedy to the existence of an international economic and political order which is totally unjust.

We must conclude, therefore, that the safeguarding of economic and social rights of the great majorities, in the context of the present economic crisis, must become the top priority of all peoples and governments.

In Nicaragua the triumph of the Sandinista Revolution was the culmination of a struggle to secure the full exercise of human rights which had been denied by Somoza's military dictatorship for 40 years.

The revolutionary government has restored to the whole population in Nicaragua the exercise of their basic rights. Freedom of association in our country has led to the creation of more than 1,500 trade unions, affiliated to eight different trade union confederations. There has been a true explosion in collective agreements: more than 1,400 were signed in the eight years of the revolutionary period.

The first great undertaking of the revolution was a literacy campaign which brought more than 40 per cent of the population of the country out of illiteracy. Basic health services and social security have been extended to the rural regions of the country, to the benefit of large and historically marginal sectors of the population.

The agrarian reform has redistributed more than 1,500,000 hectares of land and more than 3,000 agricultural co-operatives have been set up. These measures have benefited 100,000 rural families which now own land individually or collectively.

As regards housing, the Revolutionary Government has built 51,122 housing units for a like number

of families during the eight years since it came to power, thus tripling the number of housing units built in 40 years under the dictatorship.

In an unprecedented gesture in Nicaraguan history, the Government adopted a Regional Autonomy Statute for the Atlantic coast, implying the full recognition of the rights of the indigenous populations of that zone as regards the use of their forms of social organisation and the preservation of their culture. One of the technical advisers to Nicaragua's government delegation to this Conference is a leader of the Mizquitas communities of Nicaragua; she is taking part in the discussions on the revision of Indigenous and Tribal Populations Convention, 1957 (No. 107), whose integrationist approach must be rejected and replaced.

As concerns respect for individual guarantees and civil rights, above and beyond the procedural limitations and restrictions which are inevitable in defending the sovereignty of the country, the state of emergency has not prevented the population of Nicaragua from exercising its basic rights in accordance with the international responsibilities arising from Nicaragua's adherence to the International Covenant on Civil and Political Rights.

In spite of the bloodshed in the political and economic aggression of which Nicaragua is a victim, our citizens fully exercised their right to elect the government of their choice in November 1984.

The political life of the country reflects the problems and natural adjustments inherent in the construction of a new society. Fourteen opposition political parties and eight trade union confederations of different ideological tendencies take part, in accordance with the law, in political, economic and social decisions which affect the future of the country.

In the sensitive field of respect for personal freedom, the international organisation "American Watch" stated in its report of February 1987: "In Nicaragua the Government does not hold prisoners indefinitely without trial. Sooner or later, all those arrested are indicted for an offence against the law or set free."

This situation is guaranteed by law. Article 46 of the political Constitution promulgated in January 1987 reproduces the American Convention on Human Rights and declares categorically that basic legal guarantees for the protection of such rights cannot be suspended.

Even in the state of national emergency, these rights have never been restricted. The legal provisions guaranteeing the right to life and physical integrity, and prohibiting torture and cruel, inhuman and degrading treatment, have been fully respected.

For these reasons, we can state with absolute moral authority before the international community and the world that in Nicaragua the Sandinista revolution has rescued human dignity and reinstated the fundamental conquests of human rights.

We must, however, point out that these efforts to guarantee the practical exercise of economic and social rights have come up against obstacles as a result of the aggression of which we have been victims. The economic blockade, the attacks on production units, the destruction of health centres and various basic service establishments, and the general undermining of the economy have thwarted the enjoyment of the right to employment and better condi-

tions of life and work. For this we can thank the Government of the United States.

In spite of these circumstances, the humanistic inspiration of the Nicaraguan revolution has been faithful to the principle of political dialogue as a way of tackling internal problems or conflict between countries. The Government has therefore undertaken a broad range of efforts aiming at solving the regional conflict by means of concertation.

The revolutionary Government has gone far beyond what was expected by the international community as regards respect for the Esquipulas agreements, the foundations of which were laid by the praiseworthy efforts of the Contadora group. There is now a rather complex but enduring dialogue aimed at reaching a permanent ceasefire.

In spite of the cost to my country of the counter-revolutionary action and the systematic violation of the human rights of our civilian population by mercenary forces, which has been denounced by various international organisations, Nicaragua's commitment to peace and the generosity of the revolution have given many members of the "contras" the opportunity of being reintegrated in civilian life and the possibility of changing their ways. Through December 1987, amnesty had been extended to 4,159 veterans of the mercenary army, and 985 pardons were granted as part of Nicaragua's efforts to bring lasting peace to Central America.

However, the most belligerent faction of the counter-revolution, encouraged by those who were financing the aggression, is absolutely determined to thwart all peace initiatives; it has made it impossible in the most recent sessions of negotiation to reach agreement on the basic conditions for a permanent ceasefire. All of this is a consequence of the obstacles set in our path by the militaristic will of the Power which chooses to attack us, just as it is now attacking the people of Panama who are fighting so heroically to defend their right to self-determination.

The Government of Nicaragua would like to repeat on this occasion its determination to continue its efforts to find a political solution to the conflict, without compromising its sovereignty and independence. We undertake this as our responsibility towards our own people and towards the international community. We are prepared to carry out our obligations in spite of the intransigence and arbitrary action of the present North American administration.

Mr. VANRUSSEL (*Minister of Labour, Suriname*) – May I first of all, congratulate the President on his election to the presidency of the 75th Session of the ILO Conference. We are convinced that under his guidance this session will progress successfully.

In his Report to the Conference, the Director-General has chosen a topic that we believe is of major concern to the world today and to my country, Suriname, in particular I refer to the Report entitled *Human rights – A common responsibility*.

We wholly agree with the statement made in the Preface to this Report, namely that although civil and political rights are entirely a national responsibility, no attempt to ensure respect for these rights can be fully successful unless it is backed by development.

In his Report, the Director-General gives a review of the Organisation's work from a human rights per-

spective and it may be emphasised indeed that all ILO activities are in one way or another based on the concept of human rights.

In this respect, may I inform you that the Government of Suriname has expressly laid down in the government policy for 1988-93 that the fundamental rights and freedoms of men, as contained in the different international human rights treaties to which Suriname is a party, will be propagated and protected by the Government, whilst due care will be taken that these rights will be observed.

You will no doubt have learned that the Constitution of the Republic of Suriname was approved by the people in a referendum held on 30 September 1987. This was followed by general, free and secret elections on 25 November of the same year, which resulted in the formation of a democratically chosen Government.

With regard to this, I wish to underline that my Government takes the position that a democratically ordered society provides the best conditions for the enjoyment of the rights and freedoms of man, for the optimal functioning of institutions such as trade unions and business life, and for the best possible development of individuals. The people of Suriname have furthermore learned through hard experience that the existence of peace is a precondition for democratic development and for the enjoyment of the fundamental rights and freedoms.

This Government attaches great value to the fundamental right of man to work. The Constitution of the Republic of Suriname states, among other things, that labour is the most important means for man to develop himself and a substantial source of prosperity.

Our Constitution goes even further and devotes attention to the right to work in a number of articles. I would like to mention Article 26 which rules, inter alia, that "everyone has the right to work in accordance with one's capacities", and Article 27 which provides that it is the obligation of the States to guarantee the right to work, in so far as this is possible, among other things by prohibiting dismissal without sound reasons or on political or ideological grounds.

From the preceding it may be concluded that our Constitution assumes that development is impossible without labour – neither the development of man nor of society. The people have been charged with the special responsibility of giving substance to what has been laid down in the Constitution. Hence, in the preparation, drafting and development of plans of national interest, my Government follows the principle of dialogue, consensus, co-operation and participation.

The Government is aware of the precarious financial and economic situation in which Suriname has been for some years. The present crisis has had far-reaching negative consequences for employment. It has forced us to promote the accelerated development of sectors of the economy other than the bauxite sector, which is the principal foreign exchange generating sector. This will have to take place in close co-operation with the social partners, that is to say, with the employers' and workers' organisations.

As regards the co-operation of the social partners in my country, I am pleased to say that, in view of our critical socio-economic situation and the willingness of everyone to bring about a change, there is an

ever-increasing trend to work together on the basis of tripartite discussions.

The Government commits itself to undertake a concrete and well-defined employment policy in order to counteract the consequences of our country's critical economic situation, but our efforts to improve the employment situation are closely linked to the extent to which we will be successful in applying strategies that will result in increased national production.

My Government realises that, if the goal of an improved employment situation is to be achieved, other human rights, as indicated in the Report of the Director-General, should not be neglected, since full employment means fair remuneration, just and favourable working conditions, equal opportunities and treatment, and the right to social security, while freedom of association must be guaranteed as well. The International Labour Organisation has always been the forum "par excellence" for discussing improvements and/or adaptations in the setting of standards with regard to the aforementioned. We would like to compliment the Director-General and the staff of the ILO for the excellent work done in this field.

May I conclude this statement on behalf of the Surinamese delegation by saying that, although my Government is well aware that, as a young developing nation, we may not be able to meet fully all the standards set by the ILO at the present time, this will not keep us from reconfirming our firm belief in and commitment to the ideals laid down in the Constitution of the ILO, the Declaration of Philadelphia and the Universal Declaration of Human Rights.

We remain convinced that, with the valuable assistance of the ILO and through bilateral co-operation with member countries, the Republic of Suriname will also contribute to achieving the ultimate goal of human rights for all mankind.

Mr. MASHASI (*Workers' delegate, United Republic of Tanzania*) – Speaking for the first time on this rostrum, I wish on behalf of the Union of Tanzanian Workers to extend to the President congratulations on his election to chair this 75th Session of the International Labour Conference. Permit me also to congratulate the Vice-Presidents, with whom I believe he will steer this session to success.

It gives me a great deal of pleasure to extend my congratulations to the Director-General for the good report of activities he has presented to this Session. The Report which gives this session of the Conference a theme of *Human rights - A common responsibility* is well researched and illustrative. Human rights, which includes trade union rights, must remain the concern of the International Labour Organisation, for there can be no social progress and social justice without human rights. There can be enormous economic growth resulting from a slavery sort of system, that cannot be acceptable, at least not in the twentieth century.

Human rights have been flouted in many parts of the world. In some instances it happens inadvertently and in some others deliberately, either because the persons in authority consider that to be the best way to maintain monopoly of power or because of incompetence in managing the affairs of their societies. They locate their opponents and take them as scape-

goats for their failures. Those States which violate human rights inadvertently find it not difficult to rectify the situation when they are exposed. But those States which violate human rights consciously cling on to their policies even when it is obvious to the entire world that the policies are in contravention of the internationally acceptable standards.

South Africa is a case in point. This session of the Conference, through its Committee on Apartheid, will have heard of the atrocities committed by the South African regime against the non-Whites in South Africa. The Black people who seek to have equal rights in their land are persecuted. Women, children and helpless trade unionists are dying in the struggle for their inalienable right for social justice. It is gratifying that this session of the International Labour Conference will consider updating its Declaration and its action programme as a means to contribute to the struggle against apartheid in South Africa.

My delegation further commends the International Labour Office for its continued efforts in the field of training programmes which now account for one-third of its activities as reported for the year 1987. The training and retraining process should bear a positive approach, especially in the field of transfer of technology from the industrialised countries to the developing countries.

In Africa the objective of developing the agricultural sector was envisaged to include the processing of its products at either semi-finished or finished level ready for export to the industrialised countries. This could have been logical in products such as coffee, cotton, cocoa, sisal, etc.; all these are produced abundantly in developing countries. What we are witnessing today, and this is in my opinion, is the major constraint in economic and social development of our countries. It is that prices of industrial inputs from the developed countries are steadily hiking when prices of exportable primary products of the developing countries, other than energy products, are not proportionally increasing.

Jamal and Weeks testify in their article published in the *International Labour Review*, Vol. 127, 1988, No. 3, that in my country, for example, in 1980, the volume of imports was the same as in 1973, but the cost in current prices was three times greater.

The consequence of such a situation is that productivity in the agricultural sector must fall, as the sector is not motivated. To a remarkable extent, in my view, this accounts for what has been observed in the Report that, in sub-Saharan Africa, technological change was too slow and narrowly focused to have made any appreciable difference. However, training remains a factor of great importance for the improvement of productivity in our economies.

Some observers have been tempted to overstress the contribution of state policies in explaining the cause of the economic difficulties of the developing countries, especially where the policies have emphasised the social factor. While we are not contending that policies in some instances have contributed to slowing technological change or even hamper economic growth, we have not had evidence to show that this could have been the major cause of slackening technological change.

African States have as varied economic policies as their natural resources and endowment. Policies should, however, be guarded to balance the social

values and a need for technological change and development.

It is now evident that sub-Saharan Africa has been deprived of its full capacity to attract and absorb foreign technology, especially for rural development. We need to re-examine the development strategies. Training for rural development must be devised locally to reflect the needs, aspirations and values of the rural population rather than taking to the rural areas an urban-designed stereotype of a training programme to superimpose it on the rural system.

The rural small farmers can easily grasp and assimilate knowledge which uses illustrations emanating from their own environment. This point is clearly reflected in the Report of the Director-General on rural employment promotion. It follows, therefore, that in its technological assistance arrangements, the International Labour Office should review the practice of sending foreign experts with externally designed materials for rural training programmes. The ILO should put more emphasis on utilisation of its regional programmes like the African Centre for the Development of Vocational Training and to ensure that their technical advisory service are oriented to developing meaningful rural training programmes.

At this juncture permit me to express once again on behalf of the Union of Tanzanian Workers and on my own behalf our appreciation of the aid by the ILO to my country in the form of public works programmes. I should only request that evaluation of the programmes should at some stage involve tripartism so as not only to reflect the presence of the symbol and spirit of ILO but also to get the economic and social partners conscious of the aid so that they may get involved in ensuring that the programmes have the requisite impact as a stimulus for economic and social development.

It will be unfair on my part if I do not mention the aid that has been provided to my union by the International Labour Office for workers' education programmes. Such programmes are of great importance to unions and workers of developing countries. It is obvious that ILO could do more to aid the developing countries but, as the Medium-Term Plan shows, it is constrained by inadequacy of resources.

I take this opportunity to appeal to the member States in general and to those of the industrialised world in particular to exert some more efforts in fulfilment of their obligation in respect of funding the ILO for the success of its activities.

Interpretation from Spanish: Mr. ARTHUR ER-RAZURIZ (*Government's delegate, Chile*) – In taking the floor I should like to extend my congratulations to the President on his election, and to express the hope that our discussions will lead to a satisfactory exchange of ideas and experiences that will effectively contribute to the improvement of the conditions of the workers in the countries represented at this Conference.

It is precisely in this tripartite forum that the best conditions exist for making a thorough analysis of the life of the workers. Our work should focus on strengthening the mechanisms for understanding and co-operation among the different sectors, and thus enhancing the contribution of this Conference to man's welfare and to peace.

On this occasion particular importance is given to the subject of human rights which, as the Director-General so rightly says in his annual Report, while they are not specifically mentioned as such in the Constitution of the ILO, underlie all the principles, objectives and permanent activities of the Organisation.

In this context we must bear in mind that respect for and protection of human rights requires us to give priority to the creation of objective conditions that will make it possible to raise the standards of living of the most underprivileged sectors of the working population.

Consequently, the inescapable duty facing the governments to promote the economic development of our respective countries, as the only way to guarantee our peoples a life in greater dignity, cannot be regarded as an aspect unrelated to the subject of human rights.

My country's aspiration is to consolidate a wholly free and genuinely equitable society, and has therefore undertaken a far-reaching reform of the political, economic and social structures.

The efforts of the Government to overcome the manifold social and political problems that have arisen – in which there has been a certain lack of understanding and intolerance for the realities of the situation in Chile, has given rise to a process of democratic renovation which will shortly lead to the adoption of highly important political decisions which are the responsibility of the people of Chile alone.

In the political area, we have laid the foundations of a democratic system that does not merely pay lip service to the outward aspects of this but guarantees true freedom to every individual. In economic matters we have promoted a system based on the fullest possible freedom which has led to greater efficiency in economic activity, soaring exports, and in general, to the increased well-being of the population.

We have simultaneously made enormous efforts to extend the right to own property to all our people, because we believe that the exercise of this right is one of the highest expressions of individual liberty.

Through original mechanisms devised by the authorities, thousands of workers have become shareholders in, and now own a large part of, the undertakings in which they work. In many cases, this had made it possible for them to sit on the boards of directors.

Genuine participation of this kind has led to greater integration and a real awareness of the interlinkage of capital and labour.

Thus, workers have acquired a stake in the most important enterprises in the iron and steel industry, nitrates, electric energy, telephones and so on. This has brought with it an improvement in their conditions of work and has enabled an open economic system to be established which we regard as a *sine qua non* for the existence of a free society.

In this way, Chile is the vanguard of an international trend which aims at creating conditions for the genuine participation of the workers in decision-making and the distribution of profits in economic units.

As regards social aspects, our whole effort has been directed towards combating extreme poverty while promoting economic development. We have set up a vast social network to help the most under-

privileged sectors, covering housing, child nutrition, education and social security.

For example, according to the data available in the statistical yearbook of ECLAC for 1987, our country has the lowest child mortality rate in Latin America and the Caribbean. Between 1970 and 1975, for every 1,000 live births 70 children died within the first year. Today there are only 18 who do not survive this period.

The concern of the Government to eradicate extreme poverty is achieving appreciable results. In 1970, 21 per cent of the population were in this situation; today there are only 14.2 per cent.

The same ECLAC report indicates that the rate of illiteracy in Chile decreased by 11 per cent in 1970 and was only 5.6 per cent in 1985.

Finally, with respect to employment, just to give you an idea of our concrete achievements, we would point out that in December 1987, unemployment amounted to 8.4 per cent. This is much lower than the figures prevailing during the period of economic crisis, and is fully consistent with the past statistics of our country.

Our concern for the poorest of our people has led us to carry out a plan specifically aimed at the rural sector.

In compliance with the ILO's Recommendations, my Government has put into effect a national rural development plan so that rural workers areas have absolute equality of opportunities to enjoy the benefits of development:

The promotion of employment in agriculture, the introduction of improved technologies, public investment in irrigation, access to credits for small and medium-scale farmers, rural housing subsidies – all these are policies which promote rural development and consequently raise the standard of living of people in an important sector of our population.

My Government is aware of the fact that the best way to ensure the definitive elimination of poverty is to create more wealth, and to do this, the most effective course has proved to be to stimulate free enterprise.

Statism at the national level and protectionism at the international level discourage private activity, inhibit the creative freedom of the individual, and promote a climate of social distrust which leads to a serious deterioration in the private sector.

The Government has been doing everything it can to invert this system.

Our firm and resolute commitment to the cause of freedom and development has gained the support of both workers and employers, and has led to a radical change in the role of private enterprise in the national economic structure, transforming it into the major source of wealth and activity in the country.

This new economic order has had a positive structural impact that has been internationally recognised. Thus, this year, we hope to reach the highest rate of growth recorded in the history of the country.

Our policy based on private initiative and opening up to external markets has meant that Chile, in addition to being the first copper producer in the world, is the second world producer of molybdenum, the second producer of iodine, the leading producer of lithium carbonate, of nitrates and of fishmeal, is one of the ten major producers of gold in the world, and, agriculturally, is one of foremost fruit exporters in the southern hemisphere.

Employers in Chile today, run risks in full awareness of their social responsibility, being convinced that justice and respect for the workers' rights are the key to prosperity.

This system has yielded real benefits and thus, through sustained economic development, we shall also achieve the social stability that is so essential for the solid democratic edifice we are building.

My Government believes it is indispensable for the functions and activities of the Organisation in the world of labour that a renewed search should be made for types of research, analysis and co-operation that will help to promote a constructive tripartite dialogue that will guarantee the necessary protection for the fundamental and universally recognised rights of human beings.

Human dignity, development and peace are inextricably linked.

Before concluding, may I say that the Government of Chile wishes, once again, to renew its commitment and to reaffirm its confidence that the ILO will continue to promote international co-operation and social understanding in the search for more just and humane labour relations within a framework of freedom and democracy.

Mr. BARAK (*Government delegate, Israel*) – May I join all the other speakers who preceded me in congratulating Mr. Beyreuther on his election as president of this session of the International Labour Conference. I am certain that under his able guidance the Conference will successfully accomplish its difficult and complex tasks.

In his comprehensive Report on the question of human rights, the Director-General rightly defined the expression "human rights" as covering almost every aspect and branch of the ILO's field of action, namely freedom of association, equality of opportunity and treatment, the promotion of full, productive and freely chosen employment, equal remuneration and conditions of work, social security and minimum labour standards.

Furthermore, in describing, analysing and evaluating the activities of the ILO in relation to human rights, the Director-General not only presented us with a document which is a comprehensive and penetrating account of all the facets of the ILO, but also provided us with some ideas as to the route the ILO should take in the future.

As regards some of the topics mentioned in the Director-General's Report, we in Israel have recently taken measures which are basically along the same lines as those embodied in the Report.

In the field of minimum labour standards, we adopted last year a Minimum Wage Law, under which every worker in Israel is entitled to a minimum wage fixed by law at a rate equivalent to 45 per cent of the monthly average wage prevailing in Israel. Moreover, the minimum wage is also linked to the cost-of-living index. This right is enforceable by the labour courts and applies of course as do all other labour laws in Israel, to all workers who work in Israel whether citizens or residents, permanent or temporary workers, without any distinction whatsoever. Needless to say the law applies also to workers coming from the territories administered by Israel.

Even before the enactment of the Minimum Wage Law, minimum wages were paid under a nation-wide collective agreement between the Histadrut and the

employers' organisations, and this applied – as do all collective agreements in Israel – to all workers employed in Israel without any distinction whatsoever, including workers from the administered territories.

Another aspect of human rights touched on by the Director-General is equality of treatment between men and women in employment. It is a universally recognised fact based on research and experience that the average wages earned by women workers are somewhat less than those earned by men workers. This is probably true not only in Israel but in many other countries. The reason for this is, in most cases, not intentional discrimination, that is, actually paying women workers less for the same or similar work, but a tendency to give less senior jobs to women owing to misunderstanding and prejudices concerning the role of women workers in productive employment.

It is, of course, rather difficult to solve this problem (which is basically socio-psychological) by legislation but still in Israel we tried to do so just a few months ago. Our equal opportunity legislation covers all aspects of the problem: employment opportunity, wages and fringe benefits, conditions of work, advancement, redundancy and dismissal compensation.

Another interesting feature contained in this law is the protection of workers against reprisals by the employer in cases of complaint. The protection covers not only the complainant but also other workers who help in submitting the complaint or who testify in support of it. We find this last provision particularly important, since it enables trade unions and members of workers' councils to provide ample assistance to fellow workers in gaining the full benefits of the law, which applies of course to all the workers in Israel, notwithstanding their domicile, occupation, and status at work.

It applies of course to workers from the territories administered by Israel, especially since many of them are members of workers' councils, thus enabling them to benefit fully from the protection afforded by the law.

As regards rural employment promotion, another topic mentioned by the Director-General in his Report, I would like to mention another recently enacted law which deals with membership rights in co-operative societies constituting the legal framework of co-operative villages. As you may well know, most of the agricultural settlements in Israel are organised in the co-operative movement. In some co-operative villages, based on privately-owned family farms, a problem arose concerning the acceptance of spouses, usually women, as members of the co-operative society established for the purpose of marketing, the supply of basic agricultural materials, and the provision of local municipal services. It was argued that each farming unit should be represented in the co-operative society by only one member of the family in order not to disrupt the balance between the farming units.

The Government, however, did not take this view since it upholds the broad concept of equality of opportunity to participate in the decisions taken by the co-operative society which may well influence the well-being of all the people living in the co-operative villages. Thus the law which was recently enacted, following a Bill on these lines introduced by the Government, provides for equal membership rights for both spouses living and working in such villages.

In the field of employment opportunity, the Government has introduced to the Knesset, our Parliament, a Bill permitting the operation of fee-charging private employment agencies, and at the same time strengthening the role of the public, state-managed employment service. Until now, the establishment of private fee-charging employment agencies was not permitted in Israel, but we have learned from experience that in our modern, fast-changing society there might be a place beside the state employment service for private employment agencies, subject of course to strict supervision and licensing as provided in part 3 of Convention No. 96 which Israel has ratified.

A somewhat unique feature contained in the Bill, which is at present being discussed in the appropriate Parliamentary Committee, is the total prohibition imposed on private employment agencies, against the direct or indirect collection of fees, or expenses, from the workers who applied for or received any kind of assistance from it. That means that the employment agency may recover fees only from the employer who, again, is prohibited from being reimbursed by the workers in any way, whether directly or indirectly.

The result is that under this system workers will be able to enjoy more facilities for job placement, while being protected by law from exploitation by unscrupulous employment agencies. I sincerely hope that these texts which we intend to send to the ILO will be studied and published by it, thus making our modest contribution to the field of international labour standards worth while.

During this debate, some delegates, mainly from Arab countries, have attacked my country with baseless accusations and allegations concerning the situation of the Arab workers from Judea, Samaria and the Gaza District. They have also presented a misleading interpretation of the report of the ILO officials sent by the Director-General to examine the situation of these workers. They ignore the fact that these reports over the years have recognised the fact that the policy of the Government of Israel towards these workers has always been one of equality of treatment in occupation and employment and that these workers enjoy free choice of employment through official labour exchanges. They ignore the fact that since 1968 more than 70,500 young people from these territories have learned trades through vocational training courses and other programmes sponsored by the Government of Israel. They ignore the high rate of growth in the standard of living in these areas, which is especially remarkable in view of the low starting base of 1967. They ignore the fact that the opening of Israeli markets and labour to residents of these areas has served to enlarge the markets for local products and to expand their income and purchasing power. They ignore the fact that there is virtually no unemployment in these territories, as compared with the very high level and socially dangerous rate of unemployment that prevailed in these areas prior to Israeli administration. In saying all this, I am not suggesting that difficulties do not exist. There are difficulties, especially concerning clandestine or irregular employment, in other words employment not obtained through proper official channels. The report agrees that this is a common phenomenon, almost inseparable from migratory movements of manpower.

We have been making efforts to combat this phenomenon. Our supervisory machinery had been strengthened, heavy penalties are being imposed on employers hiring irregular workers and leaflets have been distributed explaining the dangers associated with clandestine employment and the benefits of regular, legally-recognised employment, and we shall continue in our efforts to overcome this problem.

Some Arab speakers have blamed us for the consequences of the present disturbances in these areas. My Government has emphasised many times that, unlike the Palestinian subversive elements, we shall not make use of the employment of workers from the administered territories as a political weapon. We consider the right to work as a basic human right, undeniable even during the recent violent disruptions. This attitude is in complete contradiction to the abuse of Arab labour by Palestinian elements who incite these violent disturbances. This was and is still done by means of terror, threats and physical violence against these workers and against those who provide them with transport to their work in Israel. These facts were confirmed by the Director-General's Report (paragraph 33).

Despite all the tension in our area, and the accusations and insidious remarks made by Arab speakers, we shall continue to respect the right to work of every worker, Jewish and Arab alike, without discrimination, as a basic human right for which our Organisation stands.

The ILO's contribution to the development of labour standards through the promotion and implementation of its Conventions, and in other ways, has been one of the major achievements in the development of the international law of human rights. Let us hope that the ILO will be permitted to continue on this constructive path and not be diverted, by politically motivated delegates who have the welfare neither of the ILO nor of workers at heart, into blind alleys which can achieve nothing except to diminish the effectiveness of the Organisation.

Interpretation from French: Mr. PEIRENS (Workers' delegate, Belgium) – We congratulate the Director-General on his excellent Report entitled *Human rights – A common responsibility* and the choice of this question for our general discussion at this Conference.

Respect for human rights, including trade union rights, is an essential condition if we wish to build a society of solidarity, humanity and efficiency.

The world of labour, and the workers, are today confronted with changes which are real challenges. We are dealing, as the Director-General says in his Report, with more modest growth rates affecting the volume of the employment available, shifts in the nature of the employment and the development of various forms of atypical and precarious employment.

We are also witnessing: the abolition of rules and regulations; flexibility, less rigidity in working hours, often for purely economic reasons, with adverse effects on the worker's life outside the undertaking, and especially on his health; we also observe an increase in part-time and temporary work with conditions of work devised purely with an eye to greater productivity; and above all, we hear it said ever more frequently, "Let's not waste any further time

on bargaining with the workers and their organisations."

The common factor in all these changes is that they have adverse effects on certain basic rights of the workers.

This is true of the right to employment.

Article 6, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights, proclaims that the right to employment includes the right of everyone to the opportunity to gain a living by work which he freely chooses or accepts.

For many people – young and not so young – this text is purely academic.

We also observe a regression as regards conditions of work. This is true in regard to security of employment, pay, protection against the risks to occupational health and safety, the loss of the workers' freedom to choose their hours of work, the abolition of limits on maximum daily hours of work and the concept of the normal working day and working week.

The clearest example is the way in which ideas about night work have evolved. During these last few years, the ILO has received an increasing number of denunciations of Convention No. 89 dealing with this matter. This shows that there is now a challenge to the social welfare action with the advantage being given to economic progress and competitiveness. We cannot accept such trends. It seems to us dangerous to use differences in social treatment and conditions of work as a means of making an undertaking more competitive.

Furthermore, equality is increasingly being invoked as a pretext to adjust wages to the lowest common denominator.

We have said that there is regression in conditions of work and we also say that a step back has been taken in the field of trade union freedoms.

It is not easy for a worker to express himself and to associate freely with others when he has been looking for employment too long.

It is not at all easy to join forces with others if today someone works here, tomorrow somewhere else, and the day after tomorrow somewhere else again.

It is not easy to air one's views in freedom if the employer's first reaction, even to a simple inquiry, is to threaten dismissal or replacement.

It is not easy to talk openly and on an equal footing with an employer if the employer, being the stronger party, reacts by questioning not only action to protect the workers' delegates, but also the laws and collective agreements concerning the activities of trade union representatives.

Many employers claim that trade union action is an obstacle to efficiency in the undertaking. Such a conception is actually the very opposite of the constructive part which the workers and their organisations play.

In periods where there has been a high rate of growth, people were more open to and ready to view change as greater opportunity for progress for everybody. Today, this is no longer evident. There is the danger referred to in the Director-General's Report of a fragmentation of society, and a drift towards a system of occupational castes.

Urgent and effective action is called for. That is why my organisation would like to call on the ILO to give more thought to these changes in employment and to precarious kinds of employment.

Such studies could pave the way for a "joint assumption of responsibility" by the industrial committees and during sessions of the International Labour Conference, in drawing up Conventions and Recommendations.

The adverse affects – sometimes cruelly harmful effects – of unemployment and the introduction of these new forms of labour; the priority given to improvements in competitiveness and to profit at the expense of social progress, all this is felt even harder in the Third World countries.

The indebtedness and its consequences are such that these countries are unable to consider ways and means of achieving any significant progress towards full employment and better conditions of work.

In his Report, the Director-General describes very well the interdependence of human rights and the outward sign of this interdependence not only within each country but also at the international level.

Indeed, we have to shoulder a common responsibility; we must build a world in which there is greater solidarity and confound the idea that the pursuit by the individual of his own interests is a mainspring of progress.

It is for this reason that my organisation, with other affiliated organisations of the WCL, have submitted to this Conference a resolution concerning solidarity and co-operation between the affluent countries and countries of the Third World and the role of the ILO in social and economic development.

The Declaration of Philadelphia clearly states that all human beings have the right to pursue their own development in freedom and dignity and that poverty anywhere constitutes a danger to prosperity everywhere. It also affirms that measures should be taken to promote the economic and social advancement of the less developed regions of the world.

Unfortunately, the normal, just and authentic development of the Third World countries is prevented by a fall in the value of raw materials, the deterioration in the terms of exchange, the rise of protectionism and the constraints and measures inherent in the foreign debt and servicing of the debt.

The world economic system is such that the developing countries do not have the same opportunities of growth and progress as the industrialised nations upon which they are dependent.

Hence we have to bring into being a new international and economic order thanks to the solidarity and co-operation of the community of nations in order to establish just relations between countries both rich and poor and to ensure the development of all countries.

Last September, the Fourth European Regional Conference approved a resolution concerning the need to promote co-operation between Europe and the developing countries, in particular Africa and the least developed countries in other regions, and the contribution of the ILO to solving their social and economic problems.

This resolution deserves the support of all member States. The ILO can play an essential part in implementing programmes of co-operation to help countries attain their economic and social objectives.

This also holds true for the questions which come within the terms of reference of the ILO, notably those concerning workers' education, the improvement of working conditions and technical co-operation.

We believe that ILO action might have a greater impact if it were better co-ordinated with that of other organisations providing aid to the developing countries, especially those within the United Nations system and in the field, so as to avoid a waste of effort and overlapping.

Interpretation from Czech: Mr. HUBNER (*representative of the Trade Unions International of Textile, Clothing, Leather and Fur Workers*) – First of all I should like to congratulate the President on his election and extend to him sincere greetings from the 12 million members of Trade Unions International of Textile, Clothing, Leather and Fur Workers, and best wishes for success in the debates of the International Labour Conference.

We are deeply interested in the content of this year's session and in all the items on its agenda because they directly concern workers' interests and coincide with the guide lines of our Trade Unions International's activities. We are extremely anxious about the present situation in the various branches of the textile, clothing and leather industries, where job opportunities are decreasing more than in other industries and in addition to other facts which are also due to the impact of new technologies, there is a systematic intensification of work, increasing rhythm of work, spreading of continuous operating modes with a steadily growing employment of women. At the same time, in individual countries earnings in our industries are far below the national average. The products of our industries accompany people throughout their lives; they are among their essential needs. Yet it cannot be said that everyone is sufficiently well provided with them, that everyone's needs are met.

Naturally, there are abysmal differences between individual countries in the consumption of textiles and footwear per capita. We saw in the application of efficient up-to-date technologies a possibility of bridging these differences, especially for the benefit of the developing countries. Yet with the present way of introducing the results of the scientific and technological revolution, this is as yet not the case. On the contrary, the introduction of new technologies leads to the closing down of more and more factories, to production restrictions and to growing poverty and destitution for millions of workers.

We are, however, convinced that modernisation is not the culprit but the approach to its use. Transnational corporations and big firms more and more often fiercely attack the social advantages which the workers and their unions have won in long years of class struggle. Their onslaughts on social security and social protection laws are intended to rob the working class and all the working people of their legal, social, trade union and human rights and democratic freedoms.

New technologies are a great problem with many negative consequences for our branches. For all these reasons and because we fear for the future of our industries, we are glad that the ILO consistently tackles these issues especially the observance of the Freedom of Association and Protection of the Right to Organise Convention 1948 (No. 87). We have studied in detail the results of the consultative meeting of ILO experts and fully agree with their conclusions, especially when they say that the new technologies can influence not only the demands made on

3. Violation of fundamental rights and liberties and of human rights in Palestine, the policies of repression, murder and imprisonment are aimed at frightening Palestinian citizens in order to keep them under the yoke of military and colonial occupation or force them to leave their country.

The Jewish newspaper *Yehodot Aharonot*, which appears in Israel itself, reported on 10 January 1988, that is at the beginning of the Palestinian uprising, that 19 of the most eminent Jewish intellectuals and poets had addressed a manifesto to the authorities, in which they said: "No more expulsions, no more detentions, no more violent investigations, no more military tribunals, no more violent patrols in the refugee camps! We will never be able to overcome a people struggling for its freedom."

(The Conference adjourned at 6 p.m.)

workers' skills but also represent physical and mental burdens, affect employment prospects and social relations at workplaces. How to reduce these negative effects on the workers has always been, is today, and will remain the main concern of trade union organisations. It is a highly difficult job because its solution is not possible without substantial financial investments that will, however, be no source of profits. In a number of countries there are indirect attacks on trade unions and we see endeavours to break the power and rights of the unions by legislation.

The owners' plans go well beyond restricting trade union rights. In their long-term targets they plan to limit the role of the unions and in many countries they even envisage depriving the unions completely of their role and function. This is why, not infrequently, new technologies are seen as a means of weakening the trade union movement because in most instances the introduction of new technologies goes hand in hand with attempts to prevent this setting-up of new trade union organisations. There are many examples of this from the free trade zones. Big business believes that the trade union movement must be weakening in order to allow greater worker-exploitation under new conditions.

We are therefore convinced that it is necessary more than ever before to unite trade union activities, regardless of affiliation to various trade union centres. We place trust in the effective assistance of the ILO and in good co-operation with it in the pursuance of our goal, that is, that new technologies should create the necessary conditions for making work easier, for the elimination of heavy, harmful and dangerous jobs, without the threat of increasing stress situations during the introduction of continuous manufacturing processes and of raising unemployment. In its activities, our Trade Unions International will consistently be guided by the conclusions of our eighth conference; we shall continue our struggle for shorter working hours with full pay, for longer paid holidays; we shall exert pressure and submit proposals for the creation of new job opportunities and for raising the level of skills and of retraining with the costs covered by enterprise or state funds and not by the workers. We also believe that protection against the harmful consequences of rationalisation has to include the right of trade unionists and the work teams to participate in all negotiations on the introduction of new technologies and on modifications in the organisation of work. Trade unions should have access to all plans for production changes in order to be in a position effectively to influence them. We appreciate the assistance of the ILO in the organisation of various international events and seminars on the impact of new technologies on the workers and in the endeavours to include improved measures into collective agreements.

We also intend to involve engineers and technicians in the struggle for worker interests because their working conditions, too, are deteriorating. Actually, their situation and working conditions do not substantially differ from those of the workers. The unions will also pay much greater attention to the submission of specific demands for environmental protection in connection with the introduction of new technologies. Last but not least, we firmly demand that an end be put to the focusing of science and technology on the development of the instrument of

war. In addition to everything else, this deprives civilian production of substantial material resources. With our protest against the abuse and militarisation of science, we want to create favourable conditions for the strengthening of trade union contacts with scientists and technicians and for their participation in the common struggle for the preservation of world peace.

I want to assure you that we shall spare no efforts to achieve these goals, also set down in ILO Conventions. We are convinced that in close co-operation with the ILO, we shall succeed in the very near future.

The PRESIDENT (Mr. AJTKEN) – I now give the floor to Mr. Shahatit, Government adviser, Jordan, for a right of reply to Mr. Barak, Government delegate, Israel.

First, however, I hope you will forgive me if I just take a short while to remind him of the rules that have been developed around the right of reply. The practice with regard to this exercise is that the reply should refer only to the point under debate. It should be brief. It should not exceed three minutes and preferably should not give rise to any further remarks. Of course, it should always be in the language of this chamber, that is, in parliamentary language.

The Chair will have no option but to exercise its powers if the right of reply should exceed three minutes. I trust that the speaker will therefore not exceed three minutes or raise new questions going beyond the brief and factual reply that he wants to make.

Interpretation from Arabic: Mr. SHAHATIT (Government adviser, Jordan) – In the name of God, the Merciful, the Compassionate! I thank you for giving me the floor to exercise my right of reply to the serious allegation, the false and unworthy statements on the reality experienced by the Palestinian Arab people, its workforce and its employers, living under occupation in Palestine and the occupied Arab territories. These allegations have been made by the representative of the Israeli Government in order to try to influence official and popular opinion among the three parts composing this international assembly, who are fully aware of the bitter and tragic situation of the Palestinian people under the yoke of Israeli occupation.

In this context, I should like to point out the following facts, which were noted in the reports on Palestine and the other occupied Arab territories by the missions sent by the Director-General:

1. The aim of the colonialist Israeli occupation is to take possession of the land and water and to confiscate Arab sources of energy. The occupation authorities are pursuing a systematic policy of expropriating lands and water resources in the occupied territories, expelling Arab citizens, enforcing colonisation and obliterating the identity of the Palestinian Arab people.

2. The policies of racial discrimination, discrimination in opportunity and employment and inequality in the various labour sectors are the means used by the occupying authorities to ensure the dependence of the economy in the occupied Arab territories on the Israeli economy.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Twenty-fourth sitting

Wednesday, 15 June 1988, 10.15 a.m.

President: Mr. Beyreuther

SECOND REPORT OF THE CREDENTIALS COMMITTEE: SUBMISSION AND NOTING

Interpretation from German: The PRESIDENT – We begin this morning's sitting with the second report of the Credentials Committee. I call on Mr. Nakamura, Government delegate, Japan, Chairman of the Credentials Committee, to submit the report.

Mr. NAKAMURA (*Government delegate, Japan; Chairman of the Credentials Committee*) – I have the honour to submit to the Conference the second report of the Credentials Committee, which appears in *Provisional Record* No. 14. The report contains the Committees's decisions on the objections to the nomination of the Workers' delegate of the Bahamas and the Workers' adviser of Peru, as well as a communication concerning the delegation of Afghanistan, the delegation of Lesotho and the Workers' delegate of Portugal.

As this report was adopted unanimously by the Credentials Committee, under article 26, paragraph 5(b), of the Standing Orders, the Conference is required only to take note of it.

Interpretation from German: The PRESIDENT – I invite the Conference to take note of the second report of the Credentials Committee.

(The report is noted.)

TENTH REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

Interpretation from German: The PRESIDENT – The next item on our agenda is the tenth report of the Selection Committee. In the absence of Mr. Vargas Escobar, Government delegate, Nicaragua, Chairman of the Committee, I would like to submit to the Conference the report which is in *Provisional Record* No. 5.

The report merely includes changes in the membership of the various committee of the Conference. I therefore recommend that the Conference adopt the report.

The report is now before the Conference. If there are no objections, I take it that the report is adopted.

(The report is adopted.)

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – We shall now resume our discussion on the Reports of the Governing Body and of the Director-General.

Mrs. MOLKOVA (*Government delegate, Czechoslovakia*) – I would like to congratulate sincerely the President on his election. In the course of this session he has demonstrated that the presidency is in good hands. I wish full success to him and to his colleagues, the Vice-Presidents, in discharging their functions.

The primary focus of the session is directed to human rights and to assessing the work of the ILO in this field over the past 40 years since the Universal Declaration was adopted. I wish to join those who from this rostrum have commended the report of the Director-General on this subject. In the short time available to speakers, I can only make a few comments.

Despite the complexity of the situation in different parts of the world and despite the differences which still exist between the standards embodied both in the Declaration and in the two International Covenants on Human Rights on the one hand, and the realities of life on the other hand, we consider the international recognition of human rights and efforts gradually to enforce them as a landmark in human history. The idea of dignity, the principle of mutual tolerance and the right of human beings to a social and international order which permit the full exercise of human rights, represent in their totality the hope of mankind to rid itself of the threat of wars and to live in lasting peace. Therefore, by working for peace and disarmament, we are simultaneously strengthening the idea of human rights. This applies especially to cases of massive and cruel violations of human rights which are primarily due to outside aggression and occupation, as is the case in the occupied Arab territories and Palestine, or to the absurd denial of human dignity and of the right to life with respect to the whole nation, as is the case with apartheid. In these most serious cases there is a close and evident line between the protection of human rights and the corresponding political solution at the international level which would bring peace to the States concerned and to the peoples in those countries. A political solution seems to be the only possible and satisfactory outcome. It is the moral duty of the whole international community, and of the ILO in particular, to seek and promote such a solution with all available means.

The ILO's role in the field of human rights is significant. It has our full support, reflected among others in the fact that Czechoslovakia actively supports the ILO activities concerning apartheid and that it has ratified most of the human rights Conventions and systematically implements their provisions. In our attitude to the application of these Conventions we emphasise the principle of their indivisibility and interdependence.

The right to work is a key issue. The Director-General is entirely correct to say in his Report: "Work occupies a central place in action to make effective the whole range of economic, social and cultural rights". We are among those who argue that the ILO should explicitly recognise the right to work in a Convention similarly as this right had been explicitly recognised in the Universal Declaration of Human Rights and in the Covenant on Economic, Social and Cultural Rights. It is true that a number of ILO instruments deal with the individual activities and steps which are designed to contribute to implementing the right to work in member States, but it is also equally known that the right to work tends to be questioned by many. The impact of many ILO instruments, for instance Convention No. 122, would be significantly strengthened by the explicit recognition of this right. We are aware that in most countries it is very difficult to attain this objective due to the present economic situation. It is, however, necessary for the ILO fully to recognise the right to work and more effectively to influence economic policies and programmes at both national and international levels. The ILO should further seek to call the attention of the international financial and economic institutions to the primary importance of this basic right of the workers which should not be abandoned when making efforts to reduce inflation or to make arrangements for more speedy servicing of foreign debts. Therefore, we should give serious thought to the proposal to adopt a Convention on the right to work, to place this right, and the instruments for implementing it, into a logical and realistic context and to contribute to its gradual implementation in all countries of the world.

In our country we face at present problems of a different nature. In further development we are expecting, in connection with the changes of the economic mechanism, structural changes to take place which, together with other measures, are designed to lead to a marked increase in labour productivity. Our workers will not be threatened with unemployment and certainly not with long-term unemployment, but we face demanding tasks, e.g. in the field of training for new and higher skills, retraining, in a more intensive participation of workers in the management of enterprises and in other areas.

I should also like to mention briefly the right to just and favourable working conditions, which includes the right to just and favourable remuneration. This right, too, stems from the Universal Declaration and the International Covenant on Economic, Social and Cultural Rights. However, the right to just remuneration is interpreted in the respective ILO Conventions much more narrowly. Both Conventions Nos. 26 and 131 are directed to minimum wages and most countries – on the basis of these Conventions – have adopted laws guaranteeing workers a minimum wage and not a just wage as provided for by the United Nations instruments. It is, of course, true that

minimum wage systems are often supplemented by systems of collective agreements which fulfil better the idea of just remuneration. Collective agreements, however, cover only some of the workers and their numbers are growing smaller because of the erosion of employment stability which is a process going on in many Western countries, and also because many people work only occasionally or are on shorter working hours. In the developing countries the situation is worse still as collective agreements cover only a small minority of workers.

In countries of the socialist community we are endeavouring to improve a different system of remuneration which is more consistent with the conception of just remuneration. I have in mind systems of guaranteed basic wages determined in relation to the level of qualification of workers. At the present time we are also trying to attain greater involvement on the part of workers in achieving higher performance and better quality and a certain part of remuneration depends also on the profits earned by the enterprise. During collective bargaining the trade unions have a chance to co-decide how the enterprise's profits will be distributed, and especially that part of profit which goes to pay wages. Workers are guaranteed that for their work they will receive, under all circumstances, just and adequate remuneration, not only a minimum wage.

Let me make another short comment concerning the supervisory activities which significantly supplement the standard-setting activities and promote implementation of human rights in practice. We support the ILO's supervisory activities so far as they fulfil this function. But we cannot overlook some of their shortcomings. One of them, for example, is that those member States which did not ratify the Conventions are excluded from the main sphere of supervision.

This produces a paradoxical situation where criticism is directed towards countries which have demonstrated the will voluntarily to accept obligations stemming from international Conventions and which co-operate with the supervisory bodies, while on the other hand it is ineffective towards countries which for various reasons refuse such co-operation. One of the possible ways of achieving a more balanced attitude to member States is to place greater stress on reports according to Article 19 of the Constitution and at the same time provide for a more frequent discussion of Conventions or groups of Conventions in the sphere of human rights.

Another sphere to which attention should be given is the relationship between supervisory organs and the Conference. This relationship is not precisely defined. We think that it is essential to increase the role of the Conference in this area, introduce clear relations between individual supervisory organs and specifically define their terms of reference.

We should also think about the function of complaints procedures, chiefly because it focuses the attention of the Organisation towards a large number of what are often partial and sometimes not very important problems, while attention is diverted from widespread and massive violations of human rights. For massive violations of human rights to be discussed by the ILO it was necessary to set up special procedures, because the procedures based on the various articles of the ILO Constitution are not effective in these instances.

If we think about the effectiveness of the standard-setting and supervisory activities in the field of human rights, we realise the importance of the ILO's role and we sincerely wish to create the best possible conditions for its work. A number of problems exist. We must consider the ways and means for promoting more effectively the concept of human rights and at the same time answer several questions, some of which I have raised. Our work will be effective if we discuss the identified problems and seek joint solutions. My remarks here at this session of the Conference were intended as an appeal to this end.

Interpretation from Spanish: Mr. CHAVES GONZALEZ (Minister of Labour and Social Security, Spain) – May I first congratulate the President on his election. His personal qualities and vast experience in social matters are the best guarantee that he will direct the work of this Conference skilfully and objectively.

This year we are celebrating the proclamation by the United Nations of the Universal Declaration of Human Rights and, in the context of the ILO, the adoption of the Freedom of Association and Protection of the Right to Organise Convention (No. 87). The Director-General's report, in its evocative title, tells us that human rights are a common responsibility, an affirmation of special significance in the tripartite structure of this Organisation.

In this context we must pay tribute to the enormous contribution made by international labour standards to recognition of the social context of such rights. The principal contribution of the ILO is, as I see it, that it has been creating system of international labour standards that should to serve as guide and reference for member States in improving conditions of life and work, increasing the possibilities of employment and promoting basic human rights. This contribution is not merely limited to essential instruments concerning trade union freedom, freedom of association, the abolition of forced labour and child labour, non-discrimination, and equality of opportunities and treatment, but should also extend to other instruments which represent the basic requirements of justice and respect for the status and dignity of workers, such as the right to employment, to a guaranteed minimum wage, to fair and decent conditions of work, and to proper social protection.

This body of rights, defined and set forth in international social legislation, is the legal nucleus of what could be called basic social rights, but, as the Prime Minister of my Government recently stated in this same forum, it is inadmissible to proclaim the pre-eminence of social and economic rights at the expense of formal liberties or to be satisfied with the effective realisation of civil and political rights through trust in market forces alone. The State and the public authorities therefore have to provide due guarantees for social and economic rights.

Breaches of human rights have been one of the major concerns of the International Labour Organisation since its inception. Hence, there must be wholehearted condemnation of the system of apartheid, which is not only a violation of one of the basic elements of human dignity, but also an infringement of basic social rights such as the right of freedom of association, the right to employment and the right to non-discrimination.

I should also like to state that my Government supports the search for a just and lasting solution to the conflict in the Middle East, and is concerned about the violation of human and social rights in the occupied Arab territories.

The existence of unjust economic and social situations, as in Latin America, calls for real and effective international collaboration, especially from the countries of the European Economic Community.

The discussion by the Governing Body of the Medium-Term Plan of the ILO has raised questions which call for serious reflection and compel us to reconsider certain social problems in their proper international setting.

One of these problems is unemployment and the struggle to remedy this, which is a fundamental objective of the first importance in the policy of my Government.

The strategy for employment in my country, bearing in mind the external factors involved of inevitable and increasing importance, is based partly on a policy of sustained economic growth, a campaign against inflation and the moderation of distortions in public expenditure, partly on a correct production policy that takes into account criteria of efficiency, competitiveness and occupational skills, and finally, on a social policy based on effective supervision of the groups affected by the economic slump that is both positive and efficacious and not purely palliative, in short, on an adequate public system of social protection.

It is our conviction that a policy of this kind will not be viable in practice unless it is founded on dialogue and negotiations with the social partners – the employers' organisations and the trade unions – which has in fact been a tradition in Spanish labour relations. In this connection, I would mention the offer of dialogue and negotiations made by the Prime Minister of my Government to the social organisations in the hope of finding points of agreement in key questions of economic and social policy.

With this strategy, the growth of the gross national product in Spain has been almost twice as much as in the other European countries, and ambitious targets have been achieved in the campaign against inflation and reduction of the public deficit.

This economic growth and the special action taken to promote employment are having positive effects on employment in Spain. As the Director-General has recalled on a number of occasions and in various Reports, there are no miraculous remedies in this field or policies that will solve overnight the complex and destructive problem of unemployment.

This is why, if we want to be realistic, we cannot hope for spectacular results. Only tenacity and continuity in policies that have been proved to be right in practice will provide the key to the gradual solution of the unemployment problem over the medium and long term.

In my country, as in other countries, the rate of unemployment has reached levels that call for attention by all parties the government, employers, trade union organisations and society as a whole. But, in Spain, the measures taken with regard to employment policy and the economic policy in general are bearing fruit. Since the middle of 1985 a definite recovery has been taking place, and the employed population has increased from 10.5 million to 11.5 million. More than 1,000 jobs a day are being created, and in concrete terms, wage-earning employment

rose appreciably in 1986 and 1987, after the slump of the preceding period. The number of persons in wage-earning employment has increased by 746,500 in the last two years.

In recent years, to, a large number of young people and women have been absorbed into the labour market who were excluded before for lack of opportunities. Because of this, the volume of jobs created has not automatically reduced the figures for unemployment, although the unemployment rate was reduced by 1.5 percentage points in the two years 1986-87, when the drop was especially significant in the case of young people. In 1987, the number of young people unemployed declined by 49,000, and the rate of unemployment for young people fell by 2.8 percentage points.

Nevertheless, Spain is becoming increasingly active in the employment of women. Nine out of ten persons taking first-time jobs are women.

Despite this rise, the number of women demanding employment is also rising. According to our latest data more women than men are unemployed in Spain.

As a response to this social aspiration, we are preparing a plan for ensuring equality of opportunity for women containing a considerable member of measures to promote employment and good labour relations.

In application of this plan and in order to make employment compatible with motherhood or fatherhood, we have just approved a law under which there will be an extension of reserving jobs for those who have to care for children, and confinement leave has been extended to 16 weeks. This meets the requirements laid down in the Maternity Protection Convention, (Revised) 1952 (No. 103).

The lack of protection for workers specially affected by the economic slump; the long-term unemployed; young people with particular difficulty in obtaining jobs; discrimination against women in employment and the obsolete occupational skills of many workers are all problems which the government will have to deal with by social action. This will obviously cost money, which, because it will increase budgetary deficits, may be difficult. Nevertheless, in circumstances of sustained growth such as those experienced at the present time by Spain, we may have the resources needed to tackle these problems with a greater margin for manoeuvre to extend the limits of social policy.

As regards the protection for unemployment, I would point out that in my country the average number of people protected in 1987, that is to say enjoying full employment or with cover for unemployment benefit, is 36.2 per cent more than in 1982, and since 1985 on the average the number of people protected has been in excess of 850,000. Nevertheless, this is a question in which the Government, employers and trade unions have agreed to tackle in a constructive spirit in the next round of negotiations.

The necessary industrial development for sustained growth has given rise to two basic problems which I ought to touch on in this statement, namely the impact of new technology and the consequences it has on the health and safety of workers.

New technologies affect not only production and the creation of new products, but also the means of production, the quality of work, industrial relations and the definition and content of some occupations.

This means we must look closely and sometimes critically at the machinery used and the financial resources available if we wish to provide the re-trained labour force with proper perspectives of employment, given the radical changes in systems of production.

The training and occupational insertion plan, now in progress in my country, is in accordance with action decided upon by the Government and directed basically for the benefit of first-time employees. It will enable them to improve their conditions of training and bring them up to the requirements of the labour market, thus making it possible to find jobs.

Since October 1985, when the plan was launched, 584,379 pupils have undergone occupational training courses.

Occupational health and safety are other basic aspects of any labour policy and more so in periods of slump, as now, which sometimes have a negative effect on what is essential to a person, namely his own life and his health.

In my country the number of fatal accidents has stabilised and I should point out that something like 30 per cent of these occur on the way to or from work outside the shop-floor proper, in other words.

However, this is a situation with which we cannot be satisfied. I feel that all the material and legislative efforts which can be made are a basic necessity and to this end my Government is preparing a draft Occupational Health Act which will shortly be referred to Parliament. This will provide the basic frame of reference in this field.

I said at the beginning of my statement that the basic objective of the policy of my Government is the consolidation and improvement of the public system of social welfare protection. Thus we have made great efforts in the last few years to improve social welfare protection, bearing in mind the recommendations made by the Group of Experts which produced the document for the ILO called *Into the twenty-first century: The development of social security*.

My Government is at present preparing an Act for extending retirement and invalidity pensions to all residents who are not entitled to a pension from the contributive system of the social security system because they have no paid sufficient contributions.

As regards health, we have extended the benefits of health assistance offered by the social security system to workers who did not enjoy them. This has led to an increase in the population protected by something like 5 million people, so that now free public health assistance covers 96.7 per cent of the population.

In my country, we have consolidated a pattern of labour relations based on the autonomy of workers and employers. At the same time, we have completed a framework within which liberties and trade union rights can be exercised, alongside the activities of trade unions and employers' organisations.

This has enabled us to consolidate trade union organisations by ensuring better representation of the workers themselves by means of free trade union elections.

We are committed to strengthening trade unions and employers' organisations, with a view to participation. We have created new organs for institutional participation, such as the General Council for Occu-

pational Training and the General Council for Emigration, amongst others.

In this spirit, it is the intention of my Government that the Economic and Social Council, as an organ of tripartite participation and basically as a consultative body, should become a reality very soon.

With all these actions, we have wanted to reform and consolidate trade union action and to act in accordance with the provisions of our Constitution says on the role of trade unions in society.

The objectives listed are certainly ambitious and call for effort, tenacity and participation by all. To achieve these ends my Government will spare no effort, in the conviction that, in doing so, it is contributing to the building of a more equitable society.

Mr. FOWLER (*Secretary of State for Employment, United Kingdom*) – I should first like to congratulate the President on his election to his high office. Next, I should like to congratulate the Director-General of the International Labour Office, Mr. Francis Blanchard, on the excellent Report which we are debating here this morning.

In an important section of Part I of his Report the Director-General discusses the world economic problems which set the agenda for much of the ILO's work. Every country was deeply affected by the downturn in the world economy in the 1970s and early 1980s. Each country has had to undertake major reappraisals of its economic policies to adjust to these changes.

The problems confronting the United Kingdom in the downturn in the world economy were particularly severe. When the Government in which I serve took office in 1979 it was obliged to take some hard decisions. Nevertheless, we have continued to pursue these policies and I am glad to say that as a result the British economy is now a very strong one, with rising employment and rapidly falling unemployment. I should like to take just a few moments this morning to explain the main elements of these policies before going on to outline some recent developments in the field of employment.

In the late 1970s, the British economy was crippled by high inflation, low productivity, rapidly rising earnings and unit labour costs, and a damagingly high level of strikes.

Faced with those deep-seated problems, the Government was determined to avoid short-term expedients and pursue instead a strategic approach aimed at the transformation of our economy.

First and foremost, we had to tackle inflation, which was destroying savings, undermining our currency and damaging our industrial competitiveness.

Secondly, against a background of stable money and sound public finance, we had to create the conditions in which enterprise and wealth creation could flourish, by allowing markets of all kinds to operate more freely, with the minimum of government intervention.

And at the same time we had to ensure that our workforce, and particularly the unemployed, were able to benefit from the new job opportunities that the economic success would bring.

How far have we succeeded? Firm financial discipline, supported by low government borrowing, has enabled us to bring inflation down and keep it down. This year, government expenditure as a proportion of Gross Domestic Product will be lower than at any

time since the early 1970s. Last year we achieved a budget surplus of around £3 billion and we expect a further surplus this year. Inflation has fallen to well below the levels of the 1970s.

But success in reducing inflation was never enough on its own to bring about the transformation we were seeking. We also set about reviving and rebuilding the economy by releasing the vigour and enterprise of our people. To promote incentives and enterprise, we have reduced marginal tax rates.

We have also taken steps to bring greater competition into all aspects of the economy. We have swept away a whole range of unnecessary and burdensome bureaucratic restrictions on business. I cannot emphasise too strongly the importance of such deregulatory measures for the health of an economy. For too long, governments have stifled the energies of businessmen by imposing a whole range of requirements in the fields of taxation, employment law, even the collection of statistics. Many of these requirements have had nothing to do with the efficient running of a profitable business. The burden of such regulations has fallen particularly heavily on the small businessman and the self-employed. These people cannot look to a personnel or finance department to take care of the paperwork: the entire burden falls upon them. Yet these are the very people to whom we must look for the new jobs of the future. It is vital that they are allowed the time to manage their businesses successfully and that they are not deterred from providing extra employment by the requirements that we impose on them. That is why we have been determined to re-examine the need for regulations, to abolish those which are dispensable and to reduce the burden of those which are not. We have pursued this drive not only at home but also within the various international bodies of which we are a member. But although we have been rigorous in examining the need for legislation, we have at the same time been careful to retain and, where necessary, extend, as in the vital field of health and safety at work, to modernise legislation which is clearly needed to protect the interests of workers.

We have also improved the industrial relations climate by introducing legislation to redress the balance of bargaining power between employers and trade unions and to give trade union members a greater say in their union affairs. In six out of the last seven years the number of working days lost through strikes has never been more than half the level of the 1970s, and in the last three years there have been fewer strikes than in any year since 1940.

Some of our measures have been specifically targeted on sectors which have demonstrated their great potential for growth – notably small firms, self-employment, tourism and the wider services sector. In this connection I have been encouraged to note that the ILO has also increasingly recognised the vital role which the development of small enterprises and self-employment can make to the regeneration of our economies.

But our vital manufacturing base has not been neglected, and has shared fully in the general economic revival. Helped by more flexible working practices, manufacturing productivity has grown faster since 1980 than in other industrialised countries. Manufacturing output has recovered from the depths of the recession to over 20 per cent above its 1981 level. Productivity improvements have been matched

by greater competitiveness reflected in much lower unit costs, and by the greatly improved profitability of our industrial and commercial companies.

I now turn briefly to the implications of these changes for employment.

Britain, in common with other European countries, has suffered in recent years from high unemployment. However, since 1983 our economic growth has generated almost 1.7 million new jobs in our country. And in the last two years, unemployment has been falling sharply. Over the last year, unemployment in Britain fell faster than in any other major industrialised country. All regions of our country have benefited from new job opportunities. The number of longer-term unemployed people has fallen by a record figure of over 400,000 over the past year and unemployment amongst younger workers under 25 is now at its lowest level for over five years. For young people under the age of 18 the picture is even brighter. Unemployment amongst this group has now nearly halved in the last five years, and the number of unemployed school-leavers has more than halved in the same period.

It is sometimes alleged that these new jobs are not "proper jobs" on the grounds that not all of them fall into traditional patterns. I think that those criticisms are entirely misconceived. Traditional work patterns are changing. Employment in service industries is expanding and is of increasing importance to the economy – and is in no sense second-rate employment.

Since 1983 full-time jobs have increased by 670,000 in the United Kingdom but there has also been a substantial rise in the number of part-time jobs. That is the result of employers and workers alike seeking more flexible working patterns. Many employers find that part-time work can contribute to business flexibility and this helps them control their costs and stay competitive. Many workers find part-time work valuable in helping them to combine work and family responsibilities. Indeed the research evidence shows that part-timers are just as satisfied with their jobs as full-timers, and only a small minority would prefer to work longer hours. I think it would be quite wrong to deny those people the chance to work by putting artificial restrictions on part-time working.

A developing economy demands not only new and more flexible working patterns but also a wider range of skills and qualifications among all categories of workers. This is an area where responsibilities must be shared by government, employers and workers, including, indeed, the unemployed. For its part, the British Government has given a high priority to tackling the problem of the large number of school-leavers finding themselves unemployed on leaving school. Our Youth Training Scheme now offers two years of high-quality training to all unemployed school-leavers and provides participants with the modern skills and qualifications they need to get worthwhile jobs. The scheme has become the main method of recruiting and training young people for many employers. It has prompted employers to look more seriously than ever before at the training of young people and it has introduced structured training to many sectors where it hardly existed before. The scheme is now the main route into work for 16-year-old school-leavers.

I believe that what we have done in reducing unemployment can be replicated elsewhere. The

greatest social problem facing the countries of the European Community, and clearly much more than that, is unemployment. It is essential that we reduce this level of unemployment and actively promote employment growth, and I have no doubt that the sort of policies adopted in the United Kingdom and advocated in the employment growth resolution adopted in December 1986 by the European Council of Ministers could have a major impact on the problem. The key lies in policies to provide more access to training, to deal with the problems of long-term unemployment, to encourage self-employment and enterprise skills, and to provide more flexibility in the labour market. It does not lie in planning and in placing unnecessary burdens and regulations on employers. Superfluous regulation increases employers' costs and inevitably has a negative effect on employment. It would also put at risk the success of the European single market by making companies less competitive. The single market itself should provide the economic conditions under which workers will be able to benefit from better wages and conditions. If we are serious about reducing unemployment across the world, the last thing we should be contemplating is further regulation of the labour market and misguided experiments in social engineering.

I am confident that Britain's recent achievements in the economic and employment fields are highly relevant to the work of this Conference. They are relevant because the success of one of the major industrialised countries is a hopeful development for the world economy as a whole; not least, I think, it is also relevant for the developing countries in this world. They are also relevant because the British Government's policy of creating a sound economy to encourage the growth of real and lasting employment has important implications for the future work of the International Labour Organisation and for all the governments seeking better job prospects and standards of living for their people in all the countries that are represented here.

Ms. McLAUGHLIN (*Secretary of Labor, United States*) – I would like to begin by congratulating Mr. Beyreuther on his election. I am confident that this session of the International Labour Conference will be successful under his leadership.

I would also like to commend the Director-General for selecting human rights as the theme of this year's session. It is a theme that is as timely as it is appropriate. It is timely, of course, because this year marks the 40th anniversary of the adoption of the ILO's Freedom of Association and Protection of the Right to Organise Convention, as well as the signing of the Universal Declaration of Human Rights. But it is also very appropriate because it highlights the painful contrast between the universal desire of individuals to gain and preserve fundamental human rights and the flagrant disregard for human rights that continues to exist in many parts of the world.

The record of the United States Government in the field of multilateral human rights is clear and it is supportive. We have worked to expand human rights activities and initiatives within the system of international and regional organisations.

We consider the human rights standards in the ILO's international labour code to be the most effective international instruments in the field of human

rights today. And we are committed to see to their maintenance and proper functioning.

The ILO's human rights machinery – which many of you have spent a good part of your lives and careers building – has over time become a model of what we think can be accomplished through international law and through collective will.

Economic progress cannot be sustained without parallel improvements in human rights. Moreover, the ILO has – rightly, I believe – long recognised the inter-relationship between human rights and development by broadening its activities well beyond standard-setting.

The ILO is now very actively promoting growth and development through employment creation and promotion of human resources and skills.

With that broader mandate in mind, my remarks today will focus on human rights and the ILO's role and resources. I will outline some of the challenges we face in workplaces in the United States that are shared by ILO member countries and I will conclude with a few observations about how the ILO can most equitably implement its mandate for human rights.

Real economic growth must include an improved standard of living for workers. Worker rights go hand in hand with stable economic growth. The ILO must continue to meet this challenge through its standard-setting activities.

I have asked Ambassador Lawson, who heads up the Bureau of International Affairs of our United States Department of Labor, to convene a symposium in Washington this November to explore the relationship between economic development and international standards.

I believe strongly that worker rights are an important component of sound economic development. I invite you to join us in our effort to develop more effective and coherent ways of promoting economic growth and improving the welfare of our workers.

Developed countries cannot turn their back on the exploitation of the poorest of the poor – the vulnerable men, women and children who are too often exploited for economic gain.

We in America believe that global economic stability is enhanced by democratic values. The President of the United States has called it “democracy on the move”. He has said, “We who live in free market societies believe that growth, prosperity and, ultimately, human fulfilment are created from the bottom up, not the government down.”

I share President Reagan's feeling that only when individuals are given a personal stake in deciding economic policies and benefiting from their success can societies remain economically dynamic, progressive and truly free.

We in America realise that in some developing countries, compliance with what would be considered human working conditions is not always easy – not because of a lack of concern, but because of a lack of resources to implement measures necessary to upgrade working conditions.

The real tragedy is that all human rights abuses cannot be ended by multilateral assistance. Indeed, some individuals cannot attend this session because they have been prohibited from doing so through the most grievous of human rights violations – they have been denied the freedom of speech.

Poverty and underdevelopment may retard the development of human rights, but much more insid-

ious is the deliberate repression of human rights by totalitarian governments who fear the power of freedom, the power of workers and employers freely to organise.

We have found the ILO's supervisory machinery (particularly the Governing Body's Committee on Freedom of Association, the Committee of Experts, the Committee of Inquiry, and the Conference Committee on the Application of Standards) to be an effective means – available to the international community as well as to workers and employers at the national level for preventing or correcting abuses in human rights.

The recent discussions of the ILO's Medium-Term Plan was a good opportunity for members to refocus ILO energies and priorities as we move towards the new century. We believe that the ILO's continued promotion of human rights and its linkage to economic development should surely be included in any list of priorities.

Many members, including my Government, have encouraged the ILO to forge a closer link between labour standards and technical co-operation activities. I have been gratified by the positive response of the Director-General and other members.

I believe that a dynamic programme to promote labour standards and economic development must touch the beneficiaries directly, by seeking to incorporate features of relevant ILO standards in the assistance programmes. But most importantly the ILO needs to promote the understanding that its labour standards are beneficial to long-term growth and development.

Within the context of the ILO's mandate, we support innovative approaches by the ILO at the national and international level to accelerate employment-generating growth, to combat long-term underemployment and unemployment and better to manage human resources.

We also support the Director-General's efforts to highlight the need for socially oriented components in the design of adjustment policies, so that the productive capacity of poorer and more vulnerable groups are then taken into account. We must devise measures to achieve adjustment and growth with minimum social cost.

Now my vantage point as a relative newcomer to both the ILO and the domestic American labour issues has enabled me, perhaps, to see certain important common issues between the activities pursued by the ILO to help developing countries and the problems facing my own country.

At first glance, the differences might appear to outweigh the similarities. Demographically, we in the United States and many developed countries face a future of slower growth in labour supply, while the labour supply in most developing countries is far from peaking.

In the last five years, while most industrialised and developing countries have struggled to create employment, the United States has created 16 million new jobs. Over 90 per cent of these jobs are full-time and well-paying. High-paying jobs are increasing as low-wage jobs are disappearing.

However, we also face many challenges that are common to ILO member. Between now and the year 2000, 80 per cent of the new workers in my country will be women, minorities and immigrants. These

demographic changes will present great opportunities.

But these opportunities may very well be lost if we fail to provide this emerging workforce with the ability to perform the new, more demanding jobs our economy is creating through technology and in services. Many of you face analogous challenges in your own countries.

Without a quick and comprehensive response – through better education, better training and retraining – we in the United States are headed for a significant skills gap.

In a period of potential labour shortages, we face the ironic prospect of long-term unemployment for workers without the necessary skill levels.

As we in the United States plan for the future of our workforce, we have become aware of the need to institute reforms that are also being examined within the ILO's activities. I am talking about major improvements in the quality of the workforce – both managers and workers alike.

Such improvements span the entire range of labour concerns: from workers' abilities to reconcile the conflicting demands of work and family, to improved productivity and greater worker protection, to more consistent enforcement of workplace standards.

In recognition of the continued ILO response to a broad range of critical human rights and social and economic developmental issues, affecting the daily lives of much of the world's population, I am pleased to announce that the United States Government, through our Department of Labor, will provide the ILO with a voluntary contribution of US\$500,000 in 1988.

This funding will enable the ILO to help members implement appropriate labour standards and to assist countries in skills development, employment growth and improved working conditions.

While we are focusing on human rights and economic growth, I want to clear up any misconception some of you may have regarding my country's involvement in promoting worker rights.

Unfortunately, worker rights has been identified as a trade issue – a trade issue that has been labelled anti-development based on fears that the United States is trying to impose its standards on all those who wish to trade with us.

This is not the way we see it. Yes, lower labour costs are a legitimate element of comparative advantage, under the right circumstances. But the "right circumstances" are those which reflect a respect for human rights.

We are talking about a great deal more than wages. International labour standards, which we all know go beyond pay standards, exist to promote sound, broadly based social and economic development, the kind of development that endures.

It should be noted our emphasis is on protecting people, not markets. And, in fact, the effort to establish international standards geared to the needs and resources of developing countries is intended to do just that.

The United States is not alone in hoping that more can be done to promote minimum labour standards to protect the rights of workers. This issue is not a new one, nor is it likely to be solved soon. The Director-General's Report provides a useful compendium on the issue of minimum standards and the

Director-General is to be congratulated for this significant contribution to the debate.

I do not disagree with the Director-General's view that new rules or mechanisms may be needed. But I believe the ILO should give further thought to the question of how existing rules and machinery can respond – and what broader role the ILO could play in the international community to promote the protection of worker rights.

Finally, in looking at how the ILO can most equitably implement the Director-General's human rights theme, I'd like to touch on the importance which we in the United States attach to the need for due process.

Our concern for due process was placed on record as far back as the 54th Session of the International Labour Conference held in 1970, where we cautioned against resolutions that could undermine the constitutional procedures of the ILO before the allegations have been verified by the proper ILO machinery.

We have been heartened by the 1986 Session of the Conference agreement to constitutional reforms that will eliminate possible abuses of due process. But until those reforms are in place we urge members – for the benefit of the Organisation, and in the interests of justice – not to substitute Conference resolutions for the impartial investigation of complaints against member Governments by the ILO's supervisory machinery.

The work we are doing here in Geneva is profoundly important for the prospects of working people everywhere. Respect for human rights ultimately promotes global economic stability, and the progress of peace on this planet.

The idea that global stability hinges on individual freedom and prosperity is the key, I think, to developing the kind of dynamic economies and progressive societies that working men and women around the world deserve. By working together responsibly I believe we shall fulfil the trust that you have vested in us.

Interpretation from Spanish: Mr. ANTONI PAVAN (*Government delegate, Venezuela*) – For the fifth time in five years I have the honour of speaking on behalf of the delegation of the Government of Venezuela at the International Labour Conference. I salute the distinguished President and the other Officers of the Conference and I extend to them my congratulations on their unanimous appointment; I wish them success in their work.

I also express our appreciation to the staff of the Office and especially to its Director-General, Mr. Francis Blanchard, for the content of the Report submitted to us, *Human rights - A common responsibility*, coming as it does on so timely an occasion, as we are celebrating the 40th anniversary of the Universal Declaration of Human Rights. Human rights are essential for any policy conducive to man's happiness.

Venezuela, after its independence, endured more than a century of dictatorship and anarchy; because they are familiar with the suffering of civil war, torture, imprisonment and exile, the generations of recent decades have been ardent defenders of human rights. For this reason, the Democratic Government of President Lusinchi, the sixth President to be elected through free, direct and universal suffrage, has made special efforts to preserve these rights in politi-

cal, economic and social areas. We can state with pride that Venezuela enjoys a political system in which the respect for human rights, in its most far-reaching sense, is an article of faith and the focus of constant vigilance and renewal.

With respect to the relations of the State with the nation's productive forces, we have defined a comprehensive policy with the participation of workers and employers. Unfortunately, for reasons beyond the control of the Government, it has not been possible to satisfy, as we had hoped and wished, everybody's social and economic demands. The crisis of our external sector, arising from the drop in foreign currency earnings as a result of the fall in the price of our major export, oil, has had a strong impact on our economic development, and has been further exacerbated by the substantial drain on capital resulting from the servicing of our foreign debt. Notwithstanding the existence of these two adverse factors, the national Government has undertaken to reduce unemployment by creating new sources of employment and maintaining the inflation rate at relatively low levels.

The labour movement in my country has been demanding in recent months an increase in wages in spite of the fact that the national Government decreed last year an appreciable increase in basic wages which benefited some 3.5 million workers.

The employers in turn are calling for a greater liberalisation of the economy, and in this regard are suggesting that market forces be allowed to set prices for goods and services. The Government has therefore retained the control of prices for a range of essential goods, thus guaranteeing workers, and especially those earning low income, a decent subsistence. Likewise, the Government has set a ceiling for interest rates; this and other measures have so far succeeded in keeping inflation in check (it will not exceed 15 per cent this year) and boosting employment.

I would not hesitate in stating, however, that the Government of President Lusinchi, of which I have been and remain a loyal servant, has planned its action in order to safeguard and bolster the indivisibility and interdependence of human rights; the good results of these efforts should be evident to any observer. It is a pleasure for me to add that we agree with what was said by the Director-General in his Report, that human rights encompass the civil, political, economic and social rights of man. At any rate, this is the understanding and practice of the Government of Venezuela.

There is no doubt that the economic and financial crisis in my country has also affected our commitment to international organisations. Hence, in recent years we have not always been able to meet our obligations in a timely manner. This is also true of our obligations to the ILO. For this reason, we have adopted in the relevant committee an attitude of caution and austerity, pointing to the major difficulties we have in accepting increases in our contributions. We feel it is important to mention the urgent need to establish proper priorities in the programmes of the Organisation whenever national crises and the world economic situation decisively affect the Organisation's finances.

My delegation considers that the action of the ILO in the field of human rights has been of crucial importance, especially since the 1970s, as a result of

the Universal Declaration, the covenants on economic, social and cultural rights and the International Covenant on Civil and Political Rights. In this regard, we reaffirm our support for the goals of the Organisation's programme of activities for the period 1990-95, inasmuch as its international efforts require an even stronger defence of these rights, in their broadest sense, through dialogue and technical co-operation. We trust that the standards which have become outdated as a result of social developments and technological progress will be revised, and we note with satisfaction the accomplishments mentioned by the Director-General in his Report. We likewise welcome the efficiency shown by the bodies responsible for supervising the implementation of the standards of the ILO. With respect to co-operation, I cannot fail to express before this important assembly my Government's wish to see it expanded; I endorse the words uttered a few days ago at this Conference by His Excellency, the head of the Spanish Government, Mr. Felipe González, who stated that technical co-operation "...should not be considered as a form of benevolent assistance or condescending instruction but rather as the vital contribution of industrialised countries to the achievement of one of the basic rights of nations: the right to development".

As a result of the implications of this right to development, we lent our support to the High-Level Meeting on Employment and Structural Adjustment held here in Geneva last November; I had the honour to preside over that meeting which was attended by government, workers' and employers' delegations from many industrialised and developing countries, and the representatives of at least ten international economic organisations. The Meeting considered the present world economic situation in the light of the social objectives of the ILO, and the implications of international trade, financial and monetary practices on employment and poverty.

There is no doubt that the conclusions reached by that Meeting are extremely positive in recognising that the indebtedness of developing countries affects their levels of employment and the welfare of workers; therefore, there is a need for the ILO, alone or together with other international organisations, to promote, to foster and stimulate growth. It is also a source of satisfaction for us that there is the possibility that these conclusions may be included in the ILO's future activities and even incorporated in the ILO's new strategy for the Fourth Development Decade.

There is no doubt that human rights are a common responsibility; their full realisation and application in the increasingly difficult world economic situation, characterised by the marked injustice between a minority of countries becoming ever-richer and a majority of countries becoming ever-poorer, demands of the ILO an extraordinary effort of imagination in the quest for a necessary consensus on ethical solutions. When I say ethical, I mean equitable, just and worthy solutions to one of the fundamental problems in the process of development. To put it more bluntly, this problem is the absence of hope in the poor countries of obtaining the essential material prerequisites for human dignity, which is an essential condition for liberty, equality and ultimately, the true enjoyment of human rights.

As painful as it may be to say so, the principles of international solidarity have been somewhat forgot-

ten. At least solidarity as we understand it: the effective assistance and co-operation between countries. On the contrary, then is an unsatiable and unjust extraction and transfer of resources from the poor countries to the rich countries.

My country is an example of this. In four years it has paid more than 30 billion dollars in servicing its foreign debt. Of this sum only 5 billion dollars have gone towards the repayment of debt; the remainder has gone to paying interest. This debt servicing accounts for 73 per cent of our total foreign currency earnings. And if the situation is so difficult in a country such as our own, which is relatively well developed, imagine how it is in countries which are less developed.

As was rightly said by the Director-General in his Report, more than 900 million persons live in conditions of extreme poverty in the countries of the Third World, and there are more than 500 million under-employed workers. The unjust trade relationship between countries makes the guarantee of the right to work a chimera, an utopia.

The ILO will have to explore and exhaust all avenues to promote the re-establishment of this ethical foundation of solidarity and co-operation between countries.

The delegation of Venezuela considers that human rights can only be effectively respected in those countries which enjoy a political system that can guarantee freedom in all its manifestations – freedom of expression, assembly, association and religion – that can uphold social and legal equality without discrimination on grounds of race, sex, creed or social condition. At the same time, the political system requires the essential material goods which guarantee human dignity, in other words the right to health, education, work, social security and rest. In short, the right to liberty with prosperity, or, if you will, the right to freedom with development.

Even if this seems ambitious, it will not suffice. We must also have the political will to promote this freedom with development, with a just and equitable distribution of wealth, in order to achieve the ILO's cherished objective of social justice.

Political freedom, economic development and social justice constitute the tripod upon which the Venezuelan delegation believes the dream of all can be realised: that is the dream of peace and happiness of man.

For that reason we call on the ILO, this great melting pot of mankind, to step up its efforts to achieve this goal we have yet to reach.

Interpretation from German: Mr. TEGTMEIER (Secretary of State for Labour and Social Affairs, Federal Republic of Germany) – First of all, on behalf of the Government of the Federal Republic of Germany, may I associate myself with the numerous speakers who have congratulated you, Mr. President, on your appointment. I am confident that under your leadership this 75th Session of the International Labour Conference will be successful in contributing toward the improvement of the living and working conditions of workers throughout the world.

For this, indeed, is the aim and the task of our Organisation. You, yourself, said words to this effect in an interview you gave recently to *Neues Deutschland* and in your statement at the beginning of this

Conference. We took great interest in this statement, in which you paid tribute to the work of the ILO. You rightly appreciated the importance of tripartism for our work. As you also pointed out, this implies the autonomy of each of the three groups: governments, employers and workers. I would like to agree with you on this point. Only if these groups can take decisions independently, can we promote the aims of the ILO in true and constructive dialogue and co-operation. Positive dialogue is the decisive feature of all our efforts in ILO meetings and procedures, including, as you rightly said, the supervision of the application of standards. I was also happy to note that the recognition of the role of the ILO is shared by the East European countries, who supported your candidature, and by other member States, I therefore hope that in this spirit we can achieve positive results in this Conference and in our future works.

This year the Director-General has entitled his Report *Human rights – A common responsibility*. As usual, the Report of the Director-General is a yardstick by which we can measure social problems throughout the world. The theme of human rights is, of course, an ambitious one. It indicates especially, the heavy moral, political and intellectual dimensions within which we have to view our work. The Universal Declaration of Human Rights and the ILO Freedom of Association and Protection of the Right to Organise, Convention, (No. 87), were adopted forty years ago. Both documents give occasion to reflect on the basic questions of our work.

The realisation of human rights is one of the major themes of our time. Hardly any aspect of our political life is of more concern to individuals States and organisations. At the same time, human rights are the expression of an intellectual and moral conflict, however, they also are a legal basis – an increasingly firmer basis – enabling us to cope with specific requirements and destinies. Respect for human rights presupposes that the respect for fellow man is a basic principle of society. The Roman philosopher Seneca said: *Homo homini sanctus*.

We therefore believe that human rights have their root in human nature, and in man's intrinsic dignity; they are inalienable rights. Human rights take precedence over the rights of States. They are valid throughout the world and at all times, irrespective of the social order. It does not matter whether they are anchored in the positive right of the law of a State or not.

In time, human rights, which were first recognised in natural law, were written down; they became positive law.

The fact that they were transformed into positive law governs our work at the International Labour Conference.

At this forum, we draw up standards which are a challenge to member States; they are able to make these standards binding. And I believe that an impressive body of standards has been built up over almost 70 years, which also applies in the field of human rights. Examples of this are the Convention on freedom of association, on the elimination of discrimination, on equality of opportunity and the abolition of forced labour. The ILO has given effect to the rights set forth in the Universal Declaration of Human Rights, in so far as they come within its terms of reference. This is a major achievement which calls for recognition. However, as the Director-General

points out, on the one hand human rights are solemnly proclaimed and accepted and, on the other hand, they are frequently flouted. Therefore, human rights have to be a theme for discussion wherever they are subject to violations, whenever freedom of the individual and their organisations is threatened and wherever basic social rights are denied. The Director-General's Report unfortunately bears adequate witness to this, to quote only a few examples. A basic right of workers and employers, namely the right to associate freely in associations and trade unions and to negotiate freely are inexistent or not sufficiently guaranteed in many member States.

There are, in some instances, gross violations of the principle that all people are equal. I am thinking especially about the policy of apartheid in South Africa in this connection. The Government of the Federal Republic of Germany, and especially the Federal Minister of Labour, Mr. Norbert Blüm himself, are taking a close interest in all matters connected with this policy.

However, there are still great differences from one country to another as regards the quality of working conditions. Workers' unemployment, sickness and old age insurance is inexistent or inadequate in many countries.

Throughout the world, more than 500 million people are either without work or underemployed. The right to employment is far from being guaranteed. Unless we respect basic human rights, especially in the field of labour, there can be no social justice. Only where workers and employers can freely organise and where they can defend their interests in independent associations and trade unions; only then can there be social justice. Freedom of association calls for freely established and representative associations which can act in full independence. This is the call made in Convention No. 87, which may be described as the Magna Carta of the ILO.

Governments which forbid or suppress free associations, persecute trade unions or employers or chain their organisation to the State, cannot achieve social justice. This failure to respect our common ends calls for sharp criticism by the international community.

We therefore proclaim our solidarity with all those who cannot take a free decision and especially all persecuted trade unionists. Wherever freedom is subjected to censorship or state disciplinary measures, we must voice our disapproval and protest. Whoever remains silent in the face of oppression and persecution shares in the guilt. Human rights are indivisible; wherever in the world human rights are violated, we must oppose this action. We are not interfering in the inner affairs of other States when we raise our voices against the failure to observe human rights; this attitude only reflects our solidarity with other human beings.

Those who are without work or who are underemployed cannot feed themselves or their families. Not every job is worthy of a human being; it is therefore important to specify that the right to work is the right to productive and freely chosen work. Degradation and exploitation at work degrade a man; they are the remnants or new forms of slavery. That is why the ILO rightly devises standards for humane working conditions.

Making work more humane also implies, first and foremost, the protection of workers' health; for it is the highest good of man and it would be inadmiss-

able, as the Pope once said, if raw materials were refined in a factory but the workers were degraded in the process.

We cannot let a day go by without trying to reduce the number of accidents and the number of risks to health.

Social policies, unfortunately, are also often aimed at repairing the damage which has been done. However, labour protection is a field which gives us an excellent chance to tackle the problem at the root; in other words, to prevent sickness and disease, from occurring at all. Labour protection also bears witness to the fact that health and efficiency are not irreconcilable. It is calculated that the cost of accidents that have not been prevented in my country amounts to 20 billion dollars a year; in the member States of the European Community, this represents something like 100 billion dollars a year.

If we are to act in the cause of both humanity and industrial efficiency, efforts devoted to bringing about an internal market in the European Community should be accompanied by energetic efforts to ensure the social protection of labour.

I am pleased that at this Conference, you are discussing a Convention on safety and health construction, with a strong emphasis on labour protection. My Government would be happy if at each session of the Conference, labour protection could be given the priority it deserves. It is not just a question for a few technical experts; in view of the suffering inflicted on workers and their families who suffer occupational disease and injury, or even lose their lives, we have an opportunity for practical altruism. We shall not achieve more humane working conditions by merely making political statements; we have to draw up and respect specific standards. You are working towards this goal in Geneva with devotion and a will to close co-operation. Your standard-setting activities ensure economic and social conditions which meet the demand for social justice, without which human rights are impossible to achieve.

Until very recently, the achievement of human rights remained within the narrow framework of national States. The League of Nations did not manage to produce a declaration of human rights. Only in the wake of the terrible events of the Second World War was there a wide discussion of this question, which then found expression in the Universal Declaration of Human Rights in 1948 and later in other conventions such as the International Covenants on social and civil rights of 1966, in regional human rights documents and the European Convention on Human Rights.

The first sentence in the Preamble of the Universal Declaration of Human Rights of 1948 says that human rights are the foundation of freedom, justice and peace in the world. Similarly, the Preamble to the ILO Constitution of 1919 states that: "Universal and lasting peace can be established only if it is based upon social justice".

Can we achieve this end in view of the realities depicted in the Director-General's Report? How can we turn human rights, recognised as such, into realities?

The Director-General in his Report, this year, has found the right answer. Human rights are a common responsibility. I hope that by the end of this Conference, we shall go home aware that we are equal to

the challenge given to us in Geneva and have made progress in this direction.

Interpretation from German: The PRESIDENT – I would like at this juncture to make a comment on the conduct of our debates.

Article 14, paragraph 7, of the Standing Orders stipulates that interruptions and audible conversations are not permitted. I would like to remind you of this provision and ask you to observe it in our further debates.

SECOND REPORT OF THE FINANCE COMMITTEE OF GOVERNMENT REPRESENTATIVES: SUBMISSION AND DISCUSSION

Interpretation from German: The PRESIDENT – The next item on our agenda is the second report of the Finance Committee of Government Representatives.

I call on Mr. Dasanayake, Government delegate, Sri Lanka, Chairman of the Finance Committee, to present the report.

Mr. DASANAYAKE (*Government delegate, Sri Lanka; Chairman and Reporter of the Finance Committee of Government Representatives*) – I have the honour to submit to the Conference the second report of the Finance Committee of Government Representatives.

This report, which has been circulated in *Provisional Record* No. 18, contains the Committee's recommendations for action by the Conference on items referred to it by the Governing Body. The proposals submitted to the Committee concerning the composition of the Administrative Tribunal of the Organisation and the adoption of the Financial Report and Audited Financial Statements for the 60th Financial Period (1986-87) were adopted by the Committee by consensus.

The general discussion on the proposed incentive scheme for early payment of member States' assessed contributions, set out in paragraphs 4 to 49 of the report, revealed a wide range of views on the concept of and on the operational details of the scheme. At the completion of the Committee's discussion a record vote has held, the result of which was: 50 member States in favour, 6 against, with 8 abstentions. Details of the vote appear in Appendix IV of the report.

The proposals concerning the Programme and Budget for 1988-89 that were presented to the Finance Committee comprised a \$1.9 million reduction in the 1988-89 Programme and Budget; a \$15 million reimbursement to the Working Capital Fund in place of the \$25 million required under the Financial Regulations; and an addition to the 1988-89 Programme and Budget of \$26 million to cover the effect of the depreciation of the dollar against the Swiss franc.

The Committee hear with interest statements by the Director-General, by Mr. von Holten, representing the Employer Vice-Chairman of the Governing Body, and Mr. Muhr, the Workers' Vice-Chairman; these statements are summarised in paragraphs 57-73 of the report.

In response to the view put forward by many member States that the proposed reimbursement to the Working Capital Fund should be further reduced, the Director-General proposed an additional

reduction of \$7 million, to bring to a total of \$17 million the reduction in the reimbursement to the Working Capital Fund. At the same time, the Director-General stressed that the reduced Working Capital Fund level exposed the Organisation to difficulties in treasury management and he urged all member States, particularly the larger contributors, to pay their outstanding contributions as soon as possible. The Director-General also emphasised that this further reduction in the level of the Working Capital Fund was on the understanding that a long-term solution to currency fluctuations would be approved by the Governing Body in November and by the Conference next year.

At the completion of discussion the reduction of \$1.9 million in the 1988-89 Programme and Budget was adopted by consensus. A record vote was taken on the resolution concerning the reimbursement to the Working Capital Fund in 1989 and the result of the vote was 60 member States in favour, 5 against, with 18 abstentions. Details of the vote appear in Appendix VI of the report.

A record vote was also taken on the resolution concerning the Programme and Budget for 1988-89. The result of the vote was 54 member States in favour, 18 against, with 11 abstentions. Details of the vote appear in Appendix VII of the report.

The resolutions recommended for adoption by the Conference appear at the end of the report.

Before I conclude, allow me put on report my sincere gratitude to all members of our Committee for the magnificent co-operation they extended to me. I wish to thank the Vice-Chairman of our Committee, Mr. Labat, the distinguished Government delegate of Uruguay, for the assistance and support he gave me. I would like to express my thanks to the Director-General, Mr. Blanchard, who addressed our Committee on more than one occasion and provided it with useful insights and valuable information. I also thank Mr. von Holten, the Employers' Vice-Chairman of the Governing Body, and Mr. Muhr, the Workers' Vice-Chairman of the Governing Bodies for their contributions. My most sincere thanks goes to the Secretariat whose excellent support and assistance greatly facilitated my task as Chairman. In particular, I wish to thank Mr. Ahmad, the representative of the Secretary-General of the Conference on my Committee, and his colleagues, including the Legal Adviser. Last, but not least, my sincere thanks go to all those who rendered yeoman service behind the curtains such as the interpreters, translators and those who prepared the documentation after working diligently late into the nights.

Finally, I would earnestly commend the Conference to adopt the resolutions contained in the second report of the Finance Committee of Government Representatives and would appeal strongly to all Governments and Employers' and Workers' delegates to support them as an expression of solidarity with the aims and ideals of our Organisation.

Interpretation from German: The PRESIDENT – The second report of the Finance Committee of Government Representatives is now before the Conference.

Mr. von HOLTEN (*Employers' delegate, Sweden*) – I would like to inform the Conference that the entire Employers' group discussed the proposed res-

olutions this morning and will support them all. We join with the Chairman of the Finance Committee of Government Representatives in the sincere hope that the Conference will adopt them unanimously.

Interpretation from German: Mr. MUHR (*Workers' delegate, Federal Republic of Germany*) – As customary the spokesmen for the two non-Government group have had the opportunity to be heard by the Finance Committee. My own statement is summarised in paragraphs 72 and 73 of the report and so I will not repeat them. I have asked for the floor now to appeal to you to support the resolutions. I am counting on the support of the Workers' group and I hope that nobody will be influenced in the course of the vote, for I believe that the ILO must have the necessary financial resources to carry out all its tasks fully.

I call on everyone to support these resolutions, if possible unanimously.

Interpretation from Spanish: Mr. LUNA (*Government adviser, Colombia*) – On my own behalf, and as co-ordinator of the government delegations of Latin America, the government delegation of Colombia wishes to clarify the following points with respect to the serious financial difficulties facing the International Labour Organisation and some of the proposed resolutions adopted by the Finance Committee of Government Representatives at the proposal of the Governing Body of the Organisation, contained in the *Provisional Record* No. 18.

First of all, at this difficult time, our delegations restate their adherence to the Constitution of the Organisation to the principles of social progress inspiring it and to the programmes which are being undertaken by the Organisation in furthering these principles.

Secondly, we feel we should recall the wise principle according to which budgets of international organisations must be adapted to the real economic possibilities of contributor countries. The persistent world economic crisis continues to affect the developing countries ever more intensively, especially because of the drop in their exports and international commodity prices, as well as the monetary and balance-of-payment problems caused by the excessive burden of external debt and the arbitrary increases in interest rates and exchange rates in international trade. It has been necessary in our countries to adopt painful austerity measures to public expenditure in our countries, which call for tremendous sacrifices from our people since they are most severe in their effects on persons who are economically weak and therefore depend to a larger extent on public investment in order to meet their basic needs. These policies for rationalising of expenditure naturally affect the budgets of the international organisations, especially in the case of the ILO, as the currencies of our countries are being devalued against the dollar, and the dollar in turn is being devalued vis-à-vis the Swiss franc in which the expenditures of the Organisation are calculated and our contributions suffer doubly from this twofold exchange rate effect.

Thirdly, our delegations recognise the value of the efforts which, since 1986 and at this Conference as well, have been made by the Director-General for the biennium 1988-89 in order to rationalise the expenditures of the Office and to reduce the amounts

of the contributions requested from member countries in order to combat the budget crisis and financial problems of the Organisation, caused essentially by the fluctuations in the exchange rate of the dollar to the Swiss franc and the serious delay in the payment of contributions due either to the measures taken by some major contributors or to the material difficulties of the developing countries because of the deterioration of their economies.

Fourthly, the need for the Office to make greater efforts to deal with the burden of this financial crisis has been pointed out by our and other important delegations from various regions of the world at last year's Conference, at subsequent sessions of the Governing Body and in the Finance Committee of Government Representatives at this Conference. Furthermore, we have insistently drawn attention to the probability that, by the end of the 1988-89 biennium, even greater imbalances will have been accumulated which will therefore exacerbate the problems for the following biennium unless even more valient measures are taken as of now to reduce the administrative expenditure of the Organisation.

Fifthly, however, the ILO bodies I have mentioned, in their resolutions on the financial problems referred to, have only taken into account to a very modest extent the need to reduce the budgetary burden of the Organisation. In particular the Finance Committee of Government Representatives of this Conference first of all did not understand our proposal that the Chairman of the Committee, through a Working Party, which might be called "Friends of the Chairman", as is customary in international meetings, made up of representatives of groups of Employers and Workers from the various regions and of the Office itself, should study the possibilities of greater budget cuts, of really substantial reductions in the administrative expenditures of the Organisation, that would not appreciably affect the technical programmes. The Committee, after dismissing this opportunity for consensus and sound economics, and rejecting by a vote the proposed amendments of other major delegations, supported by our own, designed to comply at least in part with the principle of rationalisation of expenditure, adopted two proposed resolutions which the plenary now has before it. One is to increase the operational fund by \$8,059,627, while the other proposes a \$26 million budget increase for the present biennium to make up for exchange rate fluctuations. If these proposed resolutions are adopted by this plenary, a new increase in contributions for the Organisation will be placed on the shoulders of the contributors of our countries, that is essentially on the workers and employers themselves.

Sixthly, as was said in the Committee, our delegations endorsed the consensus on the proposed resolution for a \$1.9 million reduction in programmes for the present biennium, although we feel that these reductions are inadequate for the reasons which were fully expressed when this was discussed in the bodies I have referred to, at which our delegation and other major delegations made proposals for further specific essential and substantial reductions.

Seventhly, our delegations call for a record vote on the proposed resolution for the \$8,059,627 increase in the operational fund and we say that we shall abstain in this vote. This abstention is explained by the fact that, on the one hand, our delegations

approve of the \$7 million reduction from the original amount presented to the Finance Committee in the *Provisional Record* No. 2, since this is a step forward. On the other hand, we feel that the resolution to increase the fund could have been deferred for a year, given that the Organisation has already gone through a year with a \$12 million fund and could have continued for another year on the same amount, with heavy restrictions on the use of the fund.

Eighthly, our delegations request a record vote on the resolution calling for a \$26 million budget increase for the current biennium to make up for exchange rate fluctuations. For reasons already set out, including the fact that this increase is being carried out on a budget which was deemed excessive in June 1987 by a large part of the Conference, our delegations announce that we shall vote against this resolution.

Ninthly, and lastly, our delegations restate their position with respect to the need for tripartite work from now on, in order to achieve a consensus for measures which will combat the excessive expenditure for the current biennium and set expenditures for the next biennium at a level of austerity and efficiency corresponding to the real ability of member States to contribute to the Organisation, without, of course, jeopardising the technical programmes required to achieve social progress which are constitutionally undertaken by the Organisation.

Mr. HEWITT (*Government adviser, United Kingdom*) – Those Government representatives who attended the Finance Committee, and they are all here present in the plenary, know well the position that the United Kingdom Government representative took in that Committee on the two issues of the replenishment of the Working Capital Fund to bring it to a total of \$20 million in 1989 and the request for compensation for exchange rate losses of \$26 million also in 1989.

Our position is fully and correctly reflected in paragraphs 93 and 94 and in paragraphs 156 to 159 of the Finance Committee report. I need not rehearse our arguments here. I should, however, say that we are not convinced that the Office itself could not have taken on more of the financial burden and of the problems facing the ILO. Nor are we convinced that the supplement to the Working Capital Fund to bring it to a total of \$20 million in 1989 is a necessary requirement, when the ILO will have managed throughout 1988 with a Working Capital Fund of \$12 million.

As I understand it, we are going to be asked to vote only on the resolution concerning the Programme and Budget for 1988-89. The additional \$26 million sought there is, of course, only part of the increase in assessed contributions which will be levied on member States in 1989, the total amounting to \$34 million. I have already made it clear that my Government would have been able to support a total increased assessment spread among all the member States of \$26 million. Since the sum has now been exceeded, I regret that we have no alternative but to vote against the resolution on the Programme and Budget, although I should stress that we fully support the programme reductions of \$1.9 million in 1988-89 as set out in the resolution concerning a reduction in the Programme and Budget for 1988-89.

Mr. DANIELSSON (*Government adviser, Sweden*) – I am making this statement on behalf of the Government delegations of the five Nordic countries.

The Nordic Government delegates would like to express their satisfaction with the outcome of the discussions in the Finance Committee on the questions related to the Programme and Budget for 1988-89. Although we would have preferred that a larger degree of consensus had prevailed in the Committee, we nevertheless are of the opinion that the decisions the Conference is now about to take represent a reasonable balance between the various interests concerned. The approval of an additional assessment of \$26 million to cover exchange rate fluctuations during the current biennium means that the principle of safeguarding the Programme and Budget against currency variations is upheld. This means of course an extra burden for member States. On the other hand, the Organisation is sharing this burden through the commitment by the Director-General to absorb any further exchange rate losses during the biennium. The proposal to replenish the Working Capital Fund up to \$20 million represents in our minds a minimum of what is required to make it possible for the Fund to meet its primary task, that is to regulate the cash flow during a calendar year.

The Nordic Governments are concerned that the financial crisis of the ILO may be only in its early stage. If no major improvement occurs, it seems inevitable that the Governing Body and the Conference will have to consider programme implementation reductions. The only way to avoid this is for all member States to live up to their financial obligations and pay their assessments fully and on time.

Finally, the Nordic Government delegations support the second report of the Finance Committee and recommend its adoption, including all the resolutions contained therein.

Interpretation from Russian: Mr. KOSTINE (*Government delegate, USSR*) – In connection with the voting that will take place on the Programme and Budget and the resolutions for 1988-89, I am empowered, on behalf of the Government representatives of the socialist countries, to say the following.

Our delegations are concerned at the complicated financial situation of the Organisation and also at the continued increase in budget contributions. We appreciate the efforts of the Director-General in seeking opportunities to reduce the heavy financial burden on member States of the Organisation. A correct step has been taken in that direction with the Director-General's proposal during this session to make further reductions in the Working Capital Fund. However, we feel that those reductions could be bigger, particularly given the measures that have been taken to stabilise the budget in the long term. Furthermore, discussions by government representatives in the Governing Body and the Finance Committee have shown that economies were desired by others which went further than the reductions in the Working Capital Fund.

Our delegations note the Organisation's financial difficulties and, in the light of that fact, the socialist countries have already made their contributions in full for the year 1988 and are further prepared to assist the Organisation to find a constructive solution to the financial problems.

We should like to point out that the contributions made include the means for financing the activities the ILO has undertaken. We hope that the dialogue in the Employers' group will develop and that the problems raised by the directors of socialist enterprises will be quickly solved. That would be in the interest of constructive co-operation in the ILO.

As for the efforts of the Secretariat, we feel that the measures proposed to seek economies generally are not adequate in view of the scale of the increased financial burden placed on member States. Having said that, as far as the resolutions relating to the financial period 1988-89 are concerned, we are going to abstain. This is an abstention which concerns the substance of the question, and not the quorum rule as applied in the ILO.

Interpretation from German: The PRESIDENT – We shall now proceed to the adoption of the report, and of the resolutions annexed to it. As regards the resolution concerning the Programme and Budget for 1988-89, there will be a record vote in accordance with the Standing Orders.

First of all, if there are no objections, I shall take it that paragraphs 1 to 181 of the report are adopted?

(Paragraphs 1 to 181 of the report are adopted.)

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

Interpretation from German: The PRESIDENT – May I take it that the resolution concerning the composition of the Administrative Tribunal of the International Labour Organisation is adopted?

If there are no objections, I take it that the resolution is adopted.

(The resolution is adopted)

Resolution concerning the proposed incentive scheme for early payment of member States' assessed contributions

Interpretation from German: The PRESIDENT – May I take it that the resolution concerning the proposed incentive scheme for early payment of member States' assessed contributions is adopted?

I give the floor to Mr. Martins, Government delegate, Brazil.

Mr. MARTINS (*Government delegate, Brazil*) – I am speaking on behalf of the Brazilian Government delegation and should like to support the statement made by the representative of the Latin American States. But I should like to state to the Conference that my delegation cannot join the consensus on this resolution. As we stated in the Finance Committee, we cannot give our support to the proposal regarding this incentive scheme.

We consider that this plan is an unrealistic and unfair solution to the problem of late contributions, since it does not take into consideration the different aspects of some countries' financial role. It does not take into consideration the difficulties of some member States (especially developing ones) in fulfilling

their foreign currency financial obligations. Also, it does not take into consideration that, for political reasons, some very important contributors do not pay their contributions in time, and that an incentive scheme will not change the situation. Moreover, it disregards the real reasons for the financial crisis facing the Organisation, insofar as the plan does not offer an adequate solution in our view.

For this reason, my delegation cannot join in the consensus on this resolution.

Interpretation from Spanish: Mr. MEZA SOZA (*Government delegate, Nicaragua*) – The delegation of the Government of Nicaragua wishes to express its agreement with what has been said by the delegation of the Government of Brazil concerning the resolution of the proposed incentive scheme. We consider that this resolution is not consistent with the financial situation and the difficulties experienced by the developing countries. We therefore wholeheartedly endorse what has been said by the representative of the Government of Brazil, and cannot join in the consensus on this resolution.

Interpretation from Spanish: Mrs. HERNANDEZ OLIVA (*Government adviser, Cuba*) – On behalf of the delegation of the Government of Cuba, I would like to explain our position with regard to the resolution concerning a proposed incentive scheme for early payment of member States' contributions. My delegation feels that this scheme does not address the underlying situation which arises from the financial situation of the member States which are behind in their payments, especially that of developing countries which face great economic difficulties in their national budgets.

This scheme would benefit only a group of countries which, perhaps for political or other reasons, have delayed their contributions. That is why we cannot join in the consensus on this scheme.

Interpretation from Spanish: Mrs. CLAUWAERT GONZALEZ (*Government adviser, Venezuela*) – My delegation wishes to support the comments made by the spokesman of the Latin American group at this session of the Conference.

The delegation of Venezuela opposed the resolution concerning the incentive scheme at the 239th Session of the Governing Body and in the Finance Committee of this Conference.

The scheme does not take into account the reasons for which many member States cannot pay their contributions on time. We consider this scheme to be discriminatory, and for this reason we shall not join in the consensus on this resolution.

Interpretation from Spanish: Mr. SALVADOR CRESPO (*Government adviser, Ecuador*) – As the delegation of Ecuador said in the Finance Committee, our country is opposed to the proposed incentive scheme because it is not equitable. To be equitable, the scheme should take account of the capacity of each member State to pay. In many cases member States are unable to meet their obligations to the Organisation for economic or administrative reasons. That is why our country cannot join in the consensus which has been requested on this resolution.

Interpretation from Spanish: Mr. CHUBURU (Government adviser, Argentina) – The position of the Argentinian delegation is described in paragraph 11 of *Provisional Record* No. 18. Our delegation does not believe that this scheme will lead to improvements in the financial situation of the Organisation.

If this resolution had been put to a vote, we would have abstained, given the trial nature of the scheme, and awaited word of its results during the 1989-90 biennium, before taking a final decision. This decision will be conditioned by the concepts which were set out previously by a number of Latin American delegations, and by the results of the implementation of this scheme, which we do not expect will be positive.

Interpretation from Spanish: Mr. VILLARREAL (Government delegate, Panama) – The delegation of Panama will not join in the consensus on this resolution because it does not take account of the specific realities of each country and because it applies the same yardstick to countries which have the capacity to pay, yet delay in paying their contributions. We wish to make our position clear, as we have in other meetings.

Interpretation from German: The PRESIDENT – I give the floor to Mr. Wayarabi, Government adviser, Indonesia, on a point of order.

Mr. WAYARABI (Government adviser, Indonesia) – My delegation would like to know whether are we in the process of voting or of hearing explanations of vote. Or have we already adopted the resolution by consensus?

Interpretation from German: The PRESIDENT – Let me explain the situation as clearly as possible. We are considering the adoption by consensus of the resolution under discussion and noting the various delegations' reservations. If there are no further observations, I shall take it that the resolution concerning the proposed incentive scheme to encourage early payment of member State's assessed contributions is adopted, subject to the reservations expressed here by various delegations.

(The resolution is adopted.)

Resolution concerning the Financial Report and Audited Financial Statements for 1986-87

Interpretation from German: The PRESIDENT – May I now take it that the resolution concerning the Financial Report and Audited Financial Statements for 1986-87 is adopted?

If there are no objections, I take it that the resolution is adopted.

(The resolution is adopted.)

Resolution concerning a reduction in the Programme and Budget for 1988-89

Interpretation from German: The PRESIDENT – May I now take it that the resolution concerning a reduction in the Programme and Budget for 1988-89 is adopted?

If there are no objections, I take it that the resolution is adopted.

(The resolution is adopted.)

Resolution concerning reimbursement to the Working Capital Fund in 1989

Interpretation from German: The PRESIDENT – We now come to the resolution concerning reimbursement to the Working Capital Fund in 1989, and I would remind you that Mr. Luna, Government adviser, Colombia, has called for a record vote. We shall therefore proceed to a record vote on the resolution.

I give the floor to Mr. Muhr, Workers' delegate, Federal Republic of German, on a point of order.

Interpretation from German: Mr. MUHR (Workers' delegate, Federal Republic of Germany) – As we all know, record votes last at least an hour and this would take us well into the lunch hour. There is therefore a risk that a vote taken now would fail because of the absence of quorum. I therefore propose that the record vote be postponed to this afternoon's meeting.

Interpretation from German: The PRESIDENT – If there are no objections, we shall resume our discussion at 3 o'clock and start the record vote on this resolution. I take it you agree.

(The Conference adjourned at 12.45 p.m.)

Twenty-fifth sitting

Wednesday, 15 June 1988, 3.15 p.m.

Presidents: Mr. Beyreuther, Mr. Adiko Niamkey

SECOND REPORT OF THE FINANCE COMMITTEE OF GOVERNMENT REPRESENTATIVES: DISCUSSION (*cont.*) AND ADOPTION

Interpretation from German: The PRESIDENT – As was decided, we shall now continue our discussion of the second report of the Finance Committee of Government Representatives.

We have already examined and adopted the report up to paragraph 181 and we have adopted by consensus the first four resolutions annexed to it. We shall now proceed to a record vote on the two remaining resolutions.

RECORD VOTE ON THE RESOLUTION CONCERNING REIMBURSEMENT TO THE WORKING CAPITAL FUND IN 1989

Interpretation from German: The PRESIDENT – We shall now hold a record vote on the resolution concerning the reimbursement of the Working Capital Fund in 1988, at the request of the Government adviser of Colombia, Mr. Luna, on behalf of the Latin American group of countries.

(A record vote is taken.)

(The detailed results of the vote will be found at the end of the record of this sitting.)

Interpretation from German: The PRESIDENT – The results of the record vote on the resolution concerning reimbursement to the Working Capital Fund in 1989 is the following: 360 votes in favour, 8 against, with 47 abstentions. As the quorum is 261 and since the required two-thirds majority has been attained, the resolution is adopted.

(The resolution is adopted.)

RECORD VOTE ON THE RESOLUTION CONCERNING THE PROGRAMME AND BUDGET FOR 1988-89

Interpretation from German: The PRESIDENT – We now proceed to the record vote on the resolution concerning the Programme and Budget for 1988-89.

(A record vote is taken.)

(The detailed results of the vote will be found at the end of the record of this sitting.)

Interpretation from German: The PRESIDENT – The results of the record vote on the resolution concerning the Programme and Budget for 1988-89 are as follows: 301 votes in favour, 42 against, with 33 abstentions. As the quorum is 261, and since the required two-thirds majority has been attained, the resolution is adopted.

(The resolution is adopted.)

Interpretation from German: The PRESIDENT – I give the floor to Mr. Wayarabi, Government adviser, Indonesia to explain his vote.

Mr. WAYARABI (*Government adviser, Indonesia*) – I will briefly explain the vote of abstention cast by my Government delegation on the two resolutions concerning reimbursement to the Working Capital Fund in 1989 and the Programme and Budget for 1988-89.

While my delegation understands the reasoning behind these two resolutions, we could not have given our consent to these measures since this would have meant that developing countries would be further burdened by additional contributions to the ILO.

Indonesia, like many other developing countries, has limited resources at its disposal and is particularly severely affected by fluctuations in the rate of exchange between our own national currency and those of other nations. In short, we do not enjoy the necessary economic conditions which permit us to finance an increase in the Programme and Budget of the ILO. I have to state, therefore, at this juncture, that we are unable to contribute more to the ILO's Programme and Budget than we have done in the past.

We would therefore urge a revaluation of the priorities of programmes and activities of the ILO in order to effectively assist us in reducing unnecessary expenditure. In view of this, my delegation is of the opinion that savings should, firstly, be made in administrative areas and with this in mind a reduction in the levels of the ILO meetings in Geneva might be appropriate in order to assist us in our task of finding the level of the Programme and Budget to ensure the optimum functioning of the ILO.

Secondly, we would argue that it would be prudent to identify those programmes which would be implemented only if the necessary funds are available. Programmes such as those benefiting developing countries such as those relating to technical co-operation and on the other hand are of vital importance to developing countries and we would urge that no

reduction be made in these important areas. It is for these reasons that my delegation abstained to both resolutions.

Mr. MARTINS (*Government delegate, Brazil*) – According to instructions from my Government, I would like to put on record the position of my delegation on the adoption of the resolution concerning reimbursement to the Working Capital Fund in 1989 and in the Programme and Budget for 1988-89.

The Brazilian Government delegation wishes to state that it has abstained on the resolution concerning reimbursement to the Working Capital Fund in 1989 of an amount of almost US\$8 million. The Brazilian Government delegation does not totally agree with the explanations given to the Financial Committee in order to justify the need to establish a level of about US\$20 million for the Working Capital Fund.

The Brazilian Government delegation would have preferred that no definitive decision be taken on this matter during this session of the Conference and that more detailed elements on this subject be presented during the 241st Session of the Governing Body next November. Meanwhile, no reimbursement would have been made and the ILO's Working Capital Fund would remain at its present level of about US\$12 million until the next session of the Conference in June 1989. The Brazilian Government delegation also wishes to express its deep concern regarding the use of the Working Capital Fund which is not aimed at replacing the non-payment of contributions by member States.

Finally, the Brazilian Government delegation wishes to call the attention of the Conference to the difficult economic situation that very many member States, mainly developing ones, are facing now. We therefore express our concern on the adoption of solutions which are not solving the serious financial problems of the Organisation but only representing an additional and unbearable burden to member States.

Concerning the vote on the Programme and Budget, my delegation would like to state that we voted against the resolution for the following reasons: the decision of transferring to member States the amount of US\$26 million due to exchange rate fluctuations is the easiest one but not the wisest one, for it disregards the real meaning of and the deep reasons for the economic and financial crisis that assails the Organisation. Many member States, mainly developing ones, are now facing a very difficult economic situation which affects severely their capability of accomplishing their foreign currency financial obligations. Therefore, every additional burden on their assessed contributions to the ILO's budget will certainly have unbearable results and in consequence these countries will face new and serious problems to pay their contributions. The wisest solution would have been to examine ways and means of absorbing the amount of US\$26 million through, for instance, as pointed out by many other member States' delegations, important reductions in the budget.

For these reasons, the Brazilian Government delegation has supported the proposal made by the Latin American group within the Finance Committee concerning the examination of the whole budgetary matter on a tripartite and informal basis.

We hope that this suggestion will be duly considered in the future by all tripartite delegations as a positive contribution in the identification of the essential needs of the Organisation and the necessary cuts in its expenditure, taking into account its serious financial problems and the financial capacity of payment of its member States. We are firmly convinced that the Organisation cannot spend beyond the financial capacity of its member States.

Finally, I request that the position of my delegation on the matter be duly and fully reflected in the record of this meeting.

Interpretation from German: The PRESIDENT – We have now come to the end of our discussion of the second report of the Finance Committee of Government Representatives.

I would like to thank the Chairman of the Finance Committee, Mr. Dasanayake, as well as the members of the Committee, for the work done in this connection.

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL (cont.)

Interpretation from German: The PRESIDENT – We now continue with the discussion of the Reports of the Governing Body and of the Director-General.

Interpretation from Portuguese: Mr. GODINHO GOMES (*Minister for the Civil Service, Labour and Social Security, Guinea-Bissau*) – May I be allowed to associate with those who have had the honour of speaking in this assembly and present to the President and his assistants on behalf of my country and on my own behalf our greetings and congratulations for their well-deserved election to office in the 75th Session of the International Labour Conference.

I should like also to congratulate the Director-General of the ILO, Mr. Blanchard, for his valuable and relevant Report in which he has dealt wisely and clearly with urgent matters which are of great interest for all those who struggle, in this world full of contradictions, for a new economic and social order. The member States, organisations and social partners will find in this Report a guide for their reflections on the most varied forms for implementing the Universal Declaration of Human Rights and the principles of freedom of association.

If our topic is human rights and freedom of association, it is necessary to speak in the first place of the policy of apartheid which is a crime against humanity and which embodies all the crimes against the rights of the human being, against peace and against progress. It would not be right to overlook the efforts and persistent action of the ILO in defence and in the protection of human rights, particularly in South Africa, which culminated recently in the Tripartite Conference on Action against Apartheid.

My country, which has recently emerged from a long and devastating struggle for national liberation, could in no way ally itself with the sad situation which prevails in South Africa. For this reason, as an independent and sovereign country which 14 years ago won its independence through the blood of its sons, we cannot consider developing relations with South Africa so long as the racist regime prevails. The evils of apartheid have not vanished. Those who

died to re-establish the rights of human beings in Guinea-Bissau would rise from their graves if we failed to condemn apartheid. For this reason the action of my Government under the Programme of the United Nations against apartheid is very clear. We have no relations whatsoever with Pretoria. We fully support resolution 435 on the independence of Namibia.

The Republic of Guinea-Bissau recognises and supports, without reservation, the liberation movements, the Black trade union movement as well as the popular movements struggling for the establishment of human rights in South Africa and Namibia. Thus, we condemn all forms of aggression against the front-line States and the barbarities practised against Angola and Mozambique.

We also manifest our solidarity with the struggle of the Palestinian people and the leadership of the PLO and all the people who struggle for their freedom.

In this year, 1988, 40 years after the adoption by the United Nations of the Universal Declaration of Human Rights, 40 years after the adoption by this Conference of Convention No. 87, one of the most effective instruments in the implementation of human rights, generally understood as the right of each individual to a guarantee of personal freedom, justice, minimum labour conditions, full employment and equality of opportunity, we cannot fail to refer, with sadness, to the imbalance of development which prevails between the countries of the North and the South, and to the major social and economic problems faced by countries of the African continent: the deficit in their balance of payments, their great external debt, the falling prices of raw materials they export to the industrialised countries. These factors, together with natural calamities, make it difficult to ensure endogenous and self-supported development for the African countries and impossible to accumulate capital for investment and jobs creation, the basis for the guarantee of human rights. To speak of human rights, of freedom of association, without speaking of the creation and guarantee of decent employment, is sheer utopia.

How can the countries of the Third World, and in particular the African countries, create employment, guarantee the right to minimum labour conditions, occupational safety and health and decent wages, if they spend and transfer huge sums for the payment of debt and interest on the debt, sums which could be used otherwise for investments to create jobs?

In fact, for human rights to attain their true dimension and become a common responsibility, it is necessary for the ILO to increase its multilateral technical co-operation to support the development of less-developed countries, in the context of a new economic and social order.

Technical co-operation should be considered as a means of strengthening of the macro-economic administration of needy countries, in the restart of their economy and stabilisation, while taking into account the following conditions: restrengthening the technical and institutional capacity of the departments responsible for the economy; guidance for new activities designed to create durable structures to provide financing for the development of human resources through the implementation of a coherent, co-ordinated and intensive programme for training; provision in contracts with foreign consultants for on-the-job trainings for national cadres; national technicians

should have access to the advice of such consultants and to studies to be carried out with a view to tapping human resources.

In order to achieve these basic conditions, technical co-operation should contribute to the efforts of countries in the search for solutions to bring about stability and the productivity of national technicians, especially in the field of housing, equipment and consumer goods; these conditions would make it possible for them to enjoy equal opportunity with respect to the technicians of more advanced countries and develop their capacity and initiative in order to enhance productivity – the *sine qua non* of development in African countries.

Guinea-Bissau, one of the least advanced countries, has suffered considerable economic imbalance. Besides, it is now facing with courage the challenge of economic reconstruction; its economy has been greatly affected by the struggle of national liberation. Thus, in trying to find solutions for the deep economic and financial crisis which is the result of its fragile economy and overly centralised administration, the Government has adopted a vast programme of structural adjustment in order to stabilise the economy in the short term and as a long-term project to create conditions of self-development to increase production and agricultural exports, to reduce the weight of the public sector in the economy and to increase the role of the State in the new, dynamic process of development.

The execution of a programme of structural adjustment, although it has begun producing some sort of positive results, could give rise to serious social problems, particularly through its negative social impact, that would affect the more vulnerable sectors of the population, with the greatest incidence on the urban sector, inasmuch as the programme of structural adjustment seeks to reduce substantially the number of public officials. In this situation, the Government must, on the one hand, find appropriate machinery to minimise the negative effects of the structural adjustment programme, and, on the other hand, obtain structural funds and have access to technical and multilateral co-operation in the form of financing and assistance to solidify and strengthen the reorganisation of institutional structures in the national economy.

In a few weeks in the city of Geneva there will be a round table on Guinea-Bissau at which many of the countries and organisations which are here today will be represented. We hope that, in the light of the situation I have just described, they will reflect seriously on the form of their participation and the means which they will make available in order to support the Republic of Guinea-Bissau in the restart of its economy, having as a primary objective the creation of better conditions of life for the workers, the creation of employment and the defence and guarantee of human rights.

My Government will submit several development projects to the donor countries in the course of this Round Table. These projects will concern job creation necessary for economic and financial consolidation and stabilisation and development of the Republic of Guinea-Bissau. We appeal to all member States and organisations represented here to support our country in this difficult moment.

To the ILO, and particularly to the Director-General, Mr. Blanchard, we also address our appeal,

convinced that as an organisation which defends human rights, it will not fail to make aware countries and organisations of the manner in which they can help us to find a solution to the difficult situation in which our country finds itself. Thus, the ILO will contribute to improved conditions of life of workers and promote peace and progress in Guinea-Bissau.

We would not like to conclude without expressing our great appreciation of what has been done by the ILO in dealing with problems of developing countries, especially those of Africa. In spite of the financial difficulties of our Organisation, its activities and technical co-operation reflect the concern of the ILO in trying to find solutions which make it possible to reinforce the capacity of intervention of government departments that seek to realise the ideals and objectives of the ILO.

In this context, my country has benefited from precious support in the execution of several projects and we would like to continue to deserve this special attention and benefit from increased assistance which gives us the necessary means to reply to the new requirements of development and to implement our programme of structural adjustment.

Interpretation from Farsi: Mr. KAWESH (*Chairman of the State Committee for Labour and Social Security, Afghanistan*) – First of all, I would like to express, on behalf of the delegation of the Republic of Afghanistan, my sincere congratulations to the President on his election to the presidency of the 75th Session of the International Labour Conference. I am confident that his guidance will lead to the success of the Conference. Availing myself of this opportunity, I wish to assure him of the full co-operation of the delegation of the Republic of Afghanistan in ensuring that the deliberation of the Conference are crowned with success.

The Report of the Director-General indicates that important issues in the area of labour, particularly the problems which face the workers of the world, have been assessed. Similarly, the activities of the ILO during 1987 are described in the Report. On reading the Report, it becomes clear that, within the framework of the International Labour Organisation, a number of major successes in the areas of labour and social questions have been achieved. The subjects included on the agenda for this year's session of the Conference are of special importance. I hope that, with the all-round co-operation of the representatives of the member countries attending this Conference, positive steps will be taken towards solving these problems and that the activities of this international Organisation will, as always, focus on the real improvement conditions of the work and life of the world's workers.

In our country, ten years of revolution focused on actively seeking ways and means to do away with socio-economic backwardness, as a result of which noticeable changes and developments have taken place in the socio-economic, political and cultural spheres.

Improving the performance of the economy constitutes the main thrust of the people's struggle to consolidate the gains of social progress achieved through our revolution. Despite the extensive damage done to the economic structure of the country as a result of the undeclared war, the Government and the People's Democratic Party of Afghanistan

(PDPA) were able to achieve socio-economic growth and to regain and even surpass the pre-revolution level in all spheres of material production.

Success in these respects depends partly on the soundness of economic policy and national planning, together with the wisdom and dynamism of the masses, and partly on private enterprises and the assistance of friendly countries. The gross national product increased last year by 11 per cent as compared to 1979. Similarly, agricultural and livestock production showed a growth rate of 9 per cent and industrial production of more than 15 per cent. National income recorded a growth rate of 10 per cent while foreign trade turnover increased more than one-and-a-half times as compared to 1979. Behind these figures, qualitative changes are now being carried out in the economic life of the country. In this connection, the growing role of Afghan producers, the State's ever-increasing attention to the requirements of the private sector and other socio-economic foundations have played a part.

The new Labour Code of the Republic of Afghanistan and the Civil Service Code, in the preparation of which national conditions, and international norms and standards were taken into account, were put into effect last year to equitably regulate working relations. The new Labour Code, without any discrimination, guarantees the right to work, wages and salaries, vocational training, safety, voluntary participation in trade unions, the improvement of knowledge, a system of social security, pensions and other rights and privileges. According to the new Labour Code, all categories of workers are entitled to a permanent pension.

The salaries of Workers and government employees and student grants have been increased and pensions improved. Profound changes have been made in recent years in the public health sector. A new state system of free medical services open to all has been set up.

In order to stabilise prices and ensure a steady supply of essential goods for people at fixed prices, the Government of the Republic of Afghanistan has taken numerous measures, including subsidies for products to satisfy basic needs, the expansion of consumer stores, etc. In order to improve the living conditions of the people, among the many measures adopted by the national economic institutions, a new and progressive system of wages has been established and various types of material incentives provided to employees. An all-round campaign against illiteracy is continuing. Three and a half million persons have become literate through literacy courses. Free higher and vocational education has been improved considerably at all levels. The number of students in general education has gone up by 900,000. The system of intermediate and higher education has been considerably expanded. In order to train professional workers and craftsmen, the Ministry of Technical and Vocational Education was established last year. The new Ministry plans to play a significant role in the co-ordination of programmes related to vocational training and the training of skilled workers in accordance with the requirements of production enterprises.

In order to provide more favourable conditions for the education of the students, the State has undertaken to bear the cost of their breakfast, uniform, textbooks and other teaching materials. This demon-

strates the fact that the Republic of Afghanistan devotes special attention to the upbringing of the young generation in the country who are the future builders of Afghan society.

In recent years, the Government has given great assistance to peasants and the rural community. For instance, the State has distributed free of charge to farmers thousands of tonnes of improved seedlings for cotton and sugar beet production and thousands of tonnes of chemical fertiliser at subsidised prices. It is to be noted that the State has recently established a new institution for the implementation of land reform and water resources distribution, according to which the land and water relationship in the Republic of Afghanistan will be organised in line with the tenets of national reconciliation (characteristic of the national and democratic April Revolution), the establishment of a national order and of a consolidated economic system aimed at the enhancement of the level of agricultural production.

The Government of the Republic of Afghanistan attaches special importance to the promotion of the workers' movement in the country, because this has an very important part to play in improving the living conditions of the workers and all the toilers of the State – in the mixed, co-operative and private sectors – and increases the contribution of the working class to the construction of the new society.

The Constitution of the Republic of Afghanistan and the labour laws of the Republic have made provision for the formation of trade unions and social organisations. Emphasis has often been laid on state assistance in the formation of these organisations in order to promote their role in all spheres of life – political, social, economic and cultural. For instance, besides the trade unions, other societies and social organisations can be mentioned such as the association of lawyers, the unions of writers, of journalists, and of artists, the transport union, the democratic organisation of youth, the country-wide council of women and the union of craftsmen.

The world community is aware that, on the basis of the valuable initiative of the Government of the Republic of Afghanistan and in accordance with the will of the Afghan people, a policy of national reconciliation aimed at the cessation of war, bloodshed and fratricide was declared in the country on 15 January 1987.

The principle of national reconciliation is the only alternative to war, and is the heartfelt desire of our people manifested in clear and unmistakable terms. The cessation of hostilities, non-recourse to armed struggle and bloodshed in solving present and future issues in Afghanistan, the assurance of just representation in political and economic affairs, no assignation of guilt for past political activities, a general amnesty, the preservation and strengthening of historical, national and cultural traditions, and respect for and the observance of the sacred religion of Islam are among the main objectives of national reconciliation.

The policy of national reconciliation, announced about one and-a-half years ago, is the manifestation of the new political thinking. The adoption of practical measures for its realisation has further promoted the status and credibility of the Government of the Republic of Afghanistan and the PDPA. It holds out dazzling spectacular prospects on a world scale. Only the policy of national reconciliation can prepare

the ground for the political settlement of the situation in Afghanistan, the cessation of war and fratricide, country-wide peace, the establishment of the coalition Government with the participation of all segments of the Afghan people, including opposition of a free, independent and non-aligned Afghanistan on a multi-party political and multistructured economic basis.

In Afghanistan today, all sectors of Afghan society and all nationalities have equal political, economic and social rights. All Afghans have equal opportunities to work for the benefit of their country and to participate in political life. The national reconciliation policy enables Afghanistan's problems to be settled by Afghans themselves.

The new Constitution of the Republic of Afghanistan is the most important national document, in which the legal principles of the economic, social and cultural policy of Afghan society and the values of national reconciliation have been enshrined. This was approved in the historical Loya Jirgah or General Assembly meeting held at Kabul in November 1987. The new Constitution not only introduced into the country an advanced stage of democracy, as a result of which all political and social forces in society have the possibility of participating in the political and legislative activities, and also share on an extensive basis in political power and in the coalition Government of the country. With each successive day, the peace progress takes concrete shape and yields new and positive results.

The formation of the National Assembly or Parliament through free and democratic elections is another manifestation of the peace process: 1,600,000 persons, comprising 75 per cent of all the country's citizens eligible to vote, took part in the elections. The social composition of elected deputies and senators reflects a national consensus at the highest organ of state power. This legislative body comprises 65.8 per cent intellectuals, 8.5 per cent workers, peasants and craftsmen, 2.7 per cent private entrepreneurs and traders, 10.4 per cent tribal personalities, and 4.7 per cent nomads.

The society's political pluralism indicates that, among the members of Parliament, there are 56 per cent non-Party members, 22.6 per cent representatives of the PDPA, and 3.1 per cent members of the Revolutionary Organisation of the Working People of Afghanistan and the Peasants' Justice Party of Afghanistan.

Following the approval of the Constitution of Afghanistan, and the election of the President of the Republic at the Loya Jirgah or the General Assembly, last year at Kabul, the formation of the National Assembly is of special political significance for the revolution and the consolidation of the principles of administration through the votes of the majority of the people of Afghanistan.

The policy of national reconciliation, in addition to encouraging the opposition to cease its hostility, has also responded to the hopes of tens of thousands of Afghans who have returned home from self-imposed exile.

The conclusion of the Geneva Conventions is the outcome of the policy of national reconciliation and of the efforts made by all the countries concerned and the world community, particularly the efforts of His Excellency Javier Pérez de Cuellar, Secretary-General of the United Nations, and his personal

representative, Mr. Diego Cordovez, for whose good offices in the political settlement of the situation of Afghanistan the people of Afghanistan are most grateful. The Accords have been qualified as an important turning-point in reducing and doing away with regional conflicts. They are also regarded as a specific expression of new thinking in world politics. The efforts of the Government of the Soviet Union, emanating from the new political thinking for the solution of international and regional conflicts, enjoy a special significance in world affairs. In pursuance of these Accords, the return of the Soviet military contingent to their peaceful country began on 15 May 1988. The application of the Geneva Accords makes it possible for our countrymen residing away from their homeland to return home voluntarily, and no one has the right to prevent them from returning.

The Government of the Republic of Afghanistan has adopted special measures to receive the returnees. The office handling the affairs of returning compatriots was established at the level of a ministry. At the present time, over 300 reception centres, equipped with all facilities, are ready to welcome the returning compatriots and provide them with all kinds of material and moral assistance. It should be pointed out that the measures taken by the State of the Republic of Afghanistan are not sufficient for the requirements of all the returnees. In view of this situation, the assistance of the United Nations Organisation and other international organisations and friendly countries in the world would be most welcome to tide the country over during the next few years.

The International Labour Organisation, with the means at its disposal, can provide multilateral assistance through its technical, management and training programmes, such as the assignment of experts and the provision of workers' education and training facilities for the large number of professional and skilled workers required for building a revitalised labour force.

Mr. NSIBANDZE (*Minister of Labour, Swaziland*) – It is for me a great honour and indeed a privilege to have this opportunity of addressing this august assembly, on my behalf and on behalf of the delegates from the Kingdom of Swaziland.

I bring with me, Mr. President, to you, to the Director-General and to the distinguished delegates of this 75th Session of the International Labour Conference, greetings and good wishes from my Head of State, His Majesty King Mswati III, and the people of the Kingdom of Swaziland.

May I at this juncture seize this opportunity to congratulate the President on his election to the seat of presidency. I have no doubt that under his wise leadership, guidance and judgement, this august assembly will be assured of constructive and fruitful deliberations.

It might interest you that only a few years ago the Kingdom of Swaziland had the rare honour to have one of the longest reigning monarchs, the late His Majesty King Sobhuza II. Swaziland, once again, is proud to be ruled by the youngest reigning monarch, King Mswati III.

Not long ago, His Majesty celebrated his twentieth birthday. The young King is devoted to the principles and the philosophies laid down by his late father and, to this extent, he is prepared to lead his people under

conditions of social, political and economic stability, while continuing to maintain and strengthen the cultural and traditional institutions that make the Swazi people a peaceful and homogeneous society.

To meet these objectives, the Swazi people stand united and fully supportive of the monarchy, thus giving our King the moral and material support that he needs to lead the nation.

Swaziland, like many other developing countries, has a mixed economy. Some of the major industries include, inter alia, the mining of such minerals as asbestos, coal and some diamonds.

On the other hand, the manufacturing industries have a mixed bag of agriculturally-based enterprises, such as sugar production, cotton production and ginning, processing of wood pulp, fruit canning, and a variety of others.

It is primarily from these mining and agricultural industries that Swaziland earns its foreign exchange. The country's rainfall is sometimes erratic; however, on occasions when we have adequate rainfall, we get good harvests of such crops as cotton, maize, sorghum, etc.

Increasing use is being made of the country's river systems, to develop irrigation to lessen the dependence on dry-land farming.

Swaziland has recently completed the implementation of the fourth national development plan. Our planners and economists are currently making detailed analyses of the failures and achievements, with the object in view of strengthening or restructuring those programmes and projects that deserve such attention, as well as placing into sharp focus the desired targets.

An important feature that has clearly emerged is the fact that the economic performance of the country has, during the last few years, fluctuated very sharply.

The average annual growth rate of our Gross Domestic Product (GDP), expressed in real terms, has been estimated at approximately 5 per cent. This compares favourably with other developing countries. However, like the rest of the world, Swaziland has had to grapple with the problem of rising inflation. The rate of increase in consumer prices also rose considerably in recent years, giving us an estimated annual average of 14.4 per cent.

The country's infrastructure continued to improve, albeit at a steady pace. One of the important developments which came as a relief to farmers and to farm produce retailers alike was the establishment of the country's central market, controlled and directed by a newly-established agricultural marketing board.

It is anticipated that similar marketing facilities will be provided in the rural development areas at strategic places to bring the marketing of produce as close to the producers as possible.

In order to obtain this objective, the extension services have been improved both in terms of numbers and of coverage to respond effectively to the needs of the rural communities.

Alongside the expansion of the extension services has been the creation of multipurpose co-operatives, serving as main agents for the supply of agricultural inputs, credit and marketing systems.

One of the important resources that any country can boast of is its manpower resources. In order fully to utilise our manpower to achieve increased levels of social and economic development, we need to

have a healthy population. We also need to address ourselves to the challenges posed by a seemingly high population growth rate, estimated in the region of 3.2 per cent per annum; and an infant mortality rate which is around 15.6 per cent per annum.

Not only do we have to produce adequate and balanced food supplies, we need to strengthen our preventive and curative health programmes to respond to the WHO call of health for all by the year 2000.

The country has continued to strengthen its education and training plans and programmes, principally to achieve universal primary education, to provide primary school children with further education and training concomitant with the abilities and the needs of the individual, taking into account the overall manpower needs of the country.

To achieve these noble objectives, plans are underway to co-ordinate and to harmonise the operations of all the institutions engaged in the field of education and training.

Swaziland has recently conducted a population census. During the past ten years, the Swazi population has been in the vicinity of about half a million people. Although the final analysis of the recent census has not been completed, the indications are that, given the annual growth rate, there has been a rapid increase in the numbers of our people. It is also estimated that about 15 per cent of the entire population are absorbed in the formal employment sector, and the remainder are dependent on subsistence and on semi-commercial farming in the rural sector.

Permit me at this point in my address to mention that Swaziland enjoys a comparatively good industrial relations system, based on the attainment of social justice. Our labour laws provide adequate and comprehensive machinery and procedures for redress in the event of a grievance or dispute.

An aggrieved person or group of persons has a right to be heard at the lowest forum and, if satisfaction or mutual agreement is not achieved, the grievance is brought before the industrial court. This court is the final level in the system. However, if the court's findings are not satisfactory on a point of law, the aggrieved person has the right to be heard in the high court.

Our labour laws, which were structured to be mutually supportive, reflect a number of the ILO Conventions and Recommendations. Another feature of our industrial relations system is the provision of a two-tier system: that is, where an industry union (unions are industry-structured) has not obtained recognition from the employer, a works council undertakes the responsibility of negotiation and collective bargaining.

At present, the industry unions are in the process of organising themselves and already there are those that have been granted formal recognition by their employers or by the association of employers. The attainment of a formal recognition by the employer is considered as a major breakthrough by the unions, and enhancing industrial relations.

Although there is some imbalance in terms of strength and understanding in the industrial relations machinery between the employers and the unions, the Government refrains from imposing collective bargaining as a compulsory measure. This is, of course, in keeping with this Organisation's spirit of good will that, as much as possible, the Government

should adopt a low profile to allow employers and their employees to reach voluntary agreements. Strikes and lock-outs are not a common feature but where and when they occur they are often resolved amicably.

The problem of retrenchment and redundancies occasionally occurs where there is either a partial or a full closure of business. Like other countries, we suffer from the effects of unemployment and therefore every means possible is made to protect existing job opportunities. Similarly, every effort is made to diversify and provide skills to promote self-employment and self-reliance. We also operate a system of wages councils to determine minimum wages and other conditions of service. Government encourages and promotes the tripartite structure so that it works towards the attainment of harmonious industrial relations and the enhancement of human rights.

In conclusion, permit me to extend on my behalf and on behalf of my delegation special tribute to the Director-General and to congratulate him for the substance and the clarity of his Report. It is indeed a comprehensive and masterly document and under your wise guidance I am confident that this august assembly will continue to have fruitful deliberations so that member countries can all aspire towards the maintenance of peace and social justice for the total benefit of the international community.

(Mr. Adiko Niamkey takes the Chair.)

Mr. MIRZA (*Government delegate, Pakistan*) – In the name of God, the Merciful, the Compassionate! I feel greatly honoured to have an opportunity to address the august international gathering of the leaders belonging to the world of work.

First of all, I would like to congratulate Mr. Beyruther on behalf of my government and my delegation on his unanimous election as the President of the Conference. I am confident that under his able leadership the deliberations of the Conference will be successful and I assure him of my own and my delegation's full support in the discharge of the business of this Conference.

I take this opportunity to felicitate the worthy delegations of member States of the ILO and express the hope that devotion to the cause of labour, show of respect for others' point of view and firm belief in the common good will help all of us in contributing towards a successful conclusion of the Conference.

Remaining true to its reputation, the annual report of the Director-General has objectively analysed an important subject, that is the question of human rights.

The Director-General deserves our tributes since he has done a great service to all of us present here by arranging a timely discussion of an issue of great importance. His analysis of the current global state of human rights successfully brings home the message that observance of the basic rights of man is the key to world peace, on which hinges the progress and prosperity of all mankind.

It is heartening to note that ILO has successfully led the international struggle for acquisition and observance of human rights. Its standard-setting activities, its crusade against apartheid, its constant global vigil against violation of basic rights of the working classes and its efforts towards establishing a better world of work, bespeak the valuable role which the

ILO is and has been playing for the fulfilment of its noble objectives. It is, therefore, necessary that this sacred task must continue with complete devotion, vigour, dedication and broadest possible understanding which is essential for the success of initiatives that have been taken or are proposed to be taken in this direction in future. In this regard the concluding remarks of the Director-General are a source of great encouragement and satisfaction.

An important aspect of the ILO's activities is the promotion of respect for human rights in the Organisation's field of competence. We recognise the ILO's valuable role in promoting freedom of association, freedom of labour, equality of opportunity and treatment, right to work and right to adequate conditions of work which are the fields in which the ILO has decades of experience and has done work of excellence in setting international standards for observance of these rights.

I fully share the Director-General's views that progress towards realisation of human rights requires changes in social relationships and conciliation of conflicting interests. These changes call for continuous dialogue and political acumen to resolve them. I am sure that the ILO, by way of its tripartite structure, provides the best forum for the discussion of socio-economic issues which have been held in this house and have gone a long way in enlightening the governments, the employers and the workers as well as stirring the world conscience on important issues. As such, I express my full agreement with the urgent need of dialogue among the productive forces of the society in resolving a major issue such as the one under discussion now.

A number of harsh realities of the present-day world remind us that we are still far from achieving those cherished goals of freedom, justice and peace which require the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family. The Director-General's report quite candidly overviews the practices prevailing all over the globe, which gravely violate the basic human rights.

Human rights cannot be viewed in isolation, the prevailing socio-economic inequities at the national, regional and international levels ought to be taken fully into account. It is especially important to redress these inequities at the international level. The ILO should actively contribute towards the realisation of the right to development, which is an inalienable right of all people.

The Director-General's Report notes that, among Third World countries, unemployment is estimated to be about 70 million; 500 million are underemployed while some 900 million are living in extreme poverty. The lesson drawn from the Report is, however, clear: until and unless these millions of people are provided remunerative and productive jobs, the enjoyment of basic human rights will remain a far cry. The provision of jobs on a mass scale requires efficient management of the economies as well as a major effort in human resource development. Mere emphasis on economic growth in the national economic policies can lead to greater inequality of income and unbalanced growth. It is high time that national economic policies emphasise human resource development and social protection with a view to ensuring a balanced and equitable growth of the economy. This is the crying need of the hour and the ILO,

which is a tripartite organisation, should play its due role in this regard through a coordinated effort so that the Governments, the employers and the workers all contribute towards this objective. The ILO should design intensive and extensive programmes aimed at human resources development in the developing countries.

Although the importance of human rights to the realisation of the ILO's objectives is well recognised, the ILO should not deviate because of the paucity of its resources from its original path of the protection of the rights of workers and alleviation of poverty. Of late the ILO has most commendably added employment promotion as a major objective of its activities. Let the ILO concentrate on this area and intensify its efforts to ensure protection of the rights of workers and promotion of employment. The promotion of employment would encompass programmes for human resources development, control of population growth, mitigation of the labour displacement effect of technological changes and improvement of social and economic infrastructure. While primary responsibility lies squarely with the developing countries themselves, it is also the collective responsibility of the most affluent among them to come forward and make sincere efforts to help the developing nations in their endeavour to modernise their economies and provide a decent standard of living for their people. The Director-General's Report has repeatedly emphasised this approach and, therefore, deserves the commendation of the developing States because it points towards a one-world approach. It is a matter of great consolation for us, the representatives of the developing nations of the world when the Director-General emphasises the need for greater international co-operation and I quote: "It involves both a far-sighted self-interest in bolstering the chances for a more stable community of nations enjoying reasonable prospects of sustainable well-being, and an element of generosity towards the weak and vulnerable."

The development efforts being made by the developing countries desperately need international support so that there may occur concrete and long-lasting improvement in the life standards of their masses. We are doubly indebted to the ILO for advocating the developing countries' just stand on a new world economic order as well as for its tireless efforts through its technical co-operation programme, aimed at helping its Third World members to pursue the task of economic development while strictly observing the international standards on human rights.

We in Pakistan are striving hard to build a society where basic social and economic rights of every individual are fully guaranteed so that everyone may contribute to the nation's prosperity. We are at the threshold of launching the Seventh Five-Year Plan and I am happy to inform this House that the Pakistan Government is taking significant measures to combat unemployment, which is one of the serious problems of the country. Some broad measures to be taken in this regard consist of: opening new areas for industrialisation; setting up of private investment banks; liberal credit schemes to expand small-scale industries; promotion of self-employment; setting up of 92 vocational and technical training institutions; opening new avenues for rural employment; and

establishment of a special fund for development of human resources.

Pakistan has ratified more or less all the ILO Conventions which guarantee human rights like freedom of association, abolition of forced labour and non-discrimination in employment. The laws of the country guarantee minimum wages for the unskilled and various categories of skilled workers. Besides labour welfare measures like free medical treatment, old-age and invalidity pensions, maternity benefits, free education for workers' children up to any level, even postgraduation abroad, and extensive housing programmes are some of the statutory measures in force for providing better living conditions to the workers and their dependents. We acknowledge the contribution of the ILO in the form of technical assistance towards the formulation and achievement of the above-mentioned welfare programmes.

The most disturbing and heinous crime being committed against all mankind is the policy of apartheid being pursued by the racist regime of South Africa. Pakistan strongly condemns the Pretoria regime for its racist policies and practices. There is no doubt that the ILO has spared no efforts to put pressure on South Africa to change its policies of racial discrimination, yet we feel that complete success in this regard can only be achieved when all member States present here decide to act in unison and force the racist regime to abandon its policy of apartheid.

Another grave violation of human rights is being witnessed in the occupied Arab territories. Israel's list of atrocities against Palestinian people which continue to grow every day has left mankind in shock and dismay. It is the foremost duty of the world community to use all conceivable means to force Israel to end its illegal occupation of Arab territories and stop committing barbaric acts against the innocent people of Palestine. I urge upon the ILO to intensify its activities of monitoring the working conditions in occupied Arab territories so that the atrocities being perpetrated against the workers and all other inhabitants of the occupied territories are brought to an end.

The situation in Afghanistan has been a source of great concern to the international community. The recent conclusion of the Geneva Accords marks the first step towards the realisation of a comprehensive political solution to the Afghan problem. The complete withdrawal of the foreign troops would enable the Afghan people to exercise their right to self-determination. It is also our ardent hope that conditions of peace and normalcy will soon be restored in Afghanistan so as to enable the Afghan refugees, of whom over 3 million are in Pakistan, voluntarily to return to their homeland in safety and honour.

Before concluding my speech, I again wish all success to the deliberations of the Conference.

Interpretation from German: Mr. MARX (*Employers' delegate, German Democratic Republic*) – On behalf of the heads of socialist undertakings of the German Democratic Republic, I should like to congratulate you warmly on your election to the high office of President of this year's International Labour Conference. The course of the Conference so far has confirmed that you have led our discussions with great competence and tact. I wish you further success in your efforts to bring the Conference to a successful conclusion.

The Report of the Director-General clearly demonstrates that the ILO, in its almost 70 years of activity, has made significant contributions to the furthering of human rights. It contains interesting points for discussion on the way of the Organisation might continue in this work. It shows, furthermore, what challenges face the governments, the trade unions and of course also the heads of undertakings in the future.

In order to ensure that workers' basic rights are applied, it is vital that they should be enshrined in the Constitution, in legislation and other legal provisions. These legal guarantees express the recognition of a State of its duties in connection with human rights and raise them up as maxims of state policy. It is equally significant that fundamental rights which are anchored in law should find a practical application in every day life. In our experience the heads of undertakings have a very responsible duty to fulfil in this respect.

In the German Democratic Republic these heads of undertakings are not only responsible for raising productivity and increasing efficiency but, as managers of collective undertakings, they also have to create conditions whereby workers enjoy the application of their fundamental rights every day at the workplace. It is precisely this latter aspect which should have been given greater attention in the Report of the Director-General. The same applies to statements made by employers' representatives from the capitalist countries during the discussion.

In this context, I should like to explain in greater detail what is demanded of heads of socialist undertakings. In the German Democratic Republic, it is declared policy to safeguard at all times the right to work and to ensure full employment. This, however, does not happen a matter of course. The rapid development of science and technology in the German Democratic Republic has resulted in the annual dismissal of 250,000 workers from their jobs; what is more, approximately 3 per cent of our workers have been released due to rationalisation measures. It is the duty of a state-owned undertaking in my country to see that these workers find new jobs. Now, what are the consequences of this policy for a manager? He must take measures to inform the workers of any planned changes in time. This requires personal discussions. As a rule, when an undertaking takes a rationalisation measure, two or three workers have to acquire new skills and be prepared for new and different jobs. This implies obtaining their consent. Of course, other questions have to be taken into account and clarified, questions which sometimes have repercussions on family life.

These problems can only be solved if the workers concerned are involved in the process from the very beginning and if they work in close co-operation with the heads of the undertaking at every stage.

In the German Democratic Republic, in the years from 1981 to 1987, 540,000 workers changed their job in this way. In the case of more than 90 per cent of these workers, new jobs were found for them in their former undertaking; but even when they have to change undertaking, the head of their former undertaking is not freed from his responsibility of making sure that they continue to enjoy the right to work. His duty is, in co-operation with the labour exchanges and the competent state bodies, to offer the worker an appropriate new job which corresponds to

his skills. In this connection, I would like to stress that this whole process of releasing workers and finding them new jobs makes great demands upon the planning of labour and vocational training.

Thanks to this process that I have just described, the workers of the German Democratic Republic know that scientific and technical progress is not directed against them but that all problems that arise will be solved in co-operation with them and to serve their interests.

At this stage, the question might be asked whether this is compatible with higher labour productivity requirements; to prepare for this eventuality, I would like to point out the following facts. During the past few years, the gross national product in the German Democratic Republic has increased by approximately 4 per cent per year, and this has been achieved exclusively through higher productivity. Our economic planning for the future is also geared to speeding up the pace of technological and scientific development, thereby increasing the possibility of greater improvements in living standards.

What I have just said about the right to work also applies to other fundamental rights of the workers, for instance, in the field of occupational safety. Here also, the head of an undertaking is responsible for ensuring, together with the workers, that the occupational safety and health standards established by law are respected. I fully agree with the Director-General when he says in his Report that there is no room for flexibility in standards which ensure safety and health at the workplace. It is also true that, in applying these standards, there can be no exceptions.

The accident figures in the German Democratic Republic show that, on the whole, our record is good. Since 1970, occupational accidents have been reduced by 42 per cent. While in 1970 there were 41 occupational accidents for every 1,000 workers, there were only 23.7 such accidents in 1987. The number of mortal occupational accidents during the same period of time was reduced by over half.

So far as my undertaking is concerned, where I am director of production, there were only had 12 occupational accidents for every 1,000 workers in 1987. This result, which is below the national average, shows the necessity of overcoming the disparity in accident levels. However, this alone is not enough because, in the final analysis, every accident is one accident too many.

Scientific and technical progress also creates new obligations for us in this field. New machines and equipment, new technologies and processes do not automatically create greater safety but sometimes even new hazards. We deal with this problem mainly by making occupational safety and health an integral part of research, development and construction. We are therefore trying to apply in advance to the principle of hazard-free technology.

However, damages, breakdowns and occupational accidents in my country have shown that great attention must be paid to the behaviour of the workers for their own protection. The manager must make full use of the subjective factor. This begins with his own attitude towards protection; he must set a good example, and transmit the proper instructions to every worker and, last but not least, ensure that these instructions and the regulations of the undertaking are applied.

In my contribution to this discussion I have stressed mainly the duties and responsibilities of the head of an undertaking in applying the fundamental rights of workers because I wanted to make it clear that there is ample opportunity for exchanges of experiences and co-operation with the ILO.

The new requirements brought about by the scientific and technical revolution also raise the question of whether the time has not come to draw up a Convention concerning the social and economic repercussions of scientific and technical progress and their mastery in the interests of the workers. Co-operation, however, requires participation on an absolutely equal footing by all and, in this connection, there are still a number of obstacles to be overcome – as is well known. In this context, I welcome the decision of the Appeals Board to grant the Employer delegate appointed by the Government of Nicaragua the right to participate with full voting rights in the Conference Committees.

Furthermore, I cannot avoid referring to the statement made by one of the previous speakers, who tried to disrupt the atmosphere yesterday with outdated words and to undermine our efforts at constructive co-operation. This merely proves that the realities, needs and developments of our times have not been understood. It would be desirable for the further proceedings of the Conference if we could concentrate on the items on our agenda.

In conclusion, allow me to state that the needs of socialist undertakings of the German Democratic Republic are ready at all times to participate actively in an exchange of experience and the elaboration of new instruments.

Interpretation from Italian: Mr. VANNI (Workers' delegate, Italy) – The most concrete way to celebrate the 40th Anniversary of the Universal Declaration of Human Rights adopted by the United Nations is as the Director-General decided, to take stock from the standpoint of social, economic and civil rights and the enjoyment of freedom, of the progress we have made and have yet to make in order to arrive at a suitable balance between principles and reality.

Undoubtedly the action of the ILO is one of the most appropriate instruments of the United Nations, but also of each country, to evaluate the results achieved. This action allows us to persevere in our continuing struggle against the always present attempts to subject human rights to political options and economic needs – human rights such as dignity, political and trade union freedom and freedom from want.

Positive results have certainly been attained, but they are continuously placed in jeopardy during crises and despite the obvious interdependence between economies and development, we are now faced with a serious underestimation of the need for ever-increasing international co-operation. Even within the ILO, as the Director-General tells us in his Report, the movement towards multilateral co-operation seems to weaken.

It is often a self-sufficient concept of economic and social policies which carries the day, particularly in industrialised countries. Such an attitude tends to block the standard-setting activity of the ILO and lend insufficient support to attempts to create bases for better employment policies or more expansive civil and trade union freedoms throughout the world.

This 75th Session of the International Labour Conference has on its agenda topics which are closely connected with the defence of human rights as we conceive of them in concrete terms. The promotion of employment and social security, safety in construction and the promotion of rural employment are a tangible aspect of defending human rights at the economic and social level.

The revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), as well as the updating of the ILO Declaration concerning the Policy of Apartheid in South Africa, are further steps to defend dignity and freedom by condemning all types of discrimination.

At the technical and political level, our aim is not to make of our decisions separate instruments which we use to deal with individual problems. Rather our decisions should become parts of a mosaic – our contribution to the ultimate, definitive recognition of human rights, whatever the colour of a man's skin and the nation in which he lives.

The tragedy in South Africa, the struggle of the workers in that country and the insane discrimination which still prevails, must mobilise all of us, whatever our own interests, to overthrow a regime which is a disgrace for all of humanity and which might well receive racial wars, which today, and not only in South Africa, threaten peaceful coexistence among people. These wars are a waste of resources which could be used much better to promote a balanced growth in the economy and the attainment of a great objective – freedom from want.

Freedom from want is not an abstract concept of the future of humanity. It is the only way to confront the problems of today. We cannot invoke the weapon of solidarity if we do not have a clear-cut idea of what its ultimate objectives are. Solidarity should not be an occasional instrument: it should be a moral value which unites mankind.

Interpretation from Russian: Mr. LIPATOV (Government delegate, Ukrainian SSR) – Mr. President, first of all, I should like to join previous speakers in congratulating you and the other Officers on your election to the high offices of this Session of the Conference and express my conviction that under your guidance we shall be able to achieve some substantial, practical results in the interests of broad international co-operation in the social and labour spheres.

The 75th Session of the International Labour Conference is taking place in an important and responsible period, one that is witnessing the development and extension of political dialogue and in which we are jointly looking for solutions to the most pressing problems of the contemporary world and we are laying the foundations for new inter-State relations for the future.

In these circumstances, our country, guided by the principles of new political thinking, is perseveringly and systematically suggesting ways of setting up a comprehensive system of international peace and security, promoting a climate of confidence and good-neighbourly co-operation among all countries, irrespective of their economic system and social structure.

Our approach is based on an objective evaluation of the current situation and a desire to achieve an

equitable balance between the interests of all countries.

Real progress has been made today in the field of nuclear disarmament, which seemed unattainable not so long ago. The actual beginning of this process was the ratification of the treaty on the elimination of medium- and shorter-range missiles.

It seems to me that against this political backcloth, when a need for change is being strongly felt in the world, favourable prerequisites are being created to give a fresh impulse to the development of international co-operation. This includes those spheres which fall directly within the competence of such an authoritative organisation as the International Labour Organisation.

Realising that, although the world today is one of contradictions but in many respects an interdependent and integrated entity, we must recognise that it is only through joint efforts that together the international community of nations will be able to surmount the negative trends emerging in the world economy, characterised by an exacerbation of socio-economic problems, a high level of unemployment, poverty, imbalance in trading, monetary and financial systems, the debt crisis and many other negative phenomena which are felt particularly deeply in the developing countries.

Enormous problems face the ILO in this respect. As previous speakers at this rostrum have pointed out, a good basis for a constructive exchange of opinions and defining guidelines for the future activities of the Organisation is given us by the Report of the Director-General – *Human rights – A common responsibility*.

We agree with the idea expressed in the Report on the indivisibility and interdependence of human rights in all their aspects and the inseparability of civil and political and socio-economic rights. We also share the idea of the inter-relationship that exists between respect for human rights and support for peace and stability and of the fact that in the realisation of human rights, a vitally important role is to be played by international co-operation and solidarity. We understand the note of alarm sounded in the Report in respect of the negative impact of the world economic crisis on the situation in the area of human rights and concern at the trend towards a decrease in the number of new ratifications of ILO Conventions in this important area.

Our interpretation of human rights and freedoms is thus, in many respects, in consonance with what is stated in the Report prepared for this session of the Conference. Nevertheless, we have the impression that in the interrelation between socio-economic and civil and political rights, a certain priority is given to the latter.

In our view, the ILO should concentrate its attention on questions of international co-operation in the area of socio-economic rights of the workers, because without real guarantees for those rights, declarations regarding civil and political rights acquire a purely formal character.

The International Labour Organisation must act as a generator of multilateral co-operation in the social and labour sphere so as to broaden and strengthen, first and foremost, the socio-economic rights of workers of all countries.

In connection with this theme, we think it appropriate to outline in a few words the essential features

Workers in general, and the Italian workers included, do not underestimate the problems we have to confront and their implications on the economic, social and political level, nationally as well as internationally.

Italian trade unions are profoundly convinced that solidarity has a specific cost, and each worker knows it well. The risk we are running is nevertheless very high. Without solidarity, it will be difficult to overcome the recession and the general drop in the level of respect for human rights.

There are 20 million unemployed in Europe; 30 million in the OECD countries and 70 million in the Third World, not to mention the indigent classes in the underdeveloped countries.

This situation increasingly alienates young people and women; casual forms of work appear with great impact owing to the new models of production which have become more common in the last decade.

We are often told to defend the status quo, to forget that it implies various models which provoke competition in the economic field, even among developed industrialised countries.

The standard-setting activity of the ILO must therefore continue to update obsolete Conventions to confront the problems arising from new production technologies, to protect the health of workers who are suffering from the deterioration of their environment and workplace to struggle against discrimination, to achieve equality of opportunity and remuneration, and finally, to strengthen social security, which has reached a critical juncture as a result of the natural ageing of the population and because of falling levels of employment. These are factors which highlight the need to find new forms of financing and solidarity.

New standards, however, confirm the need for supervision and must overcome the always-present obstacle of a slower rate of ratification. We are convinced that one of the most important tools for the ILO in this field is increased technical co-operation, on the one hand, and the correct functioning of tripartism on the other.

The tripartite nature of the ILO should encourage us, and trade unions in Italy are very aware of this fact, to overcome the notion that there is no room to regulate the new forms of employment and the flexibility our systems of production require.

We must indicate very clearly that this regulation should be subject to negotiation between the parties, and to clear-cut legislation at the national and international level.

Nowadays there are attempts to introduce illicit competition in the field of employment and labour costs; this jeopardises workers' efforts to deal with the new productive requirements of the post-industrial societies and the rules of the free market.

The need to increase productivity, even as an instrument renewed of development, would not derive lasting benefits, if that concept were to prevail.

The productivity of the system in each country or economic community is a fundamental premise if we are to finance a development policy which will overcome the present crisis and give a meaning to the objective of full employment, which is so cherished by the ILO.

We particularly appreciate the results of the High-Level Meeting on Employment and Structural Adjustment as well as the results of the Fourth Euro-

pean Conference which was designed to find points in common to manage technological progress and the compatibility between resources for development and those for social security.

At a time when governments, including that of Italy, show little inclination towards a more democratic economy in which workers participate in macro-economic decision-making, or towards a harmonisation of trends in development with appropriate policies, trade unions in Italy, diverse as they are, remain convinced that without a joint effort of governments, workers and employers, overcoming this crisis, which marginalises a considerable part of the population in each part of the world, will be increasingly difficult. This marginalisation finds expression in the present level of unemployment; it is caused by the pretext of providing a greater profitability to business, when in fact it is detrimental to human rights and particularly those of workers.

Full employment, the highest possible level of employment now – that is the essential objective towards which we should strive, with a profound conviction that it will alleviate social conflict and even bring about peace in the world.

The subsiding inflation in industrialised countries, even if foreign indebtedness in many developing countries remains an extremely serious problem, will enable us to eliminate recessionary policies which, as workers we have always struggled against, and to redirect resources towards collective consumption and investment. Such a result in the Italian experience was largely brought about by the willingness of workers to maintain wages at 1970s levels and to raise productivity. The same process, which has been deployed in many industrialised countries, has given even better results elsewhere.

Proper utilisation of resources thus made available, restoring to companies earlier levels of self-financing, present attempts to overcome considerable budget deficits which are very considerable in terms of the current account, better fiscal policies – these are factors which make it possible to take off and launch new forms of development and new opportunities for employment by extending the productive basis and adopting concerted policies at the national and international level.

The interdependence of economies increasingly requires the need for an international division of labour and co-operation for more global technological progress.

The transformation of the model of development and the outsourcing of certain processes have created new jobs which mobilise the ILO, not only as a watchdog, but also as regards vocational training.

Persevering in the experience of the high-level meeting, the ILO should seek greater harmonisation within the United Nations, mobilising the collaboration of financial institutions and those engaged in international trade. The ILO should further intensify its study and research activities to enable all countries to tackle the great problems which they face in a more harmonious fashion.

These problems include social security and its financing, technological progress and its relation to employment. A wide variety of solutions might contribute to additional imbalances at the social level and as regards international competition; this would further widen the gap between the wealthy and the poor and relegate the needy to eternal poverty.

of the processes now taking place in our country and which we are convinced are directly related to the question of human rights.

In conditions of the restructuring and further democratisation of all aspects of social life now going on in our country, the full and comprehensive guarantee of the rights and freedoms of the individual is becoming the most important feature of the level of development of the society and an indicator of the degree of social protection afforded to its citizens. It is precisely from this viewpoint that we consider today the standard-setting instruments that have been adopted in our country over the past two years and which reflect clearly enough our desire to increase the social activity of our citizens and to broaden the possibilities for the realisation and protection, by themselves, of their rights and freedoms, and also better regulation of the inter-relationships between the individual and society. Thus, the law on state enterprises (associations) which came into force on 1 January this year, consolidated the right of workers' collectives to elect their own managers right up to the general director of the enterprise and opened up for them broad possibilities for solving production and day-to-day social problems.

In connection with restructuring the management of the economy, a serious reform of labour legislation is taking place, and the basic innovation in this sphere is the removal of the legal obstacles which had previously fettered the initiative of enterprises, and deprived them, for example, of the opportunity to increase payment for highly productive labour and to introduce additional social benefits for all members of the collective or particular categories of workers and salaried employees.

Since May 1987 a law has been in force on individual labour activities. This law opens up new social opportunities for millions of Soviet citizens who are thus enabled to participate more actively, on a new basis in the economy of the country.

In March of this year, the 4th All-Union Congress of Collective Farm Workers adopted a new model Charter of Collective Farms which reflects the new conditions and methods of management, democracy and openness. Particular emphasis is placed on improving self-management and strengthening and developing the social rights and obligations of collective farm members. The Charter makes provision for the right of voluntary membership of the collective farm and clearly defines procedures for leaving the collective farm.

A few weeks ago we adopted also a law on co-operation in the USSR which defines, in accordance with the current stage of socialist construction in our country, the economic, organisational and legal conditions for the work of co-operatives. This document contains guarantees for the free choice of economic activities by co-operatives and makes provision for a broad measure of initiative and self-management.

An important element in the realisation of a basic right of the Soviet citizen – the right to work – was the adoption in December 1987 of a Decree on the provision of effective employment for the population, improvement of the placement system and increased social guarantees for workers.

In a short statement it is impossible to enumerate and comment on all the standard-setting instruments adopted recently relating to the social and labour spheres and making provision for our citizens' rights

and freedoms. The important point is that, as part of the overall process of restructuring and acceleration of the socio-economic development of our society, the improvement of legislation has a positive influence on all aspects of social life.

We are already experiencing progress as a result of the process of restructuring. A radical economic reform is under way and the pace of economic development has increased noticeably. A change for the better is also occurring in dealing with top-priority social problems.

In the economy of the Ukraine the influence of intensification has grown and most of the plan targets for the first two years of the Five-Year Plan have been fulfilled and even been exceeded for a number of indicators.

In the Republic we are pursuing the consistent implementation of our social programme. We have been able to raise salaries of workers and salaried employees, wages for collective farm members and payments and benefits from social consumption funds earlier than was originally expected. We have exceeded targets in the provision of new housing, secondary schools, pre-school facilities, hospitals, out-patient stations and polyclinics.

Of course, we also have shortcomings and difficulties, but we face the future with optimism.

In accordance with international standards and conscious of the financial difficulties now being experienced by the International Labour Organisation, the Ukrainian SSR, the Soviet Union and the Byelorussian SSR have, as you know, fully paid up their contributions for 1988. Our countries believe that it is important to observe the financial rules contained in the Constitution of the International Labour Organisation. At the same time, we are concerned by the continuing annual growth of the ILO budget, which represents a serious burden for the member States.

The agenda of the Conference includes important problems whose solution would promote social guarantees for various categories of workers in many countries of the world. While viewing positively the standard-setting activities of the Organisation and considering that the process of ratification of ILO standards should be broadened, the delegation of the Ukrainian SSR wishes to express the hope that this session will come up with mutually acceptable and agreed solutions regarding new Conventions for the promotion of employment and social security as well as in respect of safety and health of workers in construction.

Allow me in conclusion to express the hope that this session of the General Conference will constitute a new phase in the activities of the ILO and will be marked by fresh approaches and a demonstration of good will so that it will be possible to achieve tangible results in continuing and enhanced dialogue and co-operation, which is the very purpose of our Organisation.

Mr. GOBLE (*representative of the World Confederation of Organisations of the Teaching Profession*) – Permit me, first of all, to extend the congratulations of my organisation to the President and other Officers of the Conference on their election and to wish them well in the exercise of their important responsibilities.

As on several past occasions, I feel it appropriate to begin by complimenting the Director-General on

the excellence of his Report, the timeliness of his choice of theme, and the extreme pertinence of his observations.

The WCOTP welcomes the emphasis placed by the Director-General on the fundamental importance of human rights as the basis of all that the ILO strives to achieve. We share his concern for the deepening crisis caused, as he points out, by the gap between the principles laid down 40 years ago and the situation actually prevailing. As an organisation of workers in education we are increasingly conscious of that gap. Teacher leaders in prison or in punishment camps, in exile or under threat of assassination, and the families of those who have died for their belief in freedom of association, can testify to the consequences of being on the wrong side of the gap. Teachers frustrated by the manipulation of legislation to block their bargaining rights, teachers reduced to starvation wages and working among the families made destitute by the intensified drive for profit that is a feature of this decade, are well aware of the double standards which the Director-General deplores in his preface. Their story is clearly told in the current report of the Committee on Freedom of Association, and in the dossiers that are still under study by that body.

For workers in education, this 40th anniversary of the Universal Declaration of Human Right to Organise Convention (No. 87) is not an occasion for congratulatory celebration, but a time to highlight the contrast between noble words and cynical acts, a time to demand honourable compliance with engagements freely entered into.

It is a time to observe that disregard and contempt for human rights continue to result in barbarous acts that outrage conscience; a time to challenge the member countries of this Organisation to measure their conduct against the standards of the Declaration of Philadelphia to which they profess adherence.

What we seek is simply stated.

We seek the release from imprisonment and detention of those whose only offence was that they sought to exercise the rights guaranteed by Convention No. 87.

We seek the freedom and the restoration to employment of those whose offence, as union leaders, was to criticise the priorities and policies of governments.

We seek an end to interference by governments in the administration and governance of trade unions, and to the attempts of governments to bring trade unions under political control or integrate them into party structures.

We seek an end to the recourse of governments to legislation, regulations or emergency decrees to deprive trade unions of the right to negotiate or the power to protest.

There are differences in the degree of outrage that our members suffer.

In South Africa the practice of apartheid continues to deny the concepts of human dignity and tolerance on which the claim to civilisation is founded. We associate ourselves fully with the policies and aims of the ILO. In our own domain we are advancing strongly towards the unity of purpose and action within that country that is essential for the creation of a free, non-racial society, but we insist that strategies for action must recognise the present fact that the cruelty and injustice of the system bear most

heavily on the Black majority, and that the community must be the first and principal partner in our efforts.

In other countries repression may be less dramatically obvious, but it is the same basic rights that are at stake. We commend and share the concern of the ILO for those who have been marginalised by unbalanced development and unscrupulous competition.

We protest against policies of wage attrition, erosion of public services and reduction of employment which, in the name of productivity and the service of profit, continue to increase the numbers of the poor and homeless, and to impair the health and hamper the education of millions on every continent. We decry policies which make of labour not only a commodity, but a cost factor to be attacked. We strongly support the claims of aboriginal peoples not only to the educational and cultural rights that are the professional concern of our members, but to the protection of their health, their environment and their economic status against the rapacity of commercial interests.

In all this we look to the strong, the influential, the prosperous countries to take up again the leadership responsibilities that brought forth the fine Declarations of 40 years ago, and to use their influence to insist that these principles are indeed universal, transcending all pretexts of national sovereignty and cultural difference.

It is with profound dismay that we see some of these countries taking their place instead among the offenders, denying their own honourable achievements, meeting protests with contempt and indifference, and pursuing the deliberate purpose of weakening and undermining the defences of the trade unions. In that context, the recent findings of the Committee of Experts on the Application of Conventions and Recommendations, and of the Committee on Freedom of Association, with regard to the WCOTP complaint against the United Kingdom, are of the highest importance. We cannot overstate the importance of safeguarding the integrity of Conventions Nos. 87 and 98, which are more and more called in question.

In the name of the national teachers' unions of 110 countries, we join the Director-General in asking that this 40th anniversary be the occasion for the awakening of conscience and renewed dedication to the vision of the past and the objectives of the ILO. We pledge our support to that endeavour.

Mr. BAKER (*Workers' delegate, United States*) – I would like to address some of my remarks to the President of the Conference so that people do not get confused – they are not directed at brother Adiko, our colleague on the Workers' side, Vice-President of the Conference.

The 40th anniversary of the United Nations Universal Declaration of Human Rights and the ILO Freedom of Association and Protection of the Right to Organise Convention (No. 87) is an occasion to reaffirm our commitment to the fundamental principles of human and trade union rights which they embody.

Words are important; but any set of words and statements in support of them must be judged in the context of actions, practices and institutions. In any society, the system of liberties is the system of re-

straints. Laws, procedures and institutions must exist which are strong and effective enough to restrain those forces which wield political, economic or military power.

This Organisation must function in the real world and not in some fantasy land. We must not allow ourselves to be seduced by mere words, even if these words are contained in a widely distributed newspaper interview. Prior to the Conference, there were discussions among apparently serious people about whether an interview cancelled out a memorandum, as if the two were chemicals which, in combination, form a neutral solution.

The memorandum had one important virtue; it was in harmony with the practices in those countries which supported it. There is a certain logic in denouncing tripartism in an international body if it does not exist at home and in attacking supervisory machinery that allows the ILO to examine implementation, which can cause discomfort to the ruling classes. Unfortunately, the credibility of the interview is undermined by practices which include maintenance of company unions, of legal systems without justice, and of political and economic structures that concentrate power in the hands of tiny elites and defend that power with all the tools and methods available in police States.

We have learned that the former Workers' delegate from one of the President's neighbouring countries and the leader of an important and free trade union has, once again, been denied the right to travel outside his homeland. This not only means that we at this Conference are denied the opportunity to hear views from that country which have not been blessed by the authorities, but it constitutes a violation of trade union rights as clearly established recently by the Committee on Freedom of Association. The United Nations Declaration of Human Rights also proclaims that "Everyone has the right to leave any country, including his own, and to return to his country". In fairness, and in recognition of consistency, it should be pointed out that the group of countries in question abstained when the United Nations Declaration of Human Rights was adopted in 1948, along with the Union of South Africa and one other country.

Nevertheless, words are not always totally without significance, and changes in tone and language, including emphasis on openness and democracy, give cause for hope that meaningful moves affecting human and trade union rights can take place and lead to effective protections and guarantees. Liberty is not only an individual right, but a collective necessity. Its absence limits the progress, development and sound functioning of society.

For those steeped in democratic traditions, there is a danger that, having expected so little from totalitarian States, the significance of small changes can be exaggerated and that hope can triumph over reality. The human and trade union rights instruments adopted 40 years ago remain valid and provide a fair way to measure progress. In the world community, there must be no second-class citizens. No country, regardless of its economic and social system, should allow itself to be demanded or patronised by those who expect from them lower standards in their observance of human and trade union rights than those which, by their very nature and essence, are universal.

The ILO, with its tripartite structure and its supervisory machinery, is uniquely equipped to contribute to the furtherance of human and trade union rights. Progress requires, however, that standard setting should advance at an adequate pace, that Conventions which have been freely ratified are observed, that efforts are made by Members to increase the number of ratifications, that the supervisory machinery is respected, and that all treaty obligations, including the obligation to make full and timely contributions, are honoured. No excuses are acceptable.

The Director-General's Report goes beyond basic and minimum standards to discuss developments that affect human rights in a broad sense. The Report mentions a deterioration in trade union strength in some industrial democracies. In the United States, multinational enterprises have played a role in that process.

There has been far too much useless propaganda against multinational enterprises over the years. They do not constitute an evil empire. However, it is not too much to expect that, when someone comes into your home, he will not befoul it. Nor should it be too much to expect that multinationals will not treat voluntary ILO and OECD instruments with contempt. In the United States, some multinational enterprises have contributed to a degradation of worker's rights and working conditions in important industries, and have undermined the competitive position of organised employers. In order not to appear to be spreading propaganda, it might be useful to give two concrete and current examples.

On 2 February 1988, the French-based company, Carrefour, opened a hypermarket of 15,000 m² in Philadelphia. All of the other supermarkets in the city are unionised. Management and labour have been working together well for decades. One organised supermarket has already gone out of business and another has reduced its hours. The company has refused even to talk to the union. The local manager was quoted in a newspaper as saying "I am not anti-union. I feel that we don't need the union. We want to keep our freedom and our flexibility". In France, the company has a reputation for being exceptional as well, but for maintaining better conditions and salaries than those prevailing in the industry and for having a good relationship with the union. American workers are not so lucky.

The Swedish-based multinational, Electrolux, has combined its acquisitions in the North American appliance industry into White Consolidated, Incorporated. The industry is largely organised. The company engaged one of the most notorious union-busting firms in the country, and one which had on numerous occasions led its clients in anti-union campaigns that were found to be in violation of the nation's labour laws. The vicious attacks on unions included the use of a film referring to workers who supported the union as "pushers", speaking of the dire consequences of organisation and warning that if unions achieve the results they want, we could become "like any workers' state in Eastern Europe". Supervisors had no choice but to join in the effort to convince and intimidate employees. The anti-union campaign, combined with expansion in states in the South where unions are weak, puts intense pressure on companies which respect the rights of workers and on their employees to respond to this unfair competition based on exploitation.

Other examples could be cited in such diverse industries as automobiles and motorcycles, rubber, cement and chemicals. Something must be done to revive instruments concerning multinational enterprises before they change their nature. Voluntary instruments are of no use if they only serve as a political shield to protect companies from mandatory standards without affecting their behaviour. As multinationals assume a greater role in the world economy, the ILO must act to influence their conduct. It is not only governments which can violate trade union and other workers' rights.

The human and trade union rights' standards established 40 years ago are a major and timeless achievement of the human race. The ILO must vigorously promote their respect, defend and strengthen its own machinery and adapt to the new conditions and developments which are both opportunities to extend the observance of human rights and threats of new violations. It is not the time for timidity or business as usual, or for the excesses of diplomacy. We must move forward to translate the words on human and trade union rights into rights in reality for many more millions on this planet.

Interpretation from French: Mr. KIMBEMBE (*Government delegate, Congo*) – It is a great honour and pleasure to address the 75th Session on the International Labour Conference on behalf of my country, the People's Republic of Congo.

Please allow me to join the numerous speakers who have preceded me in addressing, on behalf of my Government and on my own behalf, the heartiest congratulations to the President on his election to chair the proceedings of the 75th Session of the Conference.

Your personal competence and your profound experience of our Organisation give us reassurance concerning the success of the work of this session.

My congratulations also go to the Vice-Presidents whose assistance is so valuable to the President in carrying out his weighty and delicate task.

I should also like to present my compliments to Director-General, Mr. Francis Blanchard, and through him to all the officials of the International Labour Office, for the constant efforts they make for the cause of international co-operation and for the implementation of the assistance programmes.

I should merely like to recall that the statements I made during the 73rd Session on the extremely worrying financial and economic situation in Africa remains topical.

In the countries of the Third World, and particularly in Africa, the State will remain the largest creator of jobs. Private investment is still very hesitant and timid because it does not want to upset the existing economic relations.

So all the efforts of our Organisation to seek in the informal or rural sectors possibilities for creating jobs may in the long run turn out to have been in vain.

As I said from this rostrum at the 73rd Session, I do not believe in the capacity of the African social security institutions to create jobs because the solidarity of the poor is a mere illusion. I could well envisage the holding of a special session of the International Labour Organisation on debt and employment.

Indeed, the harmonious development of humanity can be assured only in a world in which solidarity will

prevail over individualism and which will take into account the well-being of all. Indeed, it is clearly admitted today that the pursuit by each State of its own particular interest cannot be a solution and that is why I am taking this opportunity to recall the Declaration of Philadelphia whereby in May 1944 the International Labour Conference proclaimed that "lasting peace can be established only if it is based on social justice" and that "poverty anywhere constitutes a danger to prosperity everywhere".

This knowledge should lead to clear-sightedness and common sense.

This session also has to concern itself with four technical items, namely employment promotion and social security, safety and health in construction, the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107) and rural employment promotion.

On the first two questions, my Government expressed its views at the 73rd Session.

The question of the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107) was also of great interest to my Government. It was time to revise this Convention which was based on the concept of the cultural inferiority of indigenous and tribal populations. Adaptation of the Convention in the light of the development of ideas and circumstances will, I am sure, enable the many problems concerning the indigenous and tribal populations to be solved in strict respect for their rights, their autonomy and their culture, by making them participate in taking decisions which concern them and the entire country.

For there is no social justice without participation, free enterprise and respect for human rights. Development is also a matter of culture, since the changes it brings about must respect the values and civilisations of peoples.

In any case, this question does not arise in my country. There is no exclusion for tribal reasons or because of indigenous origins. The Congolese nation was built through the integration of all its nationals, whatever their tribal allegiance or origin. This is a right guaranteed by the Constitution and whose violation is punishable by law.

My Government has for over 20 years been putting into effect a programme of integration of the Pygmy population. They are numerous, live in the same areas as the Bantus, go to the same schools, occupy the same government posts and have the same qualifications, enjoy the same protections, the same rights and the same obligations.

My Government is happy to accept the proposals for revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107).

The question of the rural employment promotion is an essential preoccupation of the Government of the People's Republic of Congo. Indeed, rural employment promotion constitutes one of the main tools in the struggle against unemployment and rural exodus and a prerequisite for the achievement of self-sufficiency in food which my country has set as an objective. The problem has been of such concern to the Government of my country that a policy of encouraging the creation of rural employment has been established, with customs exemptions, reductions of transport and equipment tariffs, the protection of national agricultural production, etc.

In this connection, I appreciate the action of the International Labour Organisation in carrying out a study in my country on employment promotion in rural and urban areas through the Jobs and Skills Programme for Africa (JASPA).

I cannot finish my statement without referring to one of the greatest violations of human dignity today: apartheid.

This year, when we are celebrating the 40th anniversary of the Universal Declaration of Human Rights, we must note that the most serious and persistent challenge to the principles of equality, respect for human dignity, tolerance and solidarity defended by the International Labour Organisation comes from South Africa with its apartheid policy.

The denial of racial equality and the other fundamental rights of man is not only a contempt for the conscience of the world but above all a threat to world peace. We invite all the Members of the International Labour Organisation to pursue relentlessly their efforts for the re-establishment of peace and equality of rights in southern Africa.

As far as we are concerned, at any rate, we vigorously reaffirm our support for the just struggle of the peoples of South Africa and Namibia to throw off the yoke of racism and colonisation in order to build in their countries free and democratic societies where the rights of all citizens will be recognised without distinction of race.

We support any initiative to re-establish peace in all the independent countries of southern Africa, which are victims of the South African policy of aggression and destabilisation.

Interpretation from Spanish: Mr. IBARRA (*representative of the Permanent Congress of Trade Union Unity of the Workers of Latin America*) – May I wish the President every success in his task of guiding this important Session of the Conference. Our gratitude also goes to the International Labour Office for making it possible for us to attend the Conference.

We have read the Director-General's Report with interest. We recognise the efforts the ILO has made, but we think that it is necessary to go further in denouncing those primarily responsible for the crisis of capitalism and those who are making money out of the sweat of the toiling masses in the Third World. My Congress, the CUPSTAL, denounces capitalist powers, the World Bank and the International Monetary Fund, and considers them to bear the main responsibility for the worsening of the crisis and its flagrant repercussions on workers.

Workers and their trade unions increasingly understand the causes of their problems. They see that the International Monetary Fund, as guarantor of the interests of monopolies and imperialism, imposes measures that erode the social gains of the workers.

The remedies advocated by the IMF and other credit organisations of that type are nothing but neo-colonialist plans for the greedy plunder of the already exhausted economies of the Third World countries through draconian claims, the privatisation of companies, mass dismissals of workers and even the transfer of land to pay the debt. All this sends prices and inflation skyrocketing, intensifying unemployment, illiteracy, the problems of housing, health care, education and culture.

In a situation such as this, it is infuriating to see the squandering of resources on the arms race. If

only 10 per cent of this expenditure were allocated to development, the problem of the external debt would be wiped out. My Congress maintains that the struggle for peace and disarmament are inextricably linked to the battle for better conditions of life and work, for social justice and genuine development, for the New International Economic Order.

At the meeting of the Bureau of the Permanent Congress held in Mexico on 15 and 16 March this year, we reaffirmed our struggle against repayment of the immoral foreign debt and its spurious interest.

My Congress ratified the decision to continue its struggle against indebtedness on the basis of the agreements reflected in the Act of Havana and the Trade Union Conference of Campinas-São Paulo in Brazil, the decisions of the conference on debt held at Lima and of other events dealing with this tremendous problem without ambiguities. There is substantial agreement among all the workers of Latin America and the Caribbean and their trade unions that the external debt cannot be repaid.

Our Permanent Congress will spare no effort in continuing to seek, through sincere dialogue, for agreements on joint action with CLAT and ORIT, with their affiliated federations and with independent confederations to promote the achievement of the workers' objectives, that is improving their conditions of life, progress and peace.

The policy of imperialist exploitation and war, its interventionist schemes, the persistent pillage carried out by the transnationals and monopolies and the usurious actions of the International Monetary Fund do not entirely prevent us, however, from optimistically appreciating positive reactions that are occurring at this time. Our Congress welcomes the transcendent treaty between the USSR and the United States to eliminate intermediate- and short-range missiles, which paves the way to more extensive disarmament in the future. Our Congress suggests that the ILO launch an appeal and undertake activities to ensure that the funds no longer spent on the arms race, thanks to the treaties signed, are dedicated to the development of Third World countries.

On this 40th anniversary of the Universal Declaration of Human Rights, we are gratified that the Director-General's Report has dealt with this important topic; but the ILO should go beyond rhetoric and energetically tackle this crucial right of workers.

We feel that essential or priority human rights are not guaranteed to a substantial part of the world population. What human rights can we speak of to vast numbers of people who have no medical services, no work, no access to school, whose children are compelled to work, beg or prostitute themselves? Some Western governments boast of acting as champions of the protection of human rights and yet they are supporters and accomplices of dictators and oligarchs who keep their peoples under subjection to oppressive regimes of exploitation, denying their fundamental human rights. The much vaunted freedom of the press is also a farce, of no use to people who do not have five cents to buy a paper, nor can read it even, because they are illiterate. The press is in the hands of wealthy proprietors and powerful consortia which support essentially class interests.

At the meeting of the Bureau of our Congress, held in Mexico City on 15 and 16 March, we discussed solidarity with the struggle of workers and

trade unionists in our continent and other areas of the world. We endorse the condemnation of North American imperialism for its aggressive action against Nicaragua and the obstacles it is putting in the way of the peace agreements signed in Esquipulas and Sapoá.

Our Bureau also offered its support to the patriots in San Salvador and the FMLN-FDR in its struggle for a better future for its people.

The Bureau of my Congress put on record its support for Chilean and Paraguayan workers in their patriotic struggle for freedom and democracy.

We condemn the disquieting wave of violence and murders which has been unleashed in Colombia against the forces of democracy and particularly trade union leaders. We express our strongest solidarity with the workers and people of Panama who are firmly defending their national sovereignty; we call for strict compliance with the Torrijos-Carter agreements and reject Yankee interventionism in this country.

My Congress confirms its support for the struggle of African peoples against the shameful practice of apartheid, as well as for the Arab nations which have been forcibly deprived of their territories and particularly for the brave Palestinian people and their heroic struggle.

Finally, my Congress appeals to the entire pluralist and representative trade union movement in Latin America and the Caribbean to come together for an extensive meeting and carry out joint action to confront the problems of the crisis and foreign debt.

My Congress also suggests to the International Labour Office that it take new steps to promote development and the establishment of a new international economic order.

Interpretation from Spanish: Mr. UBALDINI (*Workers' delegate, Argentina*) – On behalf of all Argentine workers organised under the General Confederation of Labour, I congratulate the President on his election and express our approval at the way the subjects in the Report are being analysed. They lend support to the belief to which we have always subscribed and reiterated: the importance of this institution to consolidate and achieve progress in labour and social law.

We would like to emphasise that, as a result of the struggle of the General Confederation of Labour, upheld by Parliament, and the promulgation of laws on collective bargaining and trade unions in my country, Conventions Nos. 87 and 98, the pillars of international standards in this field, are fully applied. A trade union system has emerged which guarantees freedom, autonomy and trade union democracy. Collective bargaining has started up again and we have bargaining committees which are entrusted with discussing working conditions and salaries for which we are prepared to fight so that they attain their objectives. I think that we can say that we have collective labour agreements in all the branches in which we had them before, after a suspension of 13 years. With the ratification of the Collective Bargaining Convention, 1981 (No. 154) and the laws on this subject, workers in the central state administration will be able, in one year, to conclude collective agreements as has been the case in many provinces; indeed, we have never accepted the division between state employees and private employees.

In order to guarantee the collective right to work, its institutions – trade unions, collective bargaining, strikes and other machinery to settle labour conflicts – must be anchored in the constitutional system, in a context which guarantees the free exercise of rights which should characterise a democracy, giving broad participation in political and social sectors.

In my country, the unsuitably named laws of the military dictatorship still apply to work contracts and they limit the rights of workers.

We are still concerned with the problems of rural workers, temporary workers and home workers. It is for this reason we have submitted drafts to defend their dignity as workers. We are also campaigning for the effective participation of workers in the drafting of bilateral and multilateral Conventions. It is the objective of the General Confederation of Labour to establish the rights of women and young workers, to bring about the full development of their working life and activities in trade union issues.

The General Confederation continues to campaign to enact legislation to return the ownership and administration of social activities to the workers and trade unions, to guarantee effective services in the fields of health, social tourism and leisure.

We are concerned by the fact that the national Government has not ratified all the Conventions of the ILO, as a basis for labour laws and social legislation.

In Argentina, the Ministry of the Interior has formulated economic policies on the basis of letters of intent granted by the IMF for many years; results show that the economy has contracted, the inflationary process has worsened, the standard of living of workers, pensioners and retired people has deteriorated, there are fewer sources of work and there is a growing dependence of domestic social and political agreements upon foreign economic agreements.

The intrinsic wealth of Argentina has been drained to the extent that our public undertakings which belong to the people are being handed over to international usurers.

The priority accorded to financial activities which produce nothing has thwarted production and given rise to a frivolous culture. This has undermined productive activities and the role of work as a prime mover of economic progress and social justice.

We shall continue to fight for social dignity and economic independence until we attain a new economic social order throughout the world, in which goods will be produced on the basis of accumulated work, and that work will be a factor of dignity for those who have this quality.

In order to propose solutions to bring us out of the crisis and the stagnation on 7 June 1988 the majority of Argentine political parties, employers and our workforce, represented by the General Confederation of Labour, signed a document elaborating the basis for a pact on economic and social transformation, setting out policies to concretise this message. It sets out to contribute towards the consolidation of the constitutional system, within which there is free exercise of the rights which characterise a democracy, with extensive participation of political parties and social organisations, respect for the powers of the nation and the guarantee of social justice.

In Latin America, there is a growing conflict between the privileged sectors and unemployed and marginalised people who live in poverty, without

work. Our currency is unstable; we cannot get worth-while prices for our commodities and we live with a terrifying foreign debt, the interest on which exceeds our income. The poverty in Latin America is a breeding ground for intolerance, impiety and violence. This socio-economic instability does not allow for a permanent consolidation of democracy because there is an essential element missing – social justice. As you well know, without justice there is no possibility of peace, or of an ethical dimension in man.

Here in Argentina we fight with faith and optimism for the unity of Latin America, while respecting the natural and unavoidable characteristics of individual countries and the cultures of indigenous peoples. We are struggling so that our continent may offer hope for the future, and a place where the social well-being of all humanity is sought. We hope to form a South American union from the Rio Grande to the Antarctic, so that Latin America will overcome its dependence and contribute to all of humanity.

The General Confederation of Labour knows that our home is Latin America. In the year 2000 there will be 535 million Latin Americans and we are prepared to offer social justice, equality of opportunity and freedom from external bonds.

Among the monstrous problems of our age, we must refer to the flouting of human rights; although they are so well defined in the Charter of the United Nations, the Universal Declaration of Human Rights signed in 1948, and the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), transgressions continue.

Despite many efforts, countries which have great military power or which suffer under dictatorships are violating human rights with impunity. We, at this august international forum, express our commitment to continue protecting man from transgressions of this type, and endorse the principles of the Inter-American Convention on Human Rights, known as the "Pacto de San José", signed on 22 November 1969. Next year the General Confederation of Labour, which I direct, will propose a plenary session to commemorate the 20th anniversary of the Pact of San José.

Another topic I would like to highlight refers to the protection of the working environment; the ILO has done a great deal and very successfully to protect the environment, in particular through the Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148) and Recommendation (No. 156). The high content of humanitarian and social concern has enabled workers to improve their situation and we should support it.

Similarly, in an overview of the topics which afflict men today, I would like to denounce governments which through practices unworthy of civilisation impose a system of apartheid on their populations, either because of the colour of their skin or because of their religious beliefs, ethnic origin or social situation. It seems fantastic, but it is unfortunately the horrible truth that in areas which have a high level of material development, the human condition is overlooked and equality, the common heritage of mankind, is denied. This is how we arrive at the savage condition known internationally as genocide, which must be stopped wherever it is practised. Not only is it a crime under international law, but it attacks the

very essence of the reason for man's existence on this unhappy planet. Policies which sacrifice entire populations just to expand their hegemonistic space must not be tolerated. And the same goes for those engaged in the aberrant trade in drugs or the arms race.

The poverty which afflicts the countries of the South increases, thanks to the policy of oppression practised by capitalists through institutions such as the International Monetary Fund, the World Bank and other credit institutions. Colonialism continues to exert pressure through other methods such as protectionism, and our countries are being overwhelmed and their future eliminated, with no hope of resurgence.

This drama is the result of a catastrophic socio-economic policy which was also applied in most Spanish American countries, and which sought to uproot their machinery of production and tie them financially to the centres of international usury. This is why our position is to call for a moratorium and a rebate on the capital and interest of legitimate debt; this is the only way to arrive at sustained growth, development and social justice.

A sort of conspiracy at the highest level of international money management limited the access of the less developed nations to credit for development and independent technological progress. It tied credit to unproductive, unessential or luxury imports which are not appropriate for creating wealth.

Thus, there came to be a monstrous growth of the so-called foreign debt, with the inevitable repercussions on debt-servicing. At the same time, the world economy dried up, unemployment and underemployment were pushed to irrational limits and the wages of workers were pilfered until they went hungry and could no longer afford basic necessities.

We, the workers in Argentina, do not recognise any legitimacy in the so-called foreign debt. In most cases, it is based on manoeuvres, speculation or overtly criminal organisations linked to financial circles.

This is why from this forum we would like to salute those who are fighting for their dignity and the inalienable right to self-determination; with the strength we derive from speaking on behalf of all Argentinian workers in a single federation, we proclaim that there must be a definite eradication of all forms of dictatorship since it is a form of segregation, an octopus that strangles the dignity of the peoples who suffer from it, just as we must stop the arms race which is pushing humanity towards its own destruction.

This is our undertaking: with our people and with all the peoples of the world, to struggle for peace, dignity, freedom and justice.

Interpretation from Farsi: Mr. POYA (*Workers' delegate, Afghanistan*) – May I first of all cordially congratulate the President and express my best greetings on behalf of the workers and the toiling people of the Republic of Afghanistan on his election. I wish him every success.

I am very pleased to take part in the 75th Session of the International Labour Conference. Now Geneva has a place in the heart of each Afghan worker, for an objective reason. On the basis of the national reconciliation policy in the Republic of Afghanistan which led to the conclusion of the Geneva Accords

between the Republic of Afghanistan and Pakistan, birds bearing messages of peace flew from Geneva over the Republic of Afghanistan a few weeks ago and conveyed to our people the good news that an end was to be put to the nine-year-old imposed war.

According to these Accords, the return of the limited Soviet military contingent from the Republic of Afghanistan to their peace-loving country started on 15 May 1988. The Afghan people saw the Soviet internationalist contingent off with bunches of flowers. Future Afghan generations will cherish the valuable memory of the selfless assistance rendered to us by our great friend.

The humanitarian policy of national reconciliation, characterised by common sense and new political thinking was enforced one and a half years ago through the will of all the workers and toiling people of Afghanistan as a politically bold and decisive initiative of the People's Democratic Party of Afghanistan which constituted a turning-point in the history of our country. Since the policy of national reconciliation guarantees the most fundamental rights, namely the right to live, it has been warmly welcomed and supported by the toiling people of Afghanistan and the world as a banner of peace-establishing ideas.

Practical measures have been adopted since the declaration. The following is a brief account of achievements in this regard: the decrees on a general amnesty; the release of prisoners; the restoration of assets and property to the repatriates; and the regulation of principles of agrarian relationships in the Republic of Afghanistan: laws on military service, political parties, the press; the law regulating foreign investment; the Constitution of the Republic of Afghanistan; the law on labour; the convocation of the Afghan Loya Jirgah or Grand Assembly; and the election of Esteemed Najibullah as the first President of the Republic of Afghanistan.

As a result of the realisation of the national reconciliation policy, over 130,000 of our compatriots have returned home and more than 4,000 villages have been peacefully saved. Over 40,000 armed men of the opposition have given up armed resistance and 12,000 prisoners have been released.

As a broad organisation of workers the Afghan trade unions have been entrusted with a special role in the realisation of the national reconciliation policy. These trade unions have the duty of tirelessly broadening their contacts with various special social strata in order to live with and share their aspirations and worries and to explain the nature of the national reconciliation policy, thereby influencing the hearts and minds of millions of people and conveying the truth to each collective managerial establishment, village and town. It is therefore the task of the Afghan trade unions to spread the idea of peace and tranquillity in every Afghan family and to take proper care of those of our compatriots who have laid down their arms and who, after returning home, have joined the popular power.

The nine years of imposed war on the toiling and talented people of the Republic of Afghanistan caused gigantic financial and human loss. Nevertheless, taking care of the workers' situation, assuring better conditions of work and life for them, upgrading their living standards and improving social insurance have been the focus of attention for the Party, the State and the Afghan trade unions. It was on the basis of these convictions that a labour law was

adopted for the first time in the Republic of Afghanistan.

The establishment, consolidation and organisation of workers' relations, the assurance of equality of the right to work, the protection of the rights of the workers, the improvement of the management of labour and production, the increase of production and rational use of labour resources, the upgrading of the efficiency of social production, the universalisation of progressive wage and salary scales, the consolidation of discipline in work and production, encouraging a spirit of conscientious and faithful work and the involvement of all workers in management have all been incorporated in and guaranteed by the labour law of the Republic of Afghanistan. The law also ensures the rights and obligations of the workers and managerial staff in the field of work and production. It guarantees safe working conditions, as well as making proper provision for safety, the constant enhancement of workers' skills, and the provision of proper and secure working conditions for all eligible people. Finally the labour law establishes the work contract, the training contract, the collective contract, and so on.

With the enforcement of this law, the Afghan trade unions have acquired ever greater authority as an organisation responsible for mobilising the workers and toiling people of the Republic of Afghanistan and, as such, they have been converted into a powerful organisation.

Our revolutionary State, with the co-operation of the Central Council of Afghan Trade Unions, has been paying serious attention to health and the physical well-being of the toiling people. For instance, compared to 1979, the number of hospitals was increased in 1986 by 41.6 per cent, hospital beds by 106.3 per cent and the number of doctors by 124.3 per cent.

The variety of consumer goods and commodities given to workers and employers against coupons has been increased and free distribution of two coupon items, namely flour and ghee, began in 1987. At the demand of the toiling Afghan people, the State of the Republic of Afghanistan provide all students with breakfast, writing materials and uniforms in the current year and this practice will continue in future as well.

In accordance with the law, the handicapped and the families of martyrs of the April revolution enjoy pensions and coupons for foodstuffs and other goods. The minimum salaries and pensions of the handicapped and families of martyrs of the April revolution have been doubled.

In order to observe basic principles of safety at work and the techniques applying to such safety, the workers have been provided with health insurance against diseases caused by various occupations, and the reduction of ill-effects during production has also been assured. In addition, pregnant women enjoy three months' leave with salary. Hundreds of workers take holidays annually, both inside and outside the country. During the current year alone, some 4,000 children of workers and toiling people are to be sent abroad for rest and recreation. Over 6,500 workers' families have been provided with residential flats and plots of land have been distributed to over 15,000 such families for the construction of residences. Moreover, the construction of state-owned, co-operative, mixed-sector and cheap housing has

been considerably increased and the system of rent payments as well as security of tenants has been improved further. Likewise, with the establishment of the Country-wide Union of Craftsmen, the enforcement of the law regulating foreign investment and the adoption of the regulation on Principles of Agrarian Relationships, the ground has been cleared for further employment opportunities and for improvement of full, effective and free recruitment of the population.

I should say that the above-mentioned achievements cannot compensate for the loss incurred by the workers and labourers resulting from the imposed war. For this purpose, local and foreign financial resources are required, particularly in respect of employment and recruitment and more so in the case of those who became disabled and handicapped as a result of the war. Therefore, I would like to request the United Nations, the International Labour Organisation and all donor countries to give their material and intellectual assistance to the young workers, the labourers and the entire war-suffering Afghan people. Our working class really needs help.

The Afghan working people support the Indigenous and Tribal Populations Convention, 1957 (No. 107) for the assurance of their civil rights, the right to own land and to social services for this part of the world population, which constitutes over 300 million people. We stand for revision of the Convention.

On behalf of Afghan workers and labourers, I would like to express once again my full support for all proposals and initiatives intended to prevent nuclear war and which are aimed at dismantling nuclear weapons. Declaring my support for the struggle of all peoples to attain national independence, democracy and social justice, I pronounce on behalf of the Afghan working class and toiling people my resentment towards apartheid and Zionism. I am sure that participants at the 75th Session of the International Labour Conference will adopt more practical and serious measures in condemning the Israeli Government for its policy of Zionism and discrimination in Palestine and other occupied Arab territories and to contribute to the realisation of the right of Palestine to self-determination. I am also sure that the participants will adopt more practical measures for assuring the rights of Blacks in South Africa.

Prior to my departure for Geneva, I received numerous telegram messages and memoranda from workers and toiling people all over the country. They were asking all participants at this important session to support the Geneva accords on the situation relating to Afghanistan and to urge the parties concerned in the accords to ensure faithful implementation of the provisions of those accords. Therefore, I would request you and all workers' delegation participating in this glorious session to declare your support for all-round implementation of the Geneva accords and to ask all parties concerned to implement them faithfully. I am sure that the implementation of the accords would not only dismantle a hotbed in our region but in such a case it could become a good model for the settlement of other regional conflicts and would play a distinguished role in the consolidation of world peace.

In conclusion, let me on behalf of all workers and toiling people of the Republic of Afghanistan wish you success in the work of the 75th Session of the

International Labour Conference and in ensuring the rights of workers throughout the world.

Interpretation from Arabic: Mr. ISSA (*Workers' delegate, Syrian Arab Republic*) – I have pleasure in congratulating the President on his election. On behalf of the Syrian working class and revolutionary trade union movement I hope that our Conference this year will achieve some of the ambitions and hopes of workers throughout the world who are struggling for fundamental and noble causes.

I have read the Report of the Director-General; Part I deals with the importance of the Universal Declaration of Human Rights and its conformity with Constitution of the ILO and the Declaration of Philadelphia. The Report describes ILO action in promoting human rights, freedom of association, equality of opportunity and the right to work. I am happy to be able to congratulate the Director-General on what he says concerning Arab workers in Palestine and in the other occupied Arab territories. He has shown how economic development, and consequently employment and the situation of the unions, are always subjected to very harsh restrictions because of the Israeli occupation.

Part II of the Report contains important information on the activities of the Organisation as regards human rights, international labour standards, industrial relations, labour administration and other important subjects deserving our consideration. The Director-General's Report refers to the drop in the level of rural employment and the almost total paralysis of industrial employment and reports a substantial increase in the services sector of construction. It points out that statistics show the situation of Arab workers to be tragic and that the occupation authorities estimate the number of workers in irregular employment at 50 per cent. I must say here that if the workers who are employed through the official Israeli services are subjected to racial discrimination, what must be the treatment accorded to those in an irregular situation? It is clear that they are subjected to the worst forms of exploitation. The Director-General's Report specifies that the universities were closed when his representatives visited the occupied territories, as were most of the schools. The Report adds that 7,000 school teachers were unemployed and that a large number of the closed universities and schools had been transformed into prison camps. This is the fate that has befallen 28 primary and secondary schools. All the Arab media and newspapers have been seized or closed, especially those which denounce the criminal nature of the activities of the Zionist aggressors, which condemn their policies and racist practices and which demonstrates to world public opinion the truth regarding the horrors committed in the occupied territories. All this had led international circles, cultural bodies and organisations dealing with human rights to condemn these policies. The repressive measures have not been directed solely against Arab citizens but also affect a number of citizens from other countries, even those employed by humanitarian or international bodies such as UNRWA and the international Red Cross.

As regards the confiscation of trade union rights and freedoms, the Appendix to the Report specifies that no application for trade union registration has been accepted since 1979 and that Israel has established a military regime to stifle civil liberties and in

particular the exercise of trade union rights. Trade union headquarters have been ransacked and closed and their documents confiscated; meetings are banned and restrictive measures taken against trade unionists such as arrest, administrative detention, house arrest, expulsion or deportation. Half the members of the trade union Council and a third of the members of its executive are in prison. The ILO Committee on Freedom of Association has stated that the deportation of trade unionists is contrary to human rights and is extremely serious since it deprives them of the possibility of working in their country, quite apart from separating them from their families.

The Appendix to the Director-General's Report states that lands now under Israeli domination amount to some 52 per cent of the area of the West Bank and 40 per cent of that of the Gaza district. Despite this the occupation authorities pursue their arbitrary and unjust policy and continue to confiscate land, to restrict water supplies, to create settlements, to expel the Arab people from the Golan, the West Bank, Gaza and Southern Lebanon and to encourage Jewish settlers from all over the world to come and take their place. The abject Jewish colonisation plan is being continued to implement the Zionist programme which aims at making the Arab region Jewish and gradually extending Jewish influence in Arab territories to the detriment of the interests of the Arab people. The multiple condemnations pronounced by the international community have made no impression on the occupation authorities – which confirms once again the challenge posed by the Zionist entity to the will of the international community, its infringement of all international resolutions and charters, the pursuit of its policy of racial discrimination against Arab workers in all fields of labour and the aggravation of the measures taken against them. The situation of these workers is worsening day by day, becoming increasingly remote from normal humanitarian feelings.

Moreover, the situation of Syrian Arab citizens in the Golan, who depend on agriculture for their livelihood is deteriorating year after year. As is stated in the Appendix to the Director-General's Report, land confiscation has reached such a degree that it now affects 80 per cent of arable land. The Israeli occupation authorities have confiscated the title deeds to the land and banned the growing of crops without a licence in order to avoid competition with their own produce. The occupation authorities have destroyed a number of villages to establish Zionist settlements in their place, which is in flagrant contradiction with the Fourth Geneva Convention, to say nothing of the various form of economic and psychological pressure exerted on the civilian population to oblige them to emigrate. This is why international institutions, beginning with the United Nations General Assembly and the Commission on Human Rights have regularly and vigorously condemned this serious violation of the Universal Declaration of Human Rights, the Fourth Geneva Convention and United Nations resolutions.

These comments are contained in the Director-General's Report and its Appendices. While appreciating the efforts made, we consider that the Report and the recommendations of the mission are inadequate when one considers the difficult situation in which the workers and Arab populations of Palestine

and of the other occupied Arab territories are living, particularly as regards the pursuit of the policy of racial discrimination and the continuation of repression and Zionist terrorism which are resulting in the deterioration of the economic, social and humanitarian situation of the Arab workers. The occupation authorities accept no opposition to their Facist dominating power and continue with their unequalled barbaric repression, killing women and children without mercy and even going so far as to bury some alive on its television screens. The whole world has witnessed scenes that are an outrage to the human conscience. The occupation authorities lay siege to refugee camps, impose food blockades, ration water, cut off electricity and telephones, prevent people entering and leaving towns, villages and camps, fill the prisons, destroy houses, prevent foreign journalists from investigating their barbaric acts and arrest some of them, fire bullets and use toxic-gas bombs against demonstrators, break limbs and crush bones, and if a mother tries to defend her son who is being arrested, her fingers are broken. The number of martyrs has reached 273. The correspondent of *Life International* magazine reported on 25 April 1988 that there were 6,000 injured and 20,000 under arrest who are being held in concentration camps where even the simplest necessities of life are lacking and which remind us of the Nazi concentration camps of the Second World War. Some schools have even been closed and turned into prisons when there were no longer enough of the latter.

These barbaric acts and practices are known throughout the world. A professor of political science at the Hebrew University, commenting on the events, went so far as to state that Israel was strong enough to keep the territories but that if it chose this path the years to come would be like the past weeks. He added "If we look at ourselves in a mirror we shall see the reflection of South Africa." The *Washington Post* of 18 February 1988 stated that some analysts consider that the events in the occupied territories, with their series of acts of repression and terrorism, are no more than a horrible repetition of similar scenes ordered by the racist regime of South Africa, for the whole world has been able to learn of the barbaric practices perpetrated by the Zionist occupation authorities and there is hardly a house in the world that has not seen these repressive acts or heard tell of them. The image of this terrorism cannot be effaced from world public opinion, whatever the art of deception and misinformation practised by the Zionists. The whole world has denounced the measures of the Zionists and their inhuman criminal actions with the exception of the Government of the United State of America, which used its right of veto against all United Nations resolutions condemning Zionism and its repressive methods. This confirm the contempt of the United States for the wishes of the international community and further confirms that this country, by overlooking Israeli crimes and continuing its financial, military and political support for Israel, is isolated from international unanimous opinion and becomes an accomplice of the tragedies that occur daily in the occupied territories. The position of the United States Government as regards Israeli practices in the occupied Arab territories is hardly any different from its position as regards the regime of South Africa, which applies the policies of apartheid, imprisons large numbers of trade unionists,

impedes freedom and bans trade union congresses. The nationalist leader Nelson Mandela is still in prison despite repeated appeals from the entire world. This is why, on the occasion of the 40th anniversary of the Universal Declaration of Human Rights, we consider it our duty at this Conference to reaffirm our support for the struggle of the people of South Africa and Namibia. This Conference should express its support for the declaration of the Harare Conference in order to put an end to the other Nazi regime endured by the peoples of South Africa and Namibia.

The glorious uprising of our people in Palestine and in the occupied Arab territories, which has been continuing for over six months, confirm their determination to refuse the occupation and repressive policy applied by the occupation authorities for over 40 years against the Palestinian Arab citizens for the fighting people can endure no more and no longer wishes to remain indefinitely under oppression. This is why the spreading of the uprising signifies determination to keep their national identity and their right to a life of freedom and dignity. The continuation of the uprising is a proof of its vitality and its right to succeed. This was confirmed by President Hafez El-Assad, president of the Syrian Arab Republic, when he addressed the Syrian people in these terms: "Your brothers in occupied Palestine, through their revolutionary activities, have restored the purity of the Palestinian cause. They have affirmed to the world that this people, described by Zionist propaganda as apathetic, is in fact a proud and courageous Arab people who will accept nothing less than their complete identity and their full rights." Syria, through the voice of its guide and of its people, has affirmed its support for the just cause of the Palestinian Arab people, considering that sincerity and devotion to this cause constitute an indication of credibility for any other position. We affirm that any solution which does not guarantee the legitimate national rights of the Palestinian Arab people can have no chance of success. The way to a global and just solution is through an international conference, with the necessary terms of reference, under the auspices of the United Nations, with the participation of the five permanent member States of the Security Council, in the presence of all parties involved in the conflict, including the Palestine Liberation Organisation which is the legitimate and only representative of the Palestinian Arab people, on an equal footing in accordance with United Nations resolutions, on the basis of the withdrawal of Israel from all the occupied Arab territories, the guarantee of the in-

alienable national rights of the Palestinian Arab people and in particular its right to return home, to self-determination and to the creation of an independent State on its Palestinian national soil.

The International Labour Organisation, which is one of the most important United Nations agencies and the highest authority for defending the rights of workers throughout the world, has particular responsibility for carrying out the decisions it has taken on this subject and for protecting trade union and human rights and freedoms. It goes without saying that we expect the ILO to follow up the application of its resolutions by the Israeli occupation authorities, and especially resolution No. IX, which condemns the occupation authorities for their policies of racial discrimination against the Arab workers and the populations of the occupied Arab territories, of restricting freedom of association and suspending trade union rights, and resolution No. II concerning the harmful effects of the establishment of Israeli settlements in the occupied Arab territories.

The report of the mission sent by the Director-General to carry out investigations in the Arab territories occupied by Israel reveals once again to world public opinion the extent of the violations, which have exceeded all previous ones. The report furnishes proof that the Israeli policy of repression is becoming harsher in the face of the acts of bravery on the part of children and young boys and girls in the occupied Arab territories. This is why it is natural that we should expect the reactions of the international agencies, and first of all of the International Labour Organisation, to match the events which are taking place daily for all the international media to see. We urge the Organisation and the world conscience to condemn the acts of Israel and to proclaim support for these workers and children who are struggling to defend their human rights, their dignity and their lives. We ask the ILO, in the name of the international community, to demand the ending of the Israeli occupation of the Arab territories. It is regrettable and most unfortunate that there are still two regimes in the world which apply the policy of fire and sword: the racist regimes in South Africa and in Palestine and the other occupied Arab territories. The combining of international efforts and the co-operation of peace-loving States will alone succeed in putting an end to these two regimes and to their horrible crimes.

I wish our Conference every success.

(The Conference adjourned at 8.30 p.m.)

Pour/For/En pro 360

<i>Afghanistan/Afghanistan/ Afganistán:</i> NAZAR, Mr. (G) SHOOGUFAN, Mr. (G) POYA, Mr. (T/W)	<i>République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia:</i> FOMICHI, Mr. (G) PESHKOV, Mr. (G) KOVALEVICH, Mr. (E) BULGAK, Mr. (T/W)	<i>Chine/China/China:</i> LI, Mr. (G) QIAN, Mr. (G) SHA, Mr. (E) FANG, Mr. (T/W)	<i>Finlande/Finland/Finlandia:</i> RIIKONEN, Mr. (G) VEIJALAINEN, Mr. (G) MELIN, Mr. (E) JAASKELAINEN, Mr. (T/W)
<i>Algérie/Algeria/Argelia:</i> LAHIANI, M. (G) ASSALA, M. (G) LOUNIS KHODJA, M. (E) BENLAKHDAR, M. (T/W)	<i>Birmanie/Burma/Birmania:</i> THANG, U (G) TUN, U (G) WIN, K. U (E) WIN, A. U (T/W)	<i>Chypre/Cyprus/Chipre:</i> CALLIMACHOS, Mr. (G) PIERIDES, Mr. (E) KITTENIS, Mr. (T/W)	<i>France/France/Francia:</i> CHOTARD, M. (G) RAMOND, M. (G) OECHSLIN, M. (E) BRIESCH, M. (T/W)
<i>Allemagne, République fédérale d'Allemagne, Federal Republic of/Alemania, República Federal de:</i> CLEVER, Mr. (G) WEBER, Mr. (G) LINDNER, Mr. (E) MUHR, Mr. (T/W)	<i>Botswana:</i> VENSON, Miss (G) LEBANG, Mr. (G) MBAAKANYI, Mr. (E) SALESHANDO, Mr. (T/W)	<i>Congo:</i> KIMBEMBE, M. (G) KAYA, M. (G) LARGES, M. (E) ONDONDA, M. (T/W)	<i>Gabon/Gabon/Gabón:</i> NGOUBY-MBOUGA, M. (G) IBINGA-MOMBO, M. (G) FLAVIEN MANGA, M. (E) ALLINI, M. (T/W)
<i>Angola:</i> MPOLO, M. (G) COELHO, M. (E) LUVUALU, M. (T/W)	<i>Brésil/Brazil/Brasil:</i> ROSSI, M. (E)	<i>Côte d'Ivoire:</i> ESSIGAN, M. (G) COULIBALY, Dr (G) DIAKITE, M. (E) ADIKO NIAMKEY, M. (T/W)	<i>Ghana:</i> YAHAYA, Mr. (G) QUARM, Mr. (G) BANNERMAN-MENSON, Mr. (E)
<i>Arabie saoudite/Saudi Arabia/Arabia Saudita:</i> AL-YAHYA, Mr. (G) AL-KHALIDI, Mr. (G) DAHLAN, Mr. (E) SINAN, Mr. (T/W)	<i>Bulgarie/Bulgaria/Bulgaria:</i> HARALAMPIEV, M. (G) ANDREEV, M. (G) BOZHINOV, M. (E)	<i>Cuba:</i> FRANCIS de los REYES, Sr. (E)	<i>Grèce/Greece/Grecia:</i> KERKINOS, M. (G) MITSOS, M. (E) RAFTOPOULOS, M. (T/W)
<i>Argentine/Argentina/Argentina:</i> FAVELEVIC, Sr. (E)	<i>Burkina Faso:</i> OUEDRAOGO, P. M. (E)	<i>Danemark/Denmark/ Dinamarca:</i> ANDERSEN, Mr. (G) FRANSEN, Mr. (G) JOHANSEN, Mrs. (E)	<i>Grenade/Grenada/Granada:</i> SMITH, Mrs. (E)
<i>Australie/Australia/Australia:</i> NOAKES, Mr. (E) MacBEAN, Mr. (T/W)	<i>Burundi:</i> NAHIMANA, M. (G) KUBWIMANA, M. (T/W)	<i>Egypte/Egypt/Egipto:</i> ELARABY, Mr. (G) TAHER, Mr. (G) GAZARIN, Mr. (E) ELAMAWY, Mr. (T/W)	<i>Guinée/Guinea/Guinea:</i> CAMARA, M. (G) CAMARA, M ^{me} (G) KOUYATE, M. (E) KEBE, M. (T/W)
<i>Autriche/Austria/Austria:</i> MARTINEK, Mr. (G) MELAS, Mr. (G) ARBESSER-RASTBURG, Mr. (E) VERZETNITSCH, Mr. (T/W)	<i>Cameroun/Cameroon/Camerún:</i> NYANGANG, M ^{me} (G) EYAMBE, M. (G) FOUDA SIMA, M. (T/W)	<i>Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos:</i> AL-MUHAIRY, Mr. (G) AL-AJALAH, Mr. (G) MATTAR, Mr. (E) BILAL, Mr. (T/W)	<i>Guinée-Bissau/Guinea- Bissau/Guinea-Bissau:</i> LAURENCE, M. (G) GOMES, A. M. (G) GOMES, C. M. (E)
<i>Bangladesh:</i> UR-RASHID, Mr. (G) GAZI, Mr. (G) SARKAR, Mr. (T/W)	<i>Canada/Canada/Canadá:</i> CARON, M ^{me} (G) HAMMOND, Mr. (G) DAWSON, Mr. (E) MERCIER, M. (T/W)	<i>Equateur/Ecuador/Ecuador:</i> PONCE ITURRIAGA, Sr. (T/W)	<i>Haïti/Haiti/Haití:</i> GUERRIER, M. (G)
<i>Barbade/Barbados/Barbados:</i> SIMMONS, Mr. (G) HARRIS, Mr. (G) WILLIAMS, Mr. (E) WALCOTT, Mr. (T/W)	<i>Cap-Vert/Cape Verde/Cabo Verde:</i> SOARES DE BRITO, M. (G) SEMEDO, M. (E) ASCENSAO SILVA, M. (T/W)	<i>Espagne/Spain/España:</i> ARTACHO CASTELLANO, Sr. (G) CRESPO VALERA, Sr. (G) FERRER DUFOLL, Sr. (E) GUTIERREZ VEGARA, Sr. (T/W)	<i>Hongrie/Hungary/Hungria:</i> MEISZTER, M. (G) MARTON, M. (G) MARTOS, M. (E) TIMMER, M. (T/W)
<i>Belgique/Belgium/Bélgica:</i> CALIFICE, M. (G) SOENEN, M. (G) ARETS, M. (E) PEIRENS, M. (T/W)	<i>République centrafricaine/Central African Republic/República Centroafricana:</i> AZIBOLO, M. (G) MOUSSA LABE, M. (G) BLONDIAUX, M. (E) GUERET, M ^{me} (T/W)	<i>Etats-Unis/United States/Estados Unidos:</i> SMITH Jr., Mr. (E) BAKER, Mr. (T/W)	<i>Inde/India/India:</i> KAR, Mr. (G) ROY, Mr. (G) KHURANA, Mr. (E)
<i>Bénin/Benin/Benin:</i> MENSAH, M. (G) ZANOU, M. (G) ADETONAH, M. (T/W)	<i>Chili/Chile/Chile:</i> MONTT BALMACEDA, Sr. (E) PEREZ NAVARRO, Sr. (T/W)	<i>Ethiopie/Ethiopia/Etiopía:</i> GUTEMA, Mrs. (G) GEBRE-MEDHIN, Mr. (G) WORKENEH, Mr. (E) TAMERAT, Mr. (T/W)	<i>Iraq:</i> GHALI, Mr. (G) AL-ZAIDI, Mr. (G) HUSSAIN, Mr. (E)
			<i>Islande/Iceland/Islandia:</i> KRISTINSSON, Mr. (G) MAGNUSSON, Mr. (E)

Italie/Italy/Italia :

CAVAGLIERI, M. (G)
ARISTODEMO, M. (G)
SASSO-MAZZUFFERI, M^{me}
(E)
VANNI, M. (T/W)

Jamaïque/Jamaica/Jamaica :

MARSH, Mr. (G)
AITKEN, Mr. (G)
ROBINSON, Mr. (E)

Japon/Japan/Japón :

HATANO, Mr. (G)
NAKAMURA, Mr. (G)
TSUJINO, Mr. (E)
TANAKA, Mr. (T/W)

Jordanie/Jordan/Jordania :

KHASAWNEH, Mr. (G)
AL-AKEL, Mr. (G)

Kenya :

BIRIR, Mr. (G)
NGARE, Mr. (G)
OWUOR, Mr. (E)
MUGALLA, Mr. (T/W)

Koweït/Kuwait/Kuwait :

AL-SABAH, Mr. (G)
AL-THAMER, Mr. (G)
AL-JASSEM, Mr. (E)
AL-HOJAILAN, Mr. (T/W)

Lesotho :

MOPHETHE, Mr. (G)
FANANA, Mr. (G)

Liban/Lebanon/Líbano :

KHOURY, M. (G)
HAMDAN, M. (G)
NASR, M. (E)

Libéria/Liberia/Liberia :

AYOMANOR, Mr. (G)
DOE, Mr. (G)

Jamahiriya arabe

libyenne/Libyan Arab
Jamahiriyah/Jamahiriyah
Libia :

ALFAQI HASAN, Mr. (G)
OMAR, Mr. (G)
ELMUKHERBI, Mr. (E)

Luxembourg/Luxembourg/
Luxemburgo :

SCHINTGEN, M. (G)
SCHUSTER, M. (G)
JUNG, M. (E)
PIZZAFERRI, M. (T/W)

Madagascar :

RAZAFIMANDRANTO, M.
(G)
RAFENOMANANTSOA, M.
(G)
ADRIANTSITOHAINA, M.
(E)
RANAIVOJAONA, M. (T/W)

Malaisie/Malaysia/Malasia :

NIK MOHAMED AMIN, Mr.
(G)
ABDUL RAHMAN HARON,
Mr. (G)
RAGUNATHAN, Mr. (T/W)

Malawi :

MPATA, Mr. (G)
MAWINDO, Mr. (G)
MUYENZA, Mr. (E)
MVULA, Mr. (T/W)

Malil/Mali/Mali :

KOULIBALY, M. (G)
TOURE, M. (E)

Malte/Malta/Malta :

BORG CARDONA, Mr. (G)
CILIA, Mr. (G)
MALLIA MILANES, Mr. (E)
CALAMATTA, Mr. (T/W)

Maroc/Morocco/Marruecos :

BENHIMA, M. (G)
KHALES, M. (G)
ABOU LAHCEN, M. (E)
BEN SEDDIK, M. (T/W)

Mauritanie/Mauritania/

Mauritania :

OULD AMAR CHEINE, M.
(G)
TRAORE, M. (G)
MOHAMED ALI OULD, M.
(E)

Mexique/Mexico/México :

SANCHEZ MADARIAGA,
Sr. (T/W)

Mongolie/Mongolia/Mongolia :

DAGVADORJ, Mr. (G)
BALJINNYAM, Mrs. (G)
TSEMBEL, Mr. (E)
TSAGAAN, Mr. (T/W)

Namibie/Namibia/Namibia :

BARRERO-STAHN, Mr. (G)
YA OTTO, Mr. (T/W)

Népal/Nepal/Nepal :

KIRAN, Mrs. (G)
SHAHI, Mr. (T/W)

Nicaragua :

GONZALES PASTORA, Sr.
(E)
TORREZ GAMEZ, Sr. (T/W)

Niger/Niger/Niger :

YAHAYA, M. (G)
DJIKA, M. (G)
GEORGET, M. (E)
MAIYAKI, M. (T/W)

Nigéria/Nigeria/Nigeria :

OLUMIDE, Mr. (G)
WILLIAMS, Mr. (G)
UBEKU, Mr. (E)
SANYAOLU, Mr. (T/W)

Norvège/Norway/Noruega :

RUGE, Ms. (G)
BRUAAS, Mr. (G)
HOFF, Mr. (E)
PEDERSEN, Ms. (T/W)

Nouvelle-Zélande/New
Zealand/Nueva Zelandia :

WILLIAMS, Mr. (G)
BUCHANAN, Mr. (G)
JESSUP, Mr. (E)
DOUGLAS, Mr. (T/W)

Ouganda/Uganda/Uganda :

OLWENY, Mr. (G)
KASWARRA, Mr. (E)
BINDEEBA, Mr. (T/W)

Pakistan/Pakistan/Pakistán :

MIRZA, Mr. (G)
AHMAD, Mr. (G)
TABBANI, Mr. (E)
AHMED, Mr. (T/W)

Panama/Panama/Panamá :

DURLING C., Sr. (E)
MENESES A., Sr. (T/W)

Papouasie-Nouvelle-Guinée
e/Papua New Guinea/Papua
Nueva Guinea :

KEKEDO, Mrs. (G)
ARUA, Mr. (G)
SALE, Mr. (E)
TITIMUR, Mr. (T/W)

Pays-Bas/Netherlands/Países
Bajos :

ROOD, Mr. (G)
HAGEN, Mr. (G)
HORDIJK, Mr. (T/W)

Philippines/Philippines/Filipinas :

VILLARROEL, Mr. (G)
DE LA SERNA, Mr. (G)
HERRERA, Mr. (T/W)

Pologne/Poland/Polonia :

BORAWSKI, Mr. (G)
TOWPIK, Mr. (G)
NOWAK, Mr. (E)
MIODOWICZ, Mr. (T/W)

Portugal :

DIAS, M. (G)
VIEIRA BRANCO, M. (G)
PINTO CARDOSO, M. (E)
SEQUEIRA, M. (T/W)

Qatar :

AL-MAHMOOD, Mr. (G)
MUBARAK, Mr. (G)
AL-NUAIMI, Mr. (E)

République démocratique
allemande/German
Democratic
Republic/República
Democrática Alemana :

NOACK, Mr. (G)
HERTEL, Mr. (G)
MARX, Mr. (E)
BOCHOW, Mr. (T/W)

Royaume-Uni/United
Kingdom/Reino Unido :

MACKIE, Miss (E)
MORTON, Mr. (T/W)

Rwanda :

HABIYAMBERE, M. (G)
RUSHINGABIGWI, M. (G)
KANYARWANDA, M. (E)
RUHIGIRA, M. (T/W)

Saint-Marin/San Marino/San
Marino :

CECHETTI, M. (G)
MORRI, M. (E)
CHIARUZZI, M. (T/W)

Sénégal/Senegal/Senegal :

SENE, M. (G)
THIAM, M. (G)
SOW, M. (E)
DIOF, M. (T/W)

Somalie/Somalia/Somalia :

AHMED, Mr. (G)
BIHI, Ms. (G)
ABDI, Mr. (T/W)

Soudan/Sudan/Sudán :

SHUMMENA, Mr. (G)
EL HASSAN, Mr. (G)
MUSTAFA, Mr. (E)
GAMAA, Mr. (T/W)

Sri Lanka :

DASANAYAKE, Mr. (G)
WEERAKOON, Mr. (G)
DE SILVA, Mr. (E)
SUNDERAM, Mr. (T/W)

Suède/Sweden/Suecia :

ETTARP, Mr. (G)
WIKLUND, Ms. (G)
VON HOLTEN, Mr. (E)
KARLSSON, Mr. (T/W)

Suisse/Switzerland/Suiza :

HUG, M. (G)
ELMIGER, M. (G)
DECOSTERD, M. (E)
DREIFUSS, M^{me} (T/W)

Suriname :

MCLEOD, Mr. (G)
GREP, Mr. (G)
BYNOE, Mr. (E)
KROSS, Mr. (T/W)

Swaziland/Swaziland/
Swazilandia :

BEMBA, Mr. (G)
SHABANGU, Mr. (G)
DODDS, Mr. (E)
SITHOLE, Mr. (T/W)

République arabe
syrienne/Syrian Arab
Republic/República Arabe
Siria :

GHALIL, M. (G)
AL-SABBAGH, M. (G)

Tanzanie, République-Unie
del/Tanzania, United Republic
of/Tanzania, República Unida
de :

MULOKOZI, Mr. (G)
JAMAL, Mr. (G)
NAMATA, Mr. (E)
MASHASI, Mr. (T/W)

Tchécoslovaquie/Czechoslovakia/
Checoslovaquia :

MOLKOVA, Mrs. (G)
VEJVODA, Mr. (G)
CIGANIK, Mr. (E)
KOZIK, Mr. (T/W)

Thaïlande/Thailand/Tailandia :

KALAYANAMIT, Mr. (G)
KEIWALINSRIT, Mr. (G)
NAKORNTRI, Mr. (E)
IEUMBUMROONG, Mr.
(T/W)

<i>Togo:</i> BLEDJE, M. (G) BARNABO, M. (T/W)	<i>République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania:</i> LIPATOV, Mr. (G) OZADOVSKI, Mr. (G) CHILO, Mr. (E) KOVALEVSKI, Mr. (T/W)	<i>Uruguay:</i> BARRENECHEA, Sr. (E) PEREYRA, Sr. (T/W)	<i>Zaire/Zaire/Zaire:</i> KUMBU-KI-LUTETE, M. (G) KOMBO, M. (T/W)
<i>Trinité-et-Tobago/Trinidad and Tobago/Trinidad y Tabago:</i> HILTON-CLARKE, Mr. (E)		<i>Venezuela:</i> VILLALOBOS, Sr. (E) DELPINO, Sr. (T/W)	<i>Zambie/Zambia/Zambia:</i> PHIRI, Mr. (G) SIWALE, Mr. (G) MAMBWE, Mr. (E) CHILUBA, Mr. (T/W)
<i>Tunisie/Tunisia/Túnez:</i> HAMZAOUI, M. (G) MABROUK, M. (G) BEL HADJ AMMAR, M. (E)		<i>Yémen démocratique/Democratic Yemen/Yemen Democrático:</i> SAEED, Mr. (G)	
<i>Turquie/Turkey/Turquía:</i> YAVUZALP, Mr. (G) INAL, Mr. (G) ATASAYAR, Mr. (E) YILMAZ, Mr. (T/W)	<i>URSS/USSR/URSS:</i> KOSTINE, M. (G) BORCHTCHEVSKY, M. (G) GAIDAIENKO, M. (E) YANAIEV, M. (T/W)	<i>Yougoslavie/Yugoslavia/ Yugoslavia:</i> JESIC, Mr. (E) TODOROVIC, Mrs. (T/W)	<i>Zimbabwe:</i> NKOMO, Mr. (G) MAWANDE, Mr. (G) CHADZAMIRA, Mr. (E) MUTANDARE, Mr. (T/W)

Contre/Against/En contra 8

<i>Australie/Australia/Australia:</i> POULTER, Mr. (G) FOTHERINGHAM, Mr. (G)	<i>Etats-Unis/United States/Estados Unidos:</i> LAWSON, Mr. (G) FREEMAN, Mr. (G)
<i>Bahamas:</i> TURNQUEST, Mr. (G) BASTIAN, Mr. (T/W)	<i>Royaume-Uni/United Kingdom/Reino Unido:</i> ROBINSON, Mr. (G) ALEXANDER, Mr. (G)

Abstentions/Abstentions/Abstenciones 47

<i>Argentine/Argentina/Argentina:</i> GALER, Sr. (G) TETTAMANTI, Sr. (G) UBALDINI, Sr. (T/W)	<i>Costa Rica:</i> TREJOS FLORES, Sr. (G)	<i>Indonésie/Indonesia/Indonesia:</i> DARWANTO, Mr. (G) SIMANJUNTAK, Mr. (G) BOEDJOSASTRO, Mr. (E)	<i>Nicaragua:</i> VARGAS ESCOBAR, Sr. (G) MEZA SOZA, Sr. (G)
<i>Bolivie/Bolivia/Bolivia:</i> FRANCO GUACHALLA, Sr. (G)	<i>Cuba:</i> MARTINEZ BRITO, Sr. (G) LECHUGA HEVIA, Sr. (G)	<i>République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán:</i> NASSERI, Mr. (G) TIZMAAGHZ, Mr. (G) YAZDAN PANAH, Mr. (E)	<i>Panama/Panama/Panamá:</i> VILLARREAL, Sr. (G) CALDERON, Sra. (G)
<i>Brésil/Brazil/Brasil:</i> MACIEL NEVES, M. (G) MARTINS, M. (G) FERREIRA DO PRADO, M. (T/W)	<i>El Salvador:</i> GALLEGOS, Sr. (G)		<i>Pérou/Peru/Perú:</i> FERREYRA GARCIA, Sr. (G) ALCABES VOTO BERNALES, Sra. (G) RIO MALAGA, Sr. (E)
<i>Chili/Chile/Chile:</i> ARTHUR ERRAZURIZ, Sr. (G) ESCOBAR CERDA, Sr. (G)	<i>Equateur/Ecuador/Ecuador:</i> LEORO FRANCO, Sr. (G)	<i>Irlande/Ireland/Irlanda:</i> O'RIORDAN, Mr. (G) LILLIS, Mr. (G) FLYNN, Mr. (T/W)	<i>Uruguay:</i> LABAT, Sr. (G) LERENA, Sr. (G)
<i>Colombie/Colombia/Colombia:</i> RIOS MUÑOZ, Sr. (G) CHARRY SAMPER, Sr. (G) GALOFRE CANO, Sr. (E)	<i>Guatemala:</i> CHEA URRUELA, Sr. (G) RODRIGUEZ FANKHAUSER, Sra. (G) PIVARAL GUZMAN, Sr. (E) CASTANEDA de GOMEZ, Sra. (T/W)	<i>Mexique/Mexico/México:</i> TELLO, Sr. (G) NOVELO von GLUMER, Sr. (G) ARROYO SAN MARTIN, Sr. (E)	<i>Venezuela:</i> ANTONI PAVAN, Sr. (G) ROJAS, Sr. (G)
	<i>Honduras:</i> MARTINEZ, Sr. (E)		<i>Yougoslavie/Yugoslavia/ Yugoslavia:</i> KOSIN, Mr. (G) TOMASEVIC, Mr. (G)

Record vote on the resolution concerning the Program and Budget for 1988-89

Pour/For/En pro 301

<i>Afghanistan/Afghanistan/ Afganistán:</i>	<i>République socialiste soviétique de Biélorussie/Bylorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia:</i>	<i>Congo:</i>	<i>Ghana:</i>
NAZAR, Mr. (G)	KOVALEVICH, Mr. (E)	KIMBEMBE, M. (G)	YAHAYA, Mr. (G)
SHOOGUFAN, Mr. (G)	BULGAK, Mr. (T/W)	KAYA, M. (G)	QUARM, Mr. (G)
POYA, Mr. (T/W)		LERGES, M. (E)	BANNERMAN-MENSON, Mr. (E)
		ONDONDA, M. (T/W)	YANKEY, Mr. (T/W)
<i>Algérie/Algeria/Argelia:</i>	<i>Birmanie/Burma/Birmania:</i>	<i>Côte d'Ivoire:</i>	<i>Grèce/Greece/Grecia:</i>
LAHIANI, M. (G)	THANG, U (G)	ESSIGAN, M. (G)	KERKINOS, M. (G)
ASSALA, M. (G)	TUN, U (G)	COULIBALY, Dr (G)	KOUKIADIS, M. (G)
LOUNIS KHODJA, M. (E)	WIN, K. U (E)	DIAKITE, M. (E)	MITOS, M. (E)
	WIN, A. U (T/W)	ADIKO NIAMKEY, M. (T/W)	RAFTOPOULOS, M. (T/W)
<i>Allemagne, République fédérale d'Allemagne, Federal Republic of Germany, República Federal de:</i>	<i>Botswana:</i>	<i>Cuba:</i>	<i>Grenade/Grenada/Granada:</i>
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WEBER, Mr. (G)	LEBANG, Mr. (G)		
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			TIMMER, M. (T/W)
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SARKAR, Mr. (T/W)		RIIKONEN, Mr. (G)	
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HARRIS, Mr. (G)			
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	QIAN, Mr. (G)	RAMOND, M. (G)	ARISTODEMO, M. (G)
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SOENEN, M. (G)			
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	PIERIDES, Mr. (E)	IBINGA-MOMBO, M. (G)	NAKAMURA, Mr. (G)
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ZANOU, M. (G)			
ADETONAH, M. (T/W)			<i>Kenya:</i>
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			NGARE, Mr. (G)
			OWUOR, Mr. (E)
			MUGALLA, Mr. (T/W)

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<i>Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia :</i> OMAR, Mr. (G)	<i>Niger/Niger/Níger :</i> YAHAYA, M. (G) DJIKA, M. (G) GEORGET, M. (E)	<i>Rwanda :</i> RUHIGIRA, M. (T/W)	<i>Togo :</i> BLEDJE, M. (G) ASSIH, M. (E) BARNABO, M. (T/W)
<i>Luxembourg/Luxembourg/ Luxemburgo :</i> SCHINTGEN, M. (G) SCHUSTER, M. (G) JUNG, M. (E) PIZZAFERRI, M. (T/W)	<i>Nigéria/Nigeria/Nigeria :</i> OLUMIDE, Mr. (G) WILLIAMS, Mr. (G) UBEKU, Mr. (E)	<i>Saint-Marin/San Marino/San Marino :</i> CECHETTI, M. (G) MORRI, M. (E) CHIARUZZI, M. (T/W)	<i>Trinité-et-Tobago/Trinidad and Tobago/Trinidad y Tabago :</i> HILTON-CLARKE, Mr. (E)
<i>Madagascar :</i> RAZAFIMANDRANTO, M. (G) RAFENOMANANTSOA, M. (G) ADRIANTSITOHAINA, M. (E) RANAIVOJAONA, M. (T/W)	<i>Norvège/Norway/Noruega :</i> RUGE, Ms. (G) BRUAAS, Mr. (G) HOFF, Mr. (E) PEDERSEN, Ms. (T/W)	<i>Sénégal/Senegal/Senegal :</i> SENE, M. (G) THIAM, M. (G) SOW, M. (E) DIOP, M. (T/W)	<i>Tunisie/Tunisia/Túnez :</i> HAMZAOUÏ, M. (G) MABROUK, M. (G) BEL HADJ AMMAR, M. (E)
<i>Malaisie/Malaysia/Malasia :</i> NIK MOHAMED AMIN, Mr. (G) ABDUL RAHMAN HARON, Mr. (G)	<i>Nouvelle-Zélande/New Zealand/Nueva Zelandia :</i> WILLIAMS, Mr. (G) BUCHANAN, Mr. (G) JESSUP, Mr. (E) DOUGLAS, Mr. (T/W)	<i>Somalie/Somalia/Somalia :</i> AHMED, Mr. (G) ABDI, Mr. (T/W)	<i>Turquie/Turkey/Turquía :</i> YAVUZALP, Mr. (G) INAL, Mr. (G) YILMAZ, Mr. (T/W)
<i>Malawi :</i> MPATA, Mr. (G) MAWINDO, Mr. (G) MUYENZA, Mr. (E) MVULA, Mr. (T/W)	<i>Ouganda/Uganda/Uganda :</i> OLWENY, Mr. (G) KASWARRA, Mr. (E) BINDEEBA, Mr. (T/W)	<i>Soudan/Sudan/Sudán :</i> SHUMMENA, Mr. (G) EL HASSAN, Mr. (G) MUSTAFA, Mr. (E)	<i>République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania :</i> CHILO, Mr. (E) KOVALEVSKI, Mr. (T/W)
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<i>Malte/Malta/Malta :</i> BORG CARDONA, Mr. (G) CILIA, Mr. (G) MALLIA MILANES, Mr. (E) CALAMATTA, Mr. (T/W)	<i>Panama/Panama/Panamá :</i> MENESES A., Sr. (T/W)	<i>Suède/Sweden/Suecia :</i> ETTARP, Mr. (G) WIKLUND, Ms. (G) VON HOLTEN, Mr. (E) KARLSSON, Mr. (T/W)	<i>Uruguay :</i> BARRENECHEA, Sr. (E) PEREYRA, Sr. (T/W)
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<i>Maurice/Mauritius/Mauricio :</i> REY, Mr. (E)	<i>Pays-Bas/Netherlands/Países Bajos :</i> ROOD, Mr. (G) HAGEN, Mr. (G) HÖRDIJK, Mr. (T/W)	<i>Suriname :</i> McLEOD, Mr. (G) BYNOE, Mr. (E) KROSS, Mr. (T/W)	<i>Yémen démocratique/Democratic Yemen/Yemen Democrático :</i> SAEED, Mr. (G)
<i>Mauritanie/Mauritania/ Mauritania :</i> TRAORE, M. (G)	<i>Philippines/Philippines/Filipinas :</i> VILLARROEL, Mr. (G) DE LA SERNA, Mr. (G) HERRERA, Mr. (T/W)	<i>Swaziland/Swaziland/ Swazilandia :</i> BEMBA, Mr. (G) SHABANGU, Mr. (G) DODDS, Mr. (E) SITHOLE, Mr. (T/W)	<i>Yougoslavie/Yugoslavia/ Yugoslavia :</i> TODOROVIC, Mrs. (T/W)
<i>Mexique/Mexico/México :</i> ARROYO SAN MARTIN, Sr. (E) SANCHEZ MADARIAGA, Sr. (T/W)	<i>Pologne/Poland/Polonia :</i> NOWAK, Mr. (E) MIODOWICZ, Mr. (T/W)	<i>République arabe syrienne/Syrian Arab Republic/República Árabe Siria :</i> GHALIL, M. (G) AL-SABBAGH, M. (G)	<i>Zaïre/Zaire/Zaire :</i> KUMBU-KI-LUTETE, M. (G) KOMBO, M. (T/W)
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<i>Namibie/Namibia/Namibia :</i> BARRERO-STAHLE, Mr. (G) YA OTTO, Mr. (T/W)	<i>Qatar :</i> AL-MAHMOOD, Mr. (G)		<i>Zimbabwe :</i> NKOMO, Mr. (G) MAWANDE, Mr. (G) CHADZAMIRA, Mr. (E) MUTANDARE, Mr. (T/W)

Contrel/Against/En contra 42

<i>Argentine/Argentina/Argentina:</i> GALER, Sr. (G) TETTAMANTI, Sr. (G) UBALDINI, Sr. (T/W)	<i>Colombie/Colombia/Colombia:</i> RIOS MUÑOZ, Sr. (G) CHARRY SAMPER, Sr. (G)	<i>Honduras:</i> DISCUA RODRIGUEZ, Sr. (G) MEJIA UCLES, Sr. (G)	<i>Panama/Panama/Panamá:</i> VILLARREAL, Sr. (G) CALDERON, Sra. (G)
<i>Bahamas:</i> TURNQUEST, Mr. (G) BASTIAN, Mr. (T/W)	<i>Costa Rica:</i> TREJOS FLORES, Sr. (G)	<i>République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán:</i> NASSERI, Mr. (G) TIZMAAGHZ, Mr. (G) SALIMIAN, Mr. (T/W)	<i>Pérou/Peru/Perú:</i> FERREYRA GARCIA, Sr. (G) ALCABES VOTO BERNALES, Sra. (G) RIO MALAGA, Sr. (E)
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<i>Chili/Chile/Chile:</i> ARTHUR ERRAZURIZ, Sr. (G) ESCOBAR CERDA, Sr. (G)	<i>Etats-Unis/United States/Estados Unidos:</i> LAWSON, Mr. (G) FREEMAN, Mr. (G)	<i>Nicaragua:</i> VARGAS ESCOBAR, Sr. (G) MEZA SOZA, Sr. (G)	<i>Venezuela:</i> ANTONI PAVAN, Sr. (G) ROJAS, Sr. (G)
<i>Guatemala:</i> CHEA URRUELA, Sr. (G) RODRIGUEZ FANKHAUSER, Sra. (G)			

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<i>Bulgarie/Bulgaria/Bulgaria:</i> HARALAMPIEV, M. (G) ANDREEV, M. (G)	<i>République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán:</i> YAZDAN PANAHAH, Mr. (E)	<i>Pologne/Poland/Polonia:</i> BORAWSKI, Mr. (G) TOWPIK, Mr. (G)	
<i>Colombie/Colombia/Colombia:</i> GALOFRE CANO, Sr. (E)	<i>Jamaïque/Jamaica/Jamaica:</i> MARSH, Mr. (G) AITKEN, Mr. (G) ROBINSON, Mr. (E)	<i>République démocratique allemande/German Democratic Republic/República Democrática Alemana:</i> NOACK, Mr. (G) HERTEL, Mr. (G)	<i>URSS/USSR/URSS:</i> KOSTINE, M. (G) BORCHTCHESKY, M. (G)
<i>Honduras:</i> MARTINEZ, Sr. (E)	<i>Koweït/Kuwait/Kuwait:</i> AL-SABAH, Mr. (G) AL-THAMER, Mr. (G) AL-JASSEM, Mr. (E)	<i>Tchécoslovaquie/Czechoslovakia/Checoslovaquia:</i> MOLKOVA, Mrs. (G) VEJVODA, Mr. (G)	<i>Yougoslavie/Yugoslavia/Yugoslavia:</i> KOSIN, Mr. (G) TOMASEVIC, Mr. (G) JESIC, Mr. (E)
<i>Hongrie/Hungary/Hungría:</i> MEISZTER, M. (G) MARTON, M. (G)			

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Fourth item on the agenda: Safety and health in construction

Report of the Committee on Safety and Health in Construction

1. The Committee on Safety and Health in Construction was set up by the International Labour Conference at its third sitting on 2 June 1988. It was originally composed of 141 members (67 Government members, 32 Employers' members and 42 Workers' members). To achieve equality of voting strength, each Government member was allotted 672 votes, each Employers' member 1,407 votes and each Workers' member 1,072 votes. The composition of the Committee was modified seven times during the session and the number of votes attributed to each member was adjusted accordingly.¹

2. The Committee elected its Officers as follows:

Chairman: Mr. Mirza (Government member, Pakistan);

Vice-Chairman: Mr. Halliwell (Employers' member, Canada); and Mr. Chiluba (Workers' member, Zambia).

Reporter and Deputy Chairman: Mr. Panzke (Government member, German Democratic Republic).

3. At its eighth sitting the Committee appointed a Drafting Committee composed of the following members: Mr. Schuster (Government member, Luxembourg); Mr. Bonetat (Employers' member, France); Mrs. O'Donovan (Workers' member, Ireland); and the Reporter and Deputy Chairman of the Committee.

4. The Committee held ten sittings. It had before it Report IV(I), and Reports IV(2A) and IV(2B), prepared by the Office on the fourth item of the agenda of the Conference: "Safety and health in construction". The Committee based its discussions on the proposed Convention and the proposed Recommendation contained in Report IV(2B),

¹ The modifications were as follows:

- (a) 6 June: 143 members (69 Government members with 1333 votes each, 31 Employers' members with 2,967 votes each and 43 Workers' members with 2,139 votes each);
- (b) 7 June: 146 members (69 Government members with 62 votes each, 31 Employers' members with 138 votes each and 46 Workers' members with 93 votes each);
- (c) 8 June: 144 members (69 Government members with 30 votes each, 30 Employers' members with 69 votes each and 45 Workers' members with 46 votes each);
- (d) 9 June: 143 members (69 Government members with 220 votes each, 30 Employers' members with 506 votes each and 44 Workers' members with 345 votes each);
- (e) 10 June: 137 members (69 Government members with 190 votes each, 30 Employers' members with 437 votes each and 38 Workers' members with 345 votes each);
- (f) 13 June: 137 members (70 Government members with 111 votes each, 30 Employers' members with 259 votes each and 37 Workers' members with 210 votes each);
- (g) 15 June: 134 members (70 Government members with 29 votes each, 29 Employers' members with 70 votes each and 35 Workers' members with 58 votes each).

Introduction

5. The Assistant Secretary-General of the Conference, Mr. Morozov, welcomed the delegates and referred to the considerable risks to life and health associated with the activities of the construction industry world wide. The successful completion of the work of the Committee would lead to the adoption by the Conference of new international labour instruments on safety and health in construction, setting new standards for the improvement of working conditions in a major industrial sector of activities in all member States.

General discussion

6. The representative of the Secretary-General recalled briefly the conclusions of the Committee resulting from the first discussion of this item and spoke of the preparation of Report IV(2A) which summarises the comments and proposals received from the governments of member States. The proposed Convention and Recommendation contained in Report IV(2B) had been drawn up by the Office to reflect the observations received. Some observations introduced new ideas or repeated provisions previously discussed but not retained, and it was felt that the inclusion of corresponding changes in the proposed texts was not justified prior to discussion by the present Committee. When proposals were in line with the Conclusions adopted by the 73rd Session of the Conference, and it was considered that they improved the text, the Office had incorporated such observations in the proposed texts. The report had been prepared in two parts in order to facilitate the work of delegates by reducing the time taken to distribute the texts of the proposed Convention and Recommendation. The need had arisen because the amended Standing Orders of the Conference meant that the comments of employers' and workers' organisations were now reflected equally with those of governments in Report IV(2A), and also the considerable response there had been to Report IV(1). Observations or amendments were received from 82 member States and, in addition, replies from 16 member States were received too late for inclusion in Report IV(2): these were available to members of the Committee who wished to consult them.

7. The representative of the Secretary-General referred to several important issues raised during discussions at the 73rd Session. There was the problem which arose for some member States in the interpretation of Conventions whose texts contain absolute terms. The Committee had asked that the problem

be studied before the second discussion and there had been consultations between the Office and the Government of the United Kingdom. This question may also affect other legal systems based upon English common law. He stated that the Committee had before it the text of a legal opinion which the Office believed satisfactorily resolved the problem. A related issue of semantics which caused concern at the 73rd Session arose from the use of the word "prevent" in relation to danger in various construction operations. The Office had used a form of words which it believed expressed the intention of all delegates whilst avoiding the problems which arose from different interpretations in various legal terminologies. There had been long discussion at the 73rd Session of an employer's responsibility for the ergonomic design of the plant and equipment he used. The Office had sought to recognise the criticism that the construction employer who is not the manufacturer of construction equipment cannot be responsible for its design, whilst making it clear that he does have the responsibility for ordering construction plant and equipment which is of good design and conforms to ergonomic principles. Finally, the Chairman of the Committee at the 73rd Session had recommended that the Office prepare a compendium of important existing definitions from other Conventions, and this was available for the use of the Chairman.

8. The Legal Adviser to the Conference introduced the opinion previously referred to by the representative of the Secretary-General on the interpretation of Conventions in which the texts use absolute terms. This recalled that during the first discussion it had emerged that in certain legal systems, such as that of the United Kingdom, a requirement of this kind would be construed as an absolute one in the absence of a qualification such as "as far as reasonably practicable". In others, provisions in absolute terms are understood – to use French legal terminology – as involving "an obligation of means, not of results" and accordingly as already incorporating the principle which has to be spelled out in United Kingdom legislation by the qualification "as far as reasonably practicable"; the inclusion of such a phrase in the French text of the Convention might accordingly infer a lowering of the standards of protection which was not intended.

9. International labour Conventions are adopted in two authentic texts, English and French, and are presumed to have the same meaning in each text. Where there is an apparent difference, the meaning which best reconciles the texts, having regards to the object and purpose of the Convention, has to be adopted.

10. Thus, to construe the English text of a Convention in accordance with the rules of interpretation applicable to an English statute would not be the correct approach if this would result in a different meaning from that given to the French text: the two have to be construed together.

11. The general rule for the interpretation of a treaty is that it shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose. The ordinary meaning of the terms of an international labour Convention

has to be ascertained, of course, by reference to both the English and the French wording.

12. The spokesman for the Employers' members was appreciative of the attempt to resolve a difficult problem. However, the Employers' members would need to look closely at the opinion in relation to the provisions of the proposed instruments before approving it. The spokesman for the Workers' members thought the opinion very helpful. However, further explanation and discussion of the opinion would be necessary. He further stated that, in particular situations which present very serious or lethal risks, the duty to provide adequate protection is to be expressed in absolute terms. The Government member of the Federal Republic of Germany, as spokesman for the Government members of member States of the European Communities (EC), considered the Office had proposed a good solution to a problem which was widely recognised within the EC, and the opinion should be reflected in the report of the Committee. The Government member of India was grateful for the opinion although he believed it was only one of several alternative solutions. The Government member of Uruguay agreed in principle with the opinion of the Legal Adviser. However, there was a need for detailed study of particular provisions of the draft instruments before an official position could be taken. The Government member of New Zealand believed the difficulty which the opinion addressed should be recognised in the proposed Convention. He considered the opinion resolved the problem admirably and supported the conclusions reached.

13. The spokesman for the Employers' members recalled that at the 73rd Session the Employers' members had served notice that unless the texts of the proposed instruments were amended in important respects they would be unable to support the adoption of a Convention. There had been important changes in the text which they welcomed and to which they would give their careful consideration. However these did not allay their concern that the scope of the proposed Convention was still too broad and not only set down principles but attempted to apply those principles in several areas of operations, a task that was proper to a Recommendation. They would seek to amend the text so that any Convention would stand a realistic chance of ratification by member States. Unless the Committee produced a proposed Convention containing a set of principles only it would be impossible to implement in practice. The Employers' members intended to concentrate on issues of major importance. Amendments would be framed only after careful thought and would be kept to a minimum. They were concerned about the present text but would work towards the goal of a proposed Convention which all delegates could support and which member States could put into practice.

14. The spokesman for the Workers' members expressed satisfaction that the proposed instruments under discussion sought to cover the ever-growing scope of the construction industry. While the present definition was fair, still more could be done to broaden the scope. He reminded the Committee that the present discussion was necessary because the Safety Provisions (Building) Convention, 1937 (No. 52),

could not cope with the modern working environment in the construction industry. Report IV(2B) provided a sound basis for continuing the discussion begun last year. A refusal to agree to a proposed Convention supported by a proposed Recommendation would put the clock back and fail to recognise that Convention No. 62 was obsolete. The new instruments must take account of the need for employers and workers to co-operate in achieving maximum results from safety and health measures. Even in the interests of flexibility nothing should be done to lower standards of protection and there was a need for measures capable of improving working conditions. Many hazards and dangers could be prevented or minimised and one way was to take account of ergonomic principles when introducing new machinery and equipment into the industry.

15. The Government member of Turkey believed that Reports IV(2A) and IV(2B) provided a reliable and satisfactory basis for continued discussion. Turkey had already begun to apply some of the provisions of the proposed instruments in its inspection programme and was focusing inspection on construction and mining. The construction industry was expanding and providing a large number of new jobs, while Turkish construction firms were increasingly working abroad and there were many Turkish migrant construction workers. Tripartite relationships would increasingly influence construction safety and his Government recognised the importance of the proposed instruments in preventing and combating risks in the industry for many years to come.

16. The Government member of Senegal emphasised the importance of a new Convention in view of the evolution of the industry since 1937. The proposed instruments should take into account the problems faced by developing countries, where the construction industry was an important source of employment, and the proposed Convention should be sufficiently flexible to reconcile the need to protect workers with the need to develop the industry.

17. The Government member of the Federal Republic of Germany, as spokesman for the member States of the European Communities (EC), referred to the new impulse given to the improvement of the working environment, in particular to the safety and health of workers, by the Single European Act which had come into force since the last session of the Conference. Member States were working towards harmonisation of standards, although this would not prevent any member State from adopting more stringent rules. Particular attention was being paid to small and medium-sized undertakings, which were numerous in the construction industry. The proposed instruments were a satisfactory foundation for the work of the Committee.

18. The Government member of the German Democratic Republic said that the safety and health of workers in the construction industry required thorough discussion and the report was acceptable as the basis for this. All the basic rules of safety and health were included in the proposed Convention and the remaining points were in the proposed Recommendation. In the German Democratic Republic, there had been a considerable increase in the construction workforce, particularly in the housing sector.

19. The Government member of China agreed that the proposals for a Convention and Recommendation provided a satisfactory basis for discussion. Some specific requirements should be as flexible as possible to allow member States to work out national laws, regulations and technical standards appropriate to their state of development. His country proposed to strengthen the responsibility of employers for the education of workers in occupational safety and health so that they understood their working environment, with certification after examination for supervisory grades. As a developing country China would draw on the advanced experience of other countries in formulating policies appropriate to national conditions, and the proposed instruments would be important in this respect.

20. The representative of the Commission of the European Communities referred to the Single European Act which would enable safety and health legislation to be adopted by a majority vote. The Commission had prepared a new programme of work focusing attention on the construction industry, which had been identified as one of three high-risk sectors, and was characterised by a labour force of 10 million workers with a high proportion of small firms. The system of bidding for contracts did not require identification of safety and health provisions and might encourage tenderers to propose or to adopt working methods which appeared to be cheaper. The Commission envisaged an EC instrument stressing the need to: incorporate safety requirements at the initial design stage, make safety and health aspects clearer in the tenders, closely define responsibility on construction sites, establish safety-related qualification requirement for certain tasks.

21. The Government member of India believed the report provided a good basis for discussion. However, it would be difficult and costly in the developing countries, particularly if they were as vast in area as India, to implement a law which applied to an enormous number of scattered establishments. The proposed Convention should leave governments with a discretion to exclude very small establishments.

22. The Government member of Hungary considered that the proposed instruments would contribute to a safer and healthier working environment in the construction industry, and that there was no need for major amendments.

23. The Government member of Japan agreed in principle with the texts of the proposed Convention and Recommendation. However, there was a need for measures to take account of the differing technologies, labour relations and working environments found in various countries. The Committee should seek to maintain the standards of protection contained in the present proposals while allowing for such variations.

24. The Government member of Brazil considered that the reports provided a good basis for future discussion. The preparation of a proposed Convention and Recommendation was important to Brazil for, as elsewhere in Latin America, the construction industry employed a high proportion of workers. The risks in the industry should be properly controlled. In 1988 it was proposed with the assistance of the International Programme for the Improvement of Work-

ing Conditions and the Working Environment (PIACT) to hold a tripartite seminar for Latin America to discuss the problem of safety and health in the industry and to develop programmes for dealing with them. The application of the proposed Convention and Recommendation would be prominent in the discussion.

25. The Government member of Côte d'Ivoire said that, while his country's comments were not reflected in the reports, its concerns had been met, for example by the use of the word "santé" rather than "hygiène" throughout the text. The reports were a suitable basis for discussion of a proposed Convention and Recommendation which were much needed to revive the Safety Provisions (Building) Convention, 1937 (No. 62), now so much out of date. The proposed Convention should take account of the needs of all regions of the world if it was to be capable of being properly applied.

26. The Government member of Uruguay referred to a recent national tripartite seminar held with the assistance of PIACT which had confirmed the nature of the safety and health problems that arose from the difficult working conditions in the construction sector, and that had helped in analysing and preparing measures which would help in overcoming the difficulties. These included the adaptation and updating of existing legislation, and in this the proposed Convention and Recommendation would be most useful.

27. The Chairman thanked members for their constructive contributions to the general discussion, which he hoped would continue so that the work of the Committee would come to a successful conclusion.

Consideration of the proposed Convention contained in Report IV (2B)

PREAMBLE

28. Since no amendments were proposed, the Preamble was adopted without change.

PART I. SCOPE AND DEFINITIONS

Article 1¹

29. After discussion, the Workers' members withdrew an amendment to delete in paragraph 2 the words "where they exist" which qualify the reference to employers' and workers' organisations. The Employers' members and the Government members of Cyprus and the spokesman for the Government members of member States of the EC preferred the Office text and the amendment was withdrawn.

30. The Government members of Botswana, Kenya, Malawi and Zimbabwe introduced an amendment to paragraph 2 to insert the words "and on the basis of an assessment of safety and health hazards involved". The Employers' members and the Workers' members opposed the amendment, which was withdrawn.

31. The Government members of the member States of the EC introduced an amendment to the French text of paragraph 3 to replace the word "designera" by the words "pourrait désigner": this would be in accord with the English text. The amendment was referred to the Drafting Committee.

32. The Workers' members submitted an amendment to paragraph 3 to delete the words "such" and "as may be specified in national laws and regulations". The paragraph would then apply to all self-employed persons. The Employers' members pointed out that in member States the definition of a self-employed person varied considerably, while the Government member of India thought that to remove the qualification would broaden the scope too much. The Government members of the member States of the EC preferred the Office text. The amendment was withdrawn.

33. Subject to changes in the French text by the Drafting Committee, Article 1 was adopted.

Article 13 (First discussion)

34. The Chairman explained that an amendment submitted by the Employers' members would alter the structure of the proposed Convention and materially affect the future programme of discussion. He proposed, therefore, to have this amendment discussed at this early stage of proceedings. The spokesman for the Employers' members introduced the amendment to add a new paragraph to Article 13 to read:

Without prejudice to the generality of paragraphs 1 and 2 above, precautions to guard against the risks to the safety and health of workers shall be taken in relation to:

- (a) scaffolding and ladders;
- (b) lifting appliances and gear;
- (c) transport, earth-moving and materials-handling equipment;
- (d) plant, machinery, equipment and hand tools;
- (e) excavations, shafts, earthworks, underground works and tunnels;
- (f) cofferdams and caissons;
- (g) work in compressed air;
- (h) structural frames and formwork;
- (i) work over water;
- (j) lighting;
- (k) electrocution;
- (l) explosives.

and to delete Articles 14, 15, 16, 17, 19, 20, 21, 22, 23, 25, 26 and 27.

35. The Employers' members had given careful consideration to what the Committee was attempting to achieve in a Convention. They saw this as setting guide-lines stating principles which would have an excellent chance of ratification. Ratification would be hampered if the text was so broad and comprehensive that it embraced matters which should properly be in the proposed Recommendation. The proposed Convention should state only that precautions should be taken, leaving the proposed Recommendation to elaborate on the detail. The articles which it was proposed to delete were of a technical nature. It was wrong to put technical standards into a Convention when these could not be comprehensive or exhaustive and would remain frozen for 50 years or more. The Employers' members were seeking to find a compromise which would enable them to support

¹The numbering of the Articles reproduces that of the proposed Convention in Report IV (2B). It does not necessarily correspond in every case to the numbering of the Articles in the proposed Convention reproduced at the end of the Committee's report, which is based on the decisions of the Committee and, in some cases, of the Drafting Committee.

the proposed Convention. A similar approach was often adopted in national legislation with detail left for regulations. There was some indication in the recently circulated questionnaire regarding safety in the use of chemicals at work that the ILO was itself moving towards this view of a Convention, and he asked for clarification.

36. The spokesman for the Workers' members said that throughout the world there was a cry for standards to be maintained and improved. The amendment proposed has little to do with constructing standards, more with demolition. It sought to bring together so much without any specification that it finally meant no more than that attention should be paid to the listed items. It sought to put into a single sentence measures to be taken for a wide variety of operations from work in compressed air to explosives. It gave no guidance to governments on how to deal with safety and health on sites. Previous Conventions had contained the sort of provisions found in the proposed Convention. If Articles 14 to 27 were transferred to the proposed Recommendation they would be lost, for a Recommendation could not replace a Convention.

37. The Government member of Argentina believed that a Convention had educative and persuasive value even when it was not ratified. The amendment read like a contents page without reference to principles, and should be rejected.

38. The spokesman for the Government members of member States of the EC said that the amendment was of basic significance for the proposed Convention. He wished to hear about the questionnaire on safety in the use of chemicals at work issued by the Office. The proposed Convention should contain basic obligations and requirements and he wished to know more of what the Employers' members had in mind.

39. The Government members of Austria, Cyprus, Hungary and India believed that the amendment over-simplified the provisions of the proposed Convention so that they were without content and substance. The Government member of Côte d'Ivoire similarly thought the amendment unacceptable to developing countries whose national legislation needed to be guided by a carefully developed Convention.

40. The Government member of the Byelorussian SSR considered that the elimination of the specific articles would convert the proposed Convention into a universal instrument, applicable to all forms of employment and without any particular relationship to construction. The amendment was opposed by the Government member of Canada, who believed the implications had not been clearly seen, and by the Government members of the German Democratic Republic, the United Republic of Tanzania and Zimbabwe who saw the amendment as providing only a stark list of operations with discretion as to the precautions to be taken without any indications as to what these should be.

41. At the request of the Chairman, the representative of the Secretary-General explained the nature of a Convention and a Recommendation as contained in Article 19 of the ILO Constitution, and drew attention to Article 4 of the proposed Conven-

tion in which reference was made to the proposed Recommendation.

42. The Government member of the Federal Republic of Germany, as spokesman for the Government members of member States of the EC, and the spokesman for the Employers' members requested that the representative of the Secretary-General clarify any new ILO approach regarding restriction to principles in the questionnaire on chemical safety. The former suggested a working party to seek a reconciliation of the conflicting views.

43. The spokesman of the Workers' members, supported by several Government members, requested that a vote be taken on the amendment. Put to the vote it was rejected by 93,310 votes in favour to 149,296 against, with 7,998 abstentions.

Article 2

44. The Government members of Denmark, Finland, Norway and Sweden submitted an amendment to delete in clause (a)(i) the bracketed words "including cleaning and painting". These were unnecessary and misleading, for a certain amount of cleaning and painting was to be found in construction work other than maintenance, and the Government member of the United States agreed with this view. The Employers' members supported the amendment, for the words could be read to cover daily office cleaning. The Workers' members preferred the Office text, and the Government member of Austria drew attention to Report IV(2A) which made it clear that cleaning of structures, and not housekeeping, was intended. The amendment was rejected by 94,041 votes in favour to 134,633 against, with 6,665 absences.

45. An amendment submitted by the Government member of Denmark, Finland, Norway and Sweden to insert reference to "dredging" in clause (a)(ii) was withdrawn after discussion as the process was already covered by the definition when it was associated with construction processes.

46. An amendment by the Government member of India to include reference to "canals, canal structures and slope protection works" in clause (a)(ii) was withdrawn after the Chairman gave his opinion that these were covered by the reference to inland waterways.

47. The Employers' members submitted an amendment to subparagraph 2(c) to replace the words "need to be" by the words "are required to be". The present wording did not specify who determined need, whereas "required" meant required by the employers. The Workers' members interpreted "need" as the worker being present at a workplace by reason of the work to be performed by him, and preferred the Office text. Several Government members also preferred the Office text and the amendment was withdrawn.

48. The Employers' members submitted an amendment to subparagraph 2(c) to change the reference to "an employer" to "their employer". An employer should be responsible only for the safety of workers on his own sites, for he could not be responsible if a worker visited a construction site not under his control. Each employer was responsible for his

own workers on a site and was required to co-operate with other employers on the site. The Workers' members considered that as long as a worker was at a worksite an employer should be responsible for him, particularly if his own employer was not there. The amendment restricted the responsibility of employers to an unacceptable degree. Often there was more than one employer on a site and every employer and worker should observe safety measures in the interest of all. The Office text provided room for this. The spokesman for the Government members of the member States of the EC supported the amendment and withdrew their own amendment which was in similar terms. The proposed Convention should make it clear that each employer was responsible for the safety of his own workers. Several Government members spoke in support of the Office text, which dealt adequately with sites on which there were several employers. Put to the vote the amendment was rejected by 5,208 votes in favour to 5,828 votes against, with 310 abstentions. An amendment submitted by the Government member of Turkey to delete as superfluous the reference to the later definition of employer was withdrawn after discussion.

49. After discussion, an amendment submitted by the Government member of Canada to add a reference to "owner" in clause (e)(ii) was withdrawn, as was a related amendment referring to "the project manager".

50. The Employers' members withdrew amendments to delete subparagraphs (g), (h) and (i) in view of the rejection of their substantial amendment to Article 13.

51. An amendment submitted by the Government member of Brazil to introduce a definition of "good design and construction" was withdrawn after discussion of difficulties presented by national variations in standards.

52. Article 2 was adopted without change.

PART II. GENERAL PROVISIONS

Article 3

53. After discussion, the Government members of Botswana, Kenya, Malawi and Zimbabwe withdrew an amendment to introduce the words "where they exist".

54. Article 3 was adopted without change.

Article 4

55. The Government member of Canada withdrew an amendment to subparagraph (a) intended to provide for the application of the proposed Convention by means other than laws or regulations.

56. The Government members of the member States of the EC submitted an amendment to delete subparagraph (b). Their spokesman said that they were concerned to have a Convention which would be widely ratified and they saw subparagraph (b) as an impediment to ratification. The representative of the Secretary-General had explained the essential difference between a Convention and a Recommendation, and in trying to connect the two, subparagraph (b) would contradict the Constitution. The

Government member of Uruguay and the Employers' members were of similar opinion. The spokesman for the Workers' members asked whether similar provisions had been included in other Conventions, and at the request of the Chairman, the representative of the Secretary-General reported that one Convention, the Hygiene (Commerce and Offices) Convention, 1964 (No. 120), contained a similar text. There had been 42 ratifications of that Convention and the Committee of Experts on the Application of Conventions and Recommendations had on occasion asked governments how far they had been able to give effect to the provisions of the Recommendations, but without follow-up. In the light of this information several Government members spoke in favour of the amendment and it was accepted by the Workers' members.

57. Article 4, as amended, was adopted.

Article 5

58. In view of the discussion on a related amendment to Article 4, the Government member of Canada withdrew an amendment in similar terms.

59. The Workers' members submitted an amendment to add a new paragraph requiring standards which are introduced to be according to the principle of tripartism and not to be inferior to those envisaged by Part III, and also requiring equal opportunities for men and women. Several Government members and the Employers' members regarded mention of equal opportunities as inappropriate to the proposed Convention. The spokesman for the Employers' members said that member States which ratified the proposed Convention were bound to maintain its standards and there was already a mechanism for checking that this was done. The proposers withdrew the amendment.

60. Article 5 was adopted without change.

Article 6

61. The Workers' members submitted an amendment to replace the second and third lines by the following text: "employers, workers and their respective organisations in order to promote safety and health in all construction activities in accordance with national laws and regulations". The intention was to encourage greater understanding and collaboration between employers and workers at levels and to include in this process their representative organisations. Co-operation should not be limited to the workplace but should permeate all construction activities. Governments also would find such co-operation helpful in seeing that the appropriate measures were applied. The spokesman for the Employers' members opposed the amendment which made the scope of the article far too broad. It would, for example, extend it to draughting rooms, design, trucking on highways, and preparation of bids or tenders, whereas the proposed Convention was intended to promote safety and health on the construction site. The spokesman for the Workers' members proposed the deletion of the word "all", but this did not meet the Employers' members' objection. The Government member of Senegal said that responsibility for safety on site rested with the employer and there was no place on site for organisations. The

Government members of Argentina, the German Democratic Republic, Côte d'Ivoire and India spoke in favour of the amendment in extending co-operation beyond the site to employers' and workers' organisations and to professional bodies. The Government member of the German Democratic Republic emphasised that even at the design stage safety had to be considered. The Government member of the Netherlands thought the amendment unnecessary, for as members of the ILO, co-operation between employers' and workers' organisations was already incumbent upon them. The spokesman for the Workers' members said that it was not possible to achieve co-operation on the site if it was not a policy in the enterprise. The involvement of organisations was referred to or suggested elsewhere in the proposed Convention through safety representatives and committees, in safety training, and in off-site activities. The worker could not be separated from his organisation and collective agreements were already examples of co-operation between organisations. The spokesman for the Employers' members restated their opposition and emphasised that many construction workers were not unionised, while employers' organisations could not be bound by a Convention.

62. The Government members of Botswana, Kenya, Malawi and Zimbabwe withdrew their amendment in favour of the Workers' members' amendment.

63. The amendment, as subamended by deletion of the word "all", was rejected by 5,301 votes in favour to 5,456 against, with 620 abstentions.

64. The Government member of the Federal Republic of Germany, as spokesman for the Government members of member States of the EC, introduced an amendment to the English text to delete in the second line the word "organised" and to add after the word "with" the words "modalities to be defined by". The amendment was supported by the Employers' members and the Workers' members and was adopted.

65. Article 6, as amended, was adopted.

Article 7

66. An amendment proposed by the Government member of Switzerland was withdrawn in favour of that submitted by the Government members of the member States of the EC. Their amendment to make drafting changes to the text was withdrawn after the spokesmen for the Employers' and the Workers' members indicated their opposition.

67. The Government members of Botswana, Kenya, Malawi and Zimbabwe submitted an amendment intended to improve the text in the following terms: (1) In the second line, replace the words "a safe and healthy workplace and to" by the word "and"; (2) In the third line, after the word "prescribed" insert the words "safety and health"; (3) In the third line, after the word "measures" add the words "at the workplace".

68. The Employers' members and the Workers' members supported the amendment, which was adopted.

69. Article 7, as amended, was adopted.

Article 8

70. After lengthy discussion, the Government members of the member States of the EC accepted a subamendment to their amendment to subparagraph 1(a), proposed by the Employers' members, so that their amendment then read: "the principal contractor, or such other person or body with actual control over or as is primarily responsible for overall work-site activities, shall be responsible for co-ordinating the prescribed safety and health measures and, in so far as is compatible with national laws and regulations, be responsible for ensuring compliance with such measures". The Employers' members then withdrew their own amendment. The Government members of Canada and of Botswana, Kenya, Malawi and Zimbabwe withdrew amendments in favour of that proposed by the Government members of member States of the EC.

71. The Workers' members supported the amendment as it retained the primary responsibility of the principal contractor for safety and health measures.

72. The amendment, as subamended, was adopted.

73. The Government members of the member States of the EC accepted a subamendment to their amendment to subparagraph 1(b), proposed by the Employers' members so that their amendment then read:

In so far as it is compatible with national laws and regulations, where a principal contractor, or such other person or body with actual control over or as is primarily responsible for overall work-site activities, is not present at the site, he shall nominate a competent person at the site with the authority and means necessary to ensure on his behalf co-ordination and compliance with the measures foreseen in subparagraph (a).

74. The Government members of Canada and of Botswana, Kenya, Malawi and Zimbabwe again withdrew their amendments in favour of that submitted by the Government members of member States of the EC. The amendment, as subamended, was adopted.

75. The Government members of the member States of the EC submitted an amendment to add a new subparagraph to paragraph 1 to read:

each employer remains responsible for the application of the prescribed measures for the workers placed under his authority.

The purpose was to make clear that despite the duties imposed in the previous subparagraphs the primary responsibility of the employer remained. The Employers' members thought it necessary to make this absolutely clear and the amendment was adopted.

76. An amendment by the Government member of Turkey to delete the words "with one another" as being superfluous was adopted, as was another by the Government members of Botswana, Kenya, Malawi and Zimbabwe to insert in paragraph 2 after "prescribed" the words "safety and health".

77. Article 8, as amended, was adopted.

Article 9

78. The Government members of the member States of the EC submitted an amendment to delete the words "who will be engaged in its construction". As spokesman, the Government member of the Fed-

eral Republic of Germany said that the words were unnecessary because of the definition of "worker" in Article 2. The Employers' members opposed the amendment as broadening the scope of the proposed Convention, for it was not all workers who were within its intention. The spokesman for the Workers' members agreed with the intention to cover workers in all construction activities and to meet the Employers' members' point proposed a subamendment to insert the word "construction" before "workers". The subamendment was acceptable to the proposer and to the Employers' members and the amendment, as subamended, was adopted.

79. The Government member of the Byelorussian SSR submitted an amendment to replace the word "practice" by the word "regulation". The word "practice" was vague and inappropriate and those who designed and planned a construction project should be subject to regulations which may embody national practice. The spokesman for the Employers' members opposed the amendment for many standard practices of the industry were not encompassed in regulations. The Government member of Hungary asked if the expression "national law and practice" had been used in other Conventions and the representative of the Secretary-General said that both "practice" and "regulations" has been used as had been thought appropriate. The spokesman for the Workers' members drew attention to their amendment which covered broader ground by referring both to regulations and collective agreements. The spokesman for the Employers' members commented that collective agreements were industrial relations matters, not matters of safety and health, and they could not be extended to those involved in designing and planning. Several Government members expressed a preference for the Office text and the Workers' members withdrew their amendment. The Government member of the Byelorussian SSR then proposed a subamendment to this own amendment to retain the word "practice" and to insert before it the words "regulations and". This was agreed by both the Employers' members and the Workers' members and the amendment, as subamended, was adopted.

80. After discussion of the appropriate place for the content of Paragraph 9 of the proposed Recommendation, the Workers' members withdrew an amendment to transfer the Paragraph to the proposed Convention.

81. Article 9, as amended, was adopted.

Article 10

82. The Government member of Brazil submitted an amendment to insert at the beginning of the Article the words "National laws or regulations shall provide that". The intention was to guarantee that workers had the rights and duties expressed. The Government members of Austria and Turkey considered the amendment unnecessary because of the content of Article 4. The spokesman for the Workers' members drew attention to similar words in Article 7 and believed the amendment was important for future ILO monitoring purposes. The Employers' members withdrew an amendment to place rather similar words at the end of the Article and supported the amendment, which was then adopted.

83. The Workers' members submitted an amendment to insert after the word "method" the words "and organisation". It was necessary to involve workers in the whole construction process to achieve a safe and healthy workplace. The spokesman for the Employers' members opposed the amendment. Workers had an important contribution to make but it was not their role to manage. Management must have sole control over the organisation of work. The Government members of Hungary, Nigeria, the German Democratic Republic and the Netherlands spoke in support of the amendment and of the workers' contribution to organisational aspects of safety and health. The Government members of Canada, Senegal and Côte d'Ivoire were opposed to the amendment, because since workers did not participate in the organisation of work, they should not be in the position to exercise control over it. The spokesman for the Employers' members considered organisation to include the right to say what should be done from day to day and the activities on which workers were to be engaged, and that decision had never been shared with workers. The spokesman for the Workers' members said that they were concerned with organisation only in terms of safety and health at work and the workers' right to comment on organisation as well as methods was essential. Put to the vote, the amendment was rejected by 2,264 votes in favour to 2,670 votes against, with 660 absentions.

84. The Government member of Côte d'Ivoire introduced an amendment to insert in the fourth line the word "could" after the word "they". It was important that workers should have the opportunity to express their views not only on proven hazards but on those which could arise in the work process. The spokesman for the Employers' members opposed the amendment as it introduced an area of speculation into the text. It was not possible to contemplate everything that could affect safety and health. The spokesman for the Workers' members thought the word "could" was of importance since the text dealt with equipment, methods of work and procedures. The Government member of Cyprus supported the amendment for both possible and probable risks should be covered. The amendment was adopted by 2,580 votes in favour to 2,460 against, with 510 abstentions.

85. Article 10, as amended, was adopted.

Article 11

86. An amendment by the Employers' members to subparagraph (a) to delete in the English text the letter "s" at the end of the word "employers" was adopted. An amendment by the Government members of Botswana, Kenya, Malawi and Zimbabwe to subparagraph (a) to insert after the word "prescribed" the words "safety and health" was adopted.

87. Amendments submitted by the Government members of Canada, Byelorussian SSR, Turkey, Denmark, Finland, Norway and Sweden to the wording of subparagraphs (b), (c) and (d) were withdrawn by their sponsors when they were not supported by the Employers' members and the Workers' members.

88. An amendment submitted by the Government members of Botswana, Kenya, Malawi and Zim-

babwe to subparagraph (e) to insert after the word "prescribed" the words "safety and health" was adopted.

89. The Government member of Côte d'Ivoire introduced an amendment to add a new subparagraph to deal with special groups of workers. Although there was agreement with the spirit of the amendment it was felt to be inappropriate to the proposed Convention and was withdrawn.

90. Article 11, as amended, was adopted.

Article 12

91. The Government member of Japan introduced an amendment to paragraph 1 to replace the paragraph with the text of Article 12 of the Occupational Safety and Health Convention, 1981 (No. 155). Some member States, including his own, dealt with the matter by national practice rather than by laws or regulations. The Employers members and Workers' members preferred the Office text and the amendment was withdrawn. After discussion, the Employers' members withdrew an amendment to paragraph 1 to delete the words "national laws and regulations shall provide that".

92. The Government member of the Byelorussian SSR introduced an amendment to paragraph 1 in two parts. The first was to delete the words "has good reason to", and the second to delete the words "and serious". He said that in critical situations one must make the workers' decision to act as easy as possible, while the seriousness of an imminent danger could often only be judged later. The Employers' members believed that there should be good reason for leaving the site and that a minor danger even if imminent would not warrant such action. The Workers' members believed that the amendment provided a better basis for the workers' action and that it should not be necessary to wait for a danger to become serious. The Government member of the German Democratic Republic pointed to the difficulty in practice of deciding either of these issues quickly and supported the amendment. The spokesman for the Government members of member States of the EC opposed the amendment, referring to the discussion at the 73rd Session when the reference to good reason had been added as meaning a legal reason; there were many risks on site such as trailing cables which would not justify evacuation.

93. The two parts of the amendment were voted upon separately. The first part of the amendment (parts 1 and 2 in the Spanish text) was rejected by 2,278 votes in favour to 3,060 votes against, with 180 abstentions. The second part of the amendment (part 3 in the Spanish text) was rejected by 2,670 votes in favour to 2,751 votes against, with 120 abstentions.

94. After discussion, an amendment by the Government member of Switzerland to replace in paragraph 1 the words "he has" by "there is" was withdrawn. An amendment to paragraph 1 by the Government member of Angola to insert after the word "supervisor" the words "or the workers' safety representative" was not supported by the Employers' members or the Workers' members and was rejected. In the light of the discussion on his amendment to paragraph 1, the Government member of the Byelorussian SSR withdrew an amendment to para-

graph 2 which was in similar terms. After discussion the Government member of China withdrew an amendment to insert after the word "immediate" the words "and effective". The Government members of Botswana, Kenya, Malawi and Zimbabwe withdrew an amendment to add an additional paragraph dealing with conditions on resumption of work.

95. Article 12 was adopted without change.

Proposed new Articles

96. After discussion, the Government members of Botswana, Kenya, Malawi and Zimbabwe withdrew an amendment to add a new Article to provide that compliance with Part III was the responsibility of employers. The Government members of Argentina and Brazil similarly withdrew an amendment to add a new Article requiring at each site a chronogram showing safety and health procedures.

PART III. PREVENTIVE AND PROTECTIVE MEASURES

Article 13 (Second discussion)

97. The Government members of Botswana, Kenya, Malawi and Zimbabwe withdrew, after discussion, amendments to paragraphs 1 and 3 to delete the words "All reasonable". Identical amendments to paragraphs 1 and 3 by the Government members of Argentina, Brazil and Turkey to replace the word "reasonable" by "necessary", and by the Government members of Uruguay and Switzerland to delete the words "to ensure" were withdrawn after the Employers' members and the Workers' members said that they preferred the Office text. After discussion, the Government member of Turkey withdrew amendments to paragraph 1, to refer to safety committees and to replace "injury" by "damage".

98. Amendments to paragraphs 1 and 3 by the Government members of the member States of the EC to replace the word "reasonable" by "appropriate" were adopted for reasons of consistency. The Employers' members supported an amendment to paragraph 1 by the Workers' members to insert after the word "health" the words "and safety", and it was adopted. An amendment to paragraph 3 submitted by the Government members of the member States of the EC to insert the words "at or" after the word "present", in order to widen the scope of the Article, was adopted.

99. An amendment submitted by the Government member of Turkey to replace the word "arise" by "originate" was not supported and was withdrawn. An amendment by the Workers' members to add a new paragraph was withdrawn without discussion.

100. Article 13, as amended, was adopted.

Article 14

101. An amendment by the Government members of Botswana, Kenya, Malawi and Zimbabwe to add the words "when in use" to paragraph 2 was not supported and was withdrawn.

102. Article 14 was adopted without change.

Article 15

103. The Government member of Turkey introduced an amendment to place subparagraph (c) before subparagraph (b). Lifting appliances had to be installed before they could be maintained and it was logical to treat them in this order. The amendment was adopted.

104. The Government members of Botswana, Kenya, Malawi and Zimbabwe submitted an amendment to subparagraph 1(d) to insert after the word "tested" the words "by a competent person", while the Government members of the member States of the EC proposed to amend the subparagraph by inserting after the word "times" the words "and in such cases"; whereas the Government member of Cyprus proposed to add at the end the words "and the results recorded". All three amendments were adopted. Further amendments by the Governments of Turkey and India did not find support and were withdrawn.

105. Article 15, as amended, was adopted.

Article 16

106. The Government members of Botswana, Kenya, Malawi and Zimbabwe proposed an amendment to subparagraph 1(a) to add the words "taking into account ergonomic principles". This was sub-amended by the Employers' members to insert "so far as possible" after the word "account". Both were accepted by the Workers' members and were adopted. A further amendment submitted by the Government members of Botswana, Kenya, Malawi and Zimbabwe to refer to provision for parking spaces did not find support and was withdrawn.

107. Article 16, as amended, was adopted.

Article 17

108. An amendment by the Employers' members to amend subparagraph 1(a) by inserting the words "so far as possible", as had been done in Article 16, was adopted without discussion.

109. The Government member of the Federal Republic of Germany, as spokesman for the Government members of member States of the EC, submitted amendments to subparagraph 1(c) and paragraph 2. The first was to replace the words "as appropriate" by the words "have been designed unless a use outside the initial design purpose has been assessed by a competent person who has concluded that such use is safe". The second was a consequential amendment to replace the text of paragraph 2 by "Adequate instructions by the manufacturer or the employer for safe use shall be available where appropriate, and followed". The spokesman for the Employers' members supported the amendments, as there were many pieces of construction equipment which were regularly and properly used for more than one purpose, particularly on confined sites. The spokesman for the Workers' members had reservations, for there were risks in using equipment for purposes for which it was not originally intended and for which manufacturers might not accept responsibility, and he questioned whether "competent person" might better be replaced by "competent authority". The Government members of Argentina and Turkey pointed to

the difficulty which reference to "authority" would present, particularly for developing countries. The proposer explained that the amendments did not change the substance of the Office text and the spokesman for the Workers' members said that they could be supported if their own amendment to require manufacturers' instructions to be in the language of the users was incorporated. After discussion of the increasing use of pictograms and diagrams in operating instructions, the Government member of Cyprus proposed a subamendment to the second amendment so that paragraph 2 read "Adequate instructions by the manufacturer or the employer for safe use shall be available in a form understood by users". The amendments, as subamended, were adopted.

110. The Government members of Botswana, Kenya, Malawi and Zimbabwe submitted an amendment to paragraph 1 to add a new subparagraph (d) reading:

be operated by workers who have received appropriate training in accordance with national laws and regulations

and drew attention to a similar provision in Article 16. The Government member of the German Democratic Republic pointed to the wide range of devices covered by the Article so that national legislation could not be expected to deal with training in the use of hand tools such as hammers. The spokesman for the Workers' members drew a distinction with the type of machinery dealt with in Article 16 where an operator's licence would often be required. The Chairman proposed a subamendment to delete the words following "training" and with this subamendment the amendment was adopted.

111. Article 17, as amended, was adopted.

Article 18

112. The Government member of Canada submitted an amendment to paragraph 1 to replace the word "prevent" by "guard against", pointing out that measures such as safety nets did not prevent a fall but protected workers from the consequences. The spokesman for the Employers' members supported the amendment, emphasising its importance to employers. He restated the position taken at the 73rd Session that employers could not accept a Convention requiring prevention because in the English language this was an absolute term. The French equivalent text already had the sense of "guard against". It was now for the Drafting Committee to find a suitable alternative. The spokesman for the Workers' members opposed the amendment. The requirement to prevent was used in some parts of the proposed Convention with an absolute goal of accident prevention, remembering that prevention was better than cure. The first objective of safety and health measures was prevention, even if it could not be achieved in all cases. This was not one of the cases where "to prevent" could properly be read in the absolute sense but rather in that of avoiding danger at work. After lengthy discussion which included reference by several Government members to the legal opinion given at the general discussion, there was a short recess. At the conclusion of this both the Employers' members and the Workers' members agreed that the amendment should be referred to the Drafting Committee with the observations and rec-

ommendations of both the Employers' members and the Workers' members and with the legal opinion referred to. An identical amendment to paragraph 2 by the Government member of Canada was also referred to the Drafting Committee.

113. The spokesman for the Employers' members stressed that they would agree that this matter be referred to the Drafting Committee provided that it was clearly understood that in each case where the word "prevent" appears it should be replaced by "guard against" or some other appropriate expression.

114. An amendment to paragraph 1 by the Government member of India relating to the height and slope of structures was withdrawn after discussion, as was an amendment by the Government member of Turkey to add a new paragraph requiring a medical examination of workers at heights.

115. Article 18 was adopted subject to approval of the text as revised by the Drafting Committee.

Article 19

116. An amendment submitted by the Government members of Argentina and Brazil to insert in subparagraph (c) after the word "gases" the word "vapours" was adopted. The same Government members proposed an amendment to introduce a new paragraph to deal with underground risks other than those from electricity. The Government members of the member States of the EC introduced a subamendment so that the paragraph would read: "In order to avoid risk to workers arising from possible underground dangers such as natural or artificial circulation of fluids (liquids or gases) or pockets of gases, appropriate investigations shall be undertaken to locate them." This subamendment was accepted and the amendment adopted.

117. Article 19, as amended, was adopted.

Article 20

118. Article 20 was adopted without change.

Article 21

119. Article 21 was adopted without change.

Article 22

120. The Government members of Botswana, Kenya, Malawi and Zimbabwe introduced an amendment to delete the word "temporary", as all states of weakness should be covered. The Government member of the United Kingdom, as spokesman for the Government members of the member States of the EC, with whom other Government members agreed, said the intention was to deal with temporary states of weakness during erection and not in the final product. The amendment was rejected.

121. Article 22 was adopted without change.

Article 23

122. The spokesman for the Workers' members introduced an amendment to delete from paragraph 2 the words "by water". The purpose was to extend the Article to transport over water, e.g. by helicopter, rather than transport solely by water. The

amendment was adopted and Government members withdrew three amendments all of which had similar effect. The Government members of Argentina and Brazil withdrew an amendment to insert a new paragraph dealing with rescue operations after a consensus was expressed that the matter was covered in subparagraph (b) and in Article 12.

123. Article 23, as amended, was adopted.

Article 24

124. The Government members of the member States of the EC submitted an amendment to change the word "elimination" in the French and Spanish texts, and this was referred to the Drafting Committee. The Government members of Denmark, Finland, Norway and Sweden submitted an amendment to subparagraph (b) to insert after the word "be" the words "planned and". It was agreed that planning was essential to the prevention of demolition accidents and the amendment was adopted.

125. Article 24, as amended, was adopted.

Article 25

126. Article 25 was adopted without change.

Article 26

127. After discussion the Government member of Turkey withdrew an amendment intended to extend the scope of paragraph 2. The Government members of Botswana, Kenya, Malawi and Zimbabwe submitted an amendment to introduce in paragraph 3 reference to national laws or regulations. At the invitation of the Chairman, the representative of the Secretary-General reminded the Committee of the discussion at the 73rd Session at which it was said that many industrialised countries relied upon electrical standards not directly linked to legislation. The Employers' members and the Workers' members did not support the amendment and it was withdrawn. The Government members of the member States of the EC withdrew after discussion an amendment dealing with various elements on a site which, although not electrical in themselves, might affect electrical safety.

128. Article 26 was adopted without change.

Article 27

129. The Employers' members withdrew without discussion an amendment to express the Article in positive terms. The Government members of Argentina and Brazil submitted an amendment to insert after the word "stored" the word "transported" which found general support and was adopted.

130. The Employers' members submitted an amendment to subparagraph (b) to add the words "or under the supervision of" before the words "competent person". The competent person might not always be the appropriate person to handle explosives, e.g. in loading and unloading vehicles. The Workers' members preferred the Office text in view of the nature of explosives and the Government members of Hungary and Canada thought the definition of competent person in Article 2 wide enough to make the amendment unnecessary. After further discussion the amendment was withdrawn.

131. Article 27, as amended, was adopted.

Article 28

132. The Workers' members withdrew without discussion an amendment proposing drafting changes to the first paragraph. The Government member of India withdrew an amendment to add "intensive illumination" to the list of hazards.

133. The Government member of Canada submitted an amendment to paragraph 1 to replace the word "prevent" by "minimise" because it was not always possible to prevent exposure. "Prévenir" in the French text had not the absolute sense of "prevent" in the English text. The Government member of Argentina asked that the Spanish text be left unchanged. The spokesman for the Employers' members contended that a decision had been taken to refer all such matters to the Drafting Committee. The Workers' members believed that the context in which the word "prevent" was used was different to that in the former case; this Article was dealing with exposure. The spokesman for the Government members of member States of the EC proposed a subamendment which would make the English and French texts identical. This would delete the words following the comma and replace them with "appropriate exposure prevention measures shall be taken". The spokesman for the Workers' members preferred the more grammatical words "appropriate preventive measures against exposure shall be taken" but accepted the subamendment, as did the proposer and the Employers' members. The amendment, as subamended, was adopted.

134. An amendment by the Government member of Turkey to reverse the order of subparagraphs 2(a) and 2(b) was opposed as being contrary to established practice of seeking first to substitute harmful substances, and was withdrawn.

135. An amendment to paragraph 3 by the Workers' members to replace the word "space" by the word "area" was adopted.

136. Article 28, as amended, was adopted.

Proposed new Article

137. The Government members of Argentina and Brazil submitted an amendment to add a new Article requiring programmes of supervision of workers' health to supplement and complement the basic measures. The spokesman of the Employers' members considered that it went beyond the scope of the proposed Convention and as the spokesman of the Workers' members expressed doubts as to its content, it was withdrawn.

Article 29

138. An amendment to subparagraph 1(a) by the Government member of Canada to replace the word "prevent" by "minimise" was referred to the Drafting Committee in the light of the earlier discussion. In view of this decision, the Government member of Turkey withdrew an amendment to delete subparagraph (b). As training was thought to be dealt with adequately in Article 33, the Government members of Botswana, Kenya, Malawi and Zimbabwe withdrew an amendment on this matter.

139. Article 29 was adopted subject to approval of the next as revised by the Drafting Committee.

Article 30

140. At the suggestion of the Chairman there was discussion between Employers' members and the Workers' members and the Government members who had proposed four amendments to paragraph 1 to agree a text of a subamendment which was acceptable to all. The following subamendment to the amendment submitted by the Employers' members was agreed so as to replace paragraph 1:

1. Where adequate protection against risks of accident or injury to health, including exposure to adverse conditions, cannot be ensured by other means, suitable personal protective equipment and protective clothing, having regard to the type of work and risks, shall be provided and maintained by the employer, without cost to the workers, as may be prescribed by national laws or regulations.

2. Employers shall provide the appropriate means to make possible the use of individual protective equipment, and ensure its proper use.

Paragraphs 2 and 3 to be renumbered 3 and 4.

141. The subamendment was adopted, and the amendment, as subamended, was also adopted.

142. The Government members thereupon withdrew the four amendments encompassed in the new wording. The Government members of Botswana, Kenya, Malawi and Zimbabwe accepted a subamendment proposed by the Employers' members to their own amendment to paragraph 2, so that it read "taking into account so far as possible ergonomic principles". The amendment was adopted, as was another by the same Government members to delete in paragraph 3 after the word "required" the words "to use" as being superfluous.

143. Article 30, as amended, was adopted.

Article 31

144. The spokesman for the Employers' members introduced an amendment so that the wording of the Article would require that "employers shall make adequate provision for first aid". Facilities for the removal of injured workers for medical attention were not required on city sites and might be impracticable on remote sites. The spokesman for the Workers' members stressed the importance not only of first-aid provisions but of suitably trained personnel; moreover it was not advisable to keep injured workers on site. There were contributions by numerous Government members to the ensuing discussion stressing such matters as the importance of trained first aiders, the removal to safety of underground workers, and the problems of small sites.

145. The Employers' members agreed that personnel should be trained in first aid and the Government members of Cyprus, Austria, and the Government members of member States of the EC proposed a composite subamendment so that the amendment as subamended read:

The employer shall be responsible for ensuring that first aid, including trained personnel, is available at all times. Arrangements shall be made for ensuring the removal for medical attention of workers who have suffered an accident or sudden illness.

The spokesmen for the Employers' members and Workers' members agreed to this text and the amendment, as subamended, was adopted.

146. Article 31, as amended, was adopted.

Article 32

147. The spokesman for the Employers' members referred to a problem with the word "welfare" in the title of the Article in the French text and asked that it be considered by the Drafting Committee.

148. The Government members of Botswana, Kenya, Malawi, the United Republic of Tanzania and Zimbabwe withdrew, after discussion of the problem of interpretation, an amendment to paragraph 1 to refer to hygienic drinking facilities. The same Government members also withdrew an amendment to paragraph 2 (c) to require accommodation for preparing meals after the Employers' members and several Government members doubted the practicability of such provision on small sites. The Government member of New Zealand thought the matter was adequately covered by paragraph 46 of the proposed Recommendation.

149. The Workers' members submitted an amendment to add a new paragraph requiring national laws or regulations to provide for specific standards for the quality and quantity of the welfare facilities, as it was not sufficient simply to require that facilities should be available. The Employers' members thought that, as detail, this was properly dealt with in the proposed Recommendation while the Government members of Botswana, Kenya, Malawi, United Republic of Tanzania and Zimbabwe believed that paragraph 2 of the Article was already sufficient. The spokesman for the Government members of the member States of the EC referred to the provision for setting standards in Article 5. After several Government members had spoken both for and against the amendment, it was withdrawn.

150. The Workers' members withdrew an amendment requiring living accommodation on sites remote from workers' homes after there had been reference to the role of collective bargaining, which was discussed at the 73rd Session, and to paragraph 47 of the proposed Recommendation. There was no doubt as to the importance of such provision.

151. The spokesman for the Workers' members introduced an amendment to add a new paragraph to read:

Men and women workers should be provided with separate sanitary, washing and sleeping facilities.

The Government member of the United Kingdom said that there could be practical difficulties with requiring separate facilities in all cases. Several Government members spoke in favour of the amendment, and a subamendment was then introduced by the Employers' members to delete reference to sleeping facilities on the ground that this was dealt with in Paragraph 47 of the proposed Recommendation. The subamendment was accepted and the amendment as subamended, was adopted.

152. The Government member of Austria considered that the amendment should be incorporated in subparagraph 2 (a).

153. Article 32, as amended, was adopted.

Article 33

154. The Government member of China withdrew an amendment intended to strengthen the responsi-

bility of employers to educate workers, particularly young and inexperienced workers, in safety and health, after the Office text was considered to be clearer. The Government member of Turkey withdrew an amendment, also after discussion, requiring information to be provided to be preferably in the workers' mother tongue. It was considered that this subject had already been adequately covered.

155. Article 33 was adopted without change.

Article 34

156. The Workers' members introduced an amendment in the following terms: in the second line to replace the word "reasonable" by the word "prescribed" and to delete the word "such": in the third line to delete the words "as may be prescribed". This was supported by the Employers' members and was adopted without further discussion.

157. Article 34, as amended, was adopted.

PART IV. IMPLEMENTATION

Article 35

158. An amendment by the Government members of Botswana, Kenya, Malawi, the United Republic of Tanzania and Zimbabwe to insert after the word "Member" the words "which ratifies this Convention" was withdrawn as it was considered unnecessary.

159. The spokesman for the Workers' members explained that an amendment to add after the word "penalties" the words "and corrective measures" was intended to introduce a more positive approach. The amendment was adopted.

160. Article 35, as amended, was adopted.

PART V. FINAL PROVISIONS

Article 36

161. Article 36 was adopted without change.

TITLE OF CONVENTION

162. The Employers' members submitted an amendment to the title of the proposed Convention in the French and Spanish texts to delete "la santé" and "y salud" and substitute "l'hygiène" and "e higiene" respectively. An Employers' member explained that there had been a long tradition of using the word "hygiène" in French-speaking countries as it contained within it the idea of prevention. The Government members of Argentina and Uruguay opposed the amendment. The word "salud" in the Spanish text was broader in its meaning and they pointed to its use in the Occupational Safety and Health Convention, 1981 (No. 155), and the Occupational Health Services Convention, 1985 (No. 161). As there was an English counterpart for "higiene" it would be necessary also to change the English text if the amendment were adopted. The Government member of Côte d'Ivoire opposed the amendment to the French text for similar reasons. The representative of the Secretary-General recalled that a decision

to use the words "santé" or "salud" rather than "hygiène" or "hygiene" in the French and Spanish texts had first been taken in 1981 in the discussion of Convention No. 155. In 1984 and 1985, after several records votes, the word "santé" or "salud" rather than "hygiène" or "higiene" in the French and Spanish texts had first been taken in 1981 in the discussion of Convention No. 155. In 1984 and 1985, after several record votes, the word "santé" or "salud" was used in the title of Convention No. 161. The spokesman for the Employers' members said the proposed change appeared to be a substantive rather than a linguistic matter and withdrew the amendment.

Consideration of the proposed Recommendation contained in Report IV(2)

163. With the agreement of the Vice-Chairmen and members of the Committee, the Deputy Chairman took the chair in the absence of the Chairman, who was ill.¹

PREAMBLE

164. The Preamble was adopted without amendment.

Paragraph 1

165. An amendment by the Government members of Botswana, Kenya, Malawi and Zimbabwe to clause (a) to add reference to demolition was rejected as it was already covered in Paragraph 2(a). An amendment submitted by the Government member of Brazil to clause (b), to insert the words "and river" after the word "offshore", to delete the words "while under construction onshore", and to insert the word "onshore" was rejected, as its scope was uncertain and it was likely to be covered by the definition of civil engineering.

166. Paragraph 1 was adopted without change.

Paragraph 2

167. The Government members of the member States of the EC submitted an amendment to add a new clause to read:

the term "workers' representatives in the undertaking" means persons who are recognised as such under national law or practice,

the term was defined in other Conventions and it appeared in Paragraphs 22 and 39 of the Recommendation. This was opposed by the Workers' members as its purpose was not apparent. "Employer" and "worker" were defined terms and were sufficient for co-operation at the workplace and there was no equivalent proposal to define "employers' representative". The Employers' members thought it necessary to be able to identify the recognised spokesman for the workers on a site. The amendment was adopted by 10,249 votes in favour to 8,436 against, with 999 abstentions.

168. Paragraph 2, as amended, was adopted.

Paragraph 3

169. Paragraph 3 was adopted without change.

¹The numbering of the Paragraphs reproduces that of the proposed Recommendation in Report IV 2(B). It does not necessarily correspond in every case to the numbering of the Paragraphs in the proposed Recommendation reproduced at the end of the Committee's report, which is based on the decisions of the Committee and, in some cases, of the Drafting Committee.

Paragraph 4

170. An amendment submitted by the Government members of Botswana, Kenya, Malawi, the United Republic of Tanzania and Zimbabwe to insert after the word "prescribed" the words "safety and health", to equate with previous amendments to several Articles, was adopted.

171. Paragraph 4, as amended, was adopted.

Paragraph 5

172. An amendment similar to previous amendments made to various articles was submitted by the Government members of Botswana, Kenya, Malawi, the United Republic of Tanzania and Zimbabwe to insert after the word "prescribed" the words "safety and health" was adopted.

173. Paragraph 5, as amended, was adopted.

Paragraph 6

174. An amendment submitted by the Employers' members to replace the words "employers and workers" by the words "workers and their employer" was said to be necessary as workers could enter into joint consultation only with their own employer. The Workers' members spoke of the need for co-operation between all employers and workers on a construction site and after support of the Office text by several Government members the Employers' members withdrew the amendment.

175. The Government members of the member States of the EC put forward an amendment to amend the English text by adding before the words "such measures" the words "depending on the situation". This was to bring it into line with the wording of the French text. The Workers' members preferred the present English text and the amendment was rejected by 8,880 votes in favour to 10,545 against, with 444 abstentions.

176. The Employers' members introduced an amendment with a similar intention to replace the word "should" by the word "may". It was impracticable to apply all of the measures which were proposed on sites employing only two or three workers. The Workers' members considered that the requirement was imperative in nature, and after conflicting views had been expressed by Government members the amendment was put to the vote. It was rejected by 8,103 votes in favour to 11,322 against, with 444 abstentions.

177. The Employers' members submitted an amendment to clause (a) to replace the words "employers and workers" by the words "workers and their employer". In the establishment of safety committees workers would always in practice consult with their own employers. After the Workers' members and several Government members had supported the Office text which they considered envisaged co-operation by everyone on a site, the amendment was withdrawn.

178. The Workers' members introduced an amendment to add a new clause to read: "the training of safety delegates and safety committee members". The Employers' members felt that this was

already adequately covered by clause (b) but accepted the amendment, which was then adopted.

179. Paragraph 6, as amended, was adopted.

Paragraph 7

180. The Committee adopted an amendment by the Workers' members to bring the text into line with the amended text of Article 9 of the proposed Convention. The amendment read: "(i) insert the word 'construction' after the words 'health of the'; (ii) delete the words 'who will be engaged in its construction'; (iii) delete the words after the word 'national' and insert the words 'laws, regulations and practice'".

181. Paragraph 7, as amended, was adopted.

Paragraph 8

182. Paragraph 8 was adopted without change.

Paragraph 9

183. The Workers' members submitted an amendment to insert after the word "prepared" the words "and undertaken". It was supported by the Employers' members and was adopted.

184. The Workers' members submitted an amendment to insert a new clause to read:

organisation of work including working hours, takes into account the safety and health of workers.

Many accidents occurred because of stress and strain caused by excessive working hours. The Employers' members, supported by the Government member of Switzerland and the Government members of the member States of the EC, accepted the importance of excessive working hours as a cause of accidents but thought that the subject was covered in other Conventions and was not appropriate to the proposed Recommendation. A subamendment by the latter to delete the words "including working hours" was accepted by both the Employers' members and the Workers' members and the amendment, as subamended, was adopted. An amendment by the Government member of Brazil to clause (d) to insert after the words "physical" the words "and biological" was adopted to correspond to the text of Article 28.

185. Paragraph 9, as amended, was adopted.

Paragraph 10

186. Paragraph 10 was adopted without change.

Paragraph 11

187. An amendment by the Workers' members to insert after the word "they" the word "could" was adopted.

188. Paragraph 11, as amended, was adopted.

Paragraph 12

189. Paragraph 12 was adopted without change.

Paragraph 13

190. An amendment by the Government member of Canada to insert after the word "hardnesses" the

words "or safety belts, whichever is most appropriate" was rejected after members had recalled the discussion of the point at the 73rd Session when it had been said that safety belts were unsafe and banned in some countries.

191. The Workers' members submitted an amendment in two parts to clause (b) to insert the words "and suitable anchor points installed" after the word "provided", and to add at the end of the clause the words "in accordance with the prescribed national standards of design and operation". After discussion of the practice of providing anchorage points, the Employers' members submitted a subamendment to the amendment so that clause (b) remained and a new Paragraph was added to read:

Employers should provide the appropriate means to make possible the use of individual protective equipment, and ensure its proper use. Protective equipment and protective clothing should comply with standards set by the competent authority, taking into account so far as possible ergonomic principles.

The subamendment was accepted and the amendment, as subamended, was adopted.

192. Paragraph 13, as amended, was adopted.

Paragraph 14

193. The Government members of Botswana, Kenya, Malawi, the United Republic of Tanzania and Zimbabwe introduced an amendment to subparagraph (1) to replace the words "tested in general by testing of types and individually" by the words "examined and tested by a competent person". The Employers' members opposed the amendment as the Office text dealt with two distinct types of testing, which the Government member of Norway agreed was necessary. The Workers' members thought the amendment improved the Office text, and the Government member of Turkey and the spokesman for the Government members of the member States of the EC agreed and did not believe type-testing was excluded. After further discussion the Workers' members introduced a subamendment so that the subparagraph read:

The safety of construction machinery and equipment should be examined and tested by type or individually by a competent person

The Employers' members agreed with the subamendment with the addition of the words "as appropriate" and the amendment, as subamended, was adopted.

194. Paragraph 14, as amended, was adopted.

Paragraph 15

195. An amendment by the Workers' members to insert Paragraph 15 after Paragraph 20 was referred to the Drafting Committee.

196. Paragraph 15 was adopted without change.

Paragraph 16

197. Paragraph 16 was adopted without change.

Paragraph 17

198. The Government member of Turkey submitted an amendment to insert after the word "scaffold" the words "or ladder". He pointed out that many construction accidents were caused by the col-

lapse or displacement of ladders and that the proposed Recommendation contained no mention of ladders. The Employers' members opposed the amendment as it could imply that a ladder was acceptable in place of a scaffold in a working place. The Workers' members supported the amendment as it recognised the realities of working practice in developing countries. The spokesman of the Government members of the member States of the EC observed that mention of ladders should properly be in a separate paragraph not associated with scaffolds and suggested a subamendment to this effect. The Government member of Turkey thought that Paragraph 17 was the proper place for the amendment and it was put to the vote. The amendment was rejected by 8,658 votes in favour to 10,878 votes against, with 888 abstentions.

199. An amendment by the Employers' members to replace the word "prevent" by the words "guard against" was referred to the Drafting Committee.

200. Paragraph 17 was adopted, subject to approval of the text as revised by the Drafting Committee.

Paragraph 18

201. An amendment by the Employers' members to replace the word "prevent" by the words "guard against" was referred to the Drafting Committee. An amendment by the Government members of Botswana, Kenya, Malawi, the United Republic of Tanzania and Zimbabwe to delete the words "from which a person may fall" as superfluous to the text was adopted.

202. Paragraph 18, as amended, was adopted.

Paragraph 19

203. Paragraph 19 was adopted without change.

Paragraph 20

204. An amendment by the Workers' members to insert after the word "inspected" the words "and certified" was opposed by the Employers' members, as certification implied a document obtained from a Government inspectorate whereas the inspection was usually by the employer or his representative. They proposed a subamendment to replace the words "and certified" by the words "and the results recorded". This was accepted by the Workers' members and the amendment, as subamended, was adopted.

205. Paragraph 20, as amendment, was adopted.

Paragraph 21

206. The Government members of Botswana, Kenya, Malawi, the United Republic of Tanzania and Zimbabwe submitted an amendment to replace the wording of clause (c) by "at periodic intervals thereafter". This was thought to weaken the Office text and the amendment was rejected.

207. Paragraph 21 was adopted without change.

Paragraph 22

208. The Government members of Botswana, Kenya, Malawi, the United Republic of Tanzania and Zimbabwe submitted an amendment to insert

the words "employer and" after the words "and to". There was general agreement that employers should also receive the results of examinations and the amendment was adopted.

209. Paragraph 22, as amended, was adopted.

Proposed new Paragraph

210. The Government member of Turkey submitted an amendment to add a new paragraph to read:

No structural alterations or repairs should be made on any part of a lifting appliance that affects the safety of the appliance without the permission of the competent person.

The Employers' members felt that Paragraph 21 (c) and (d) already covered the point and the Workers' members were concerned about the desirability of having to obtain permission for repairs. The amendment was rejected.

Paragraph 23

211. Paragraph 23 was adopted without change.

Paragraph 24

212. Paragraph 24 was adopted without change.

Paragraph 25

213. Paragraph 25 was adopted without change.

Paragraph 26

214. The Employers' members submitted an amendment to delete the words "when used on soft, uneven or sloping ground", for stability of a lifting appliance was essential on any sort of ground. The amendment was adopted.

215. Paragraph 26, as amended, was adopted.

Paragraph 27

216. Paragraph 27 was adopted without change.

Paragraph 28

217. The Government members of Botswana, Kenya, Malawi, the United Republic of Tanzania and Zimbabwe introduced an amendment to replace clause (a) by the words "of good health" as reference to the minimum age of work was unnecessary as it was covered by other Conventions. Both the Employers' members and the Workers' members expressed concern at the possibility of discrimination against workers who were not in good health but capable of performing their work and the amendment was rejected.

218. Paragraph 28 was adopted without change.

Paragraph 29

219. The Government members of Botswana, Kenya, Malawi, the United Republic of Tanzania and Zimbabwe submitted an amendment similar to that to Paragraph 28 referring to good health and it was rejected for the same reason.

220. Paragraph 29 was adopted without change.

Paragraph 30

221. Paragraph 30 was adopted without change.

Paragraph 31

222. The Employers' members proposed and the Workers' members agreed that an amendment to replace the word "prevent" be referred to the Drafting Committee. The words "preventive measures to ensure" might be a suitable alternative form of wording. The Workers' members submitted an amendment to add the following sentences at the end of Paragraph 31:

Where appropriate earthmoving and materials-handling equipment should be fitted with structures designed to protect the operator from being crushed, should the machine overturn.

A subamendment proposed by the Employers' members to preface the amendment by the words "where appropriate" was accepted and the amendment, as subamended, was adopted.

223. Paragraph 31, as amended, was adopted.

Paragraph 32

224. Paragraph 32 was adopted without change.

Paragraph 33

225. The Workers' members submitted an amendment to subparagraph (1) to insert after the word "inspected" the words "and certified". They accepted a subamendment by the Employers' members which was in similar terms to an amendment proposed by the Government member of Turkey to replace the words "and certified" by the words "and the results recorded". The amendment, as subamended, was adopted.

226. Paragraph 33, as amended, was adopted.

Paragraph 34

227. Paragraph 34 was adopted without change.

Paragraph 35

228. An amendment by the Workers' members similar to their amendment to Paragraph 33 and similarly subamended was adopted to insert the words "and the results recorded" after the word "inspected".

229. Paragraph 35, as amended, was adopted.

Paragraph 36

230. The Workers' members submitted an amendment to insert after the word "construction" the words "taking into account ergonomic principles" and accepted the Employers' members' subamendment to insert after the word "account" the words "as far as possible", as this was consistent with changes made to the proposed Convention. The amendment, as subamended, was adopted.

231. Paragraph 36, as amended, was adopted.

Paragraph 37

232. Paragraph 37 was adopted without change.

Paragraph 38

233. The Workers' members introduced an amendment to insert after the word "manned" the word "motor". It was considered that power was

required for rescue boats for them to be effective. The Employers' members referred to the danger from an outboard motor in some conditions and the Government members of Switzerland and the United States observed that the need for a motor would depend upon whether the water was open water and on such matters as currents and wave conditions. The Government member of Luxembourg proposed a subamendment to insert after the word "boats" the words "motor driven where necessary". The subamendment was acceptable to the proposers and the amendment, as subamended, was adopted.

234. Paragraph 38, as amended, was adopted.

Paragraph 39

235. The Government member of the United States submitted an amendment to add at the end of subparagraph (3) the words "as prescribed by national laws or regulations." There could be more than one agency dealing with the disposal of waste and it was essential that all should conform to national standards. The amendment was adopted.

236. The Office text was preferred to an amendment by the Government member of the United States to require that instructions on the use of dangerous substances be made available to workers on data sheets or in similar form rather than contained on a label, and the amendment was rejected.

237. Paragraph 39, as amended, was adopted.

Paragraph 40

238. The Workers' members submitted an amendment to delete the words "employer or the" which would place the responsibility for keeping records wholly on the competent authority. It was supported by the Employers' members and adopted. The Government members of Argentina and Cyprus commented that it was quite impracticable for governments to record information about every construction workplace.

239. Paragraph 40, as amended, was adopted.

Paragraph 41

240. An amendment submitted by the Workers' members to replace the word "space" by the word "area" to agree with a corresponding provision in the proposed Convention was adopted.

241. Paragraph 41, as amended, was adopted.

Proposed new Paragraph

242. The Workers' members submitted an amendment to add a new Paragraph to read:

The manual handling of weights which presents a health and safety risk to workers should be avoided either by reducing the weight or by the use of mechanical devices.

243. A subamendment by the Employers' members to insert the word "excessive" before the word "weights" and to add after the word "devices" the words "or by other means" was accepted and the amendment, as subamended, was adopted. The Chairman remarked that a fresh title would be required.

244. The proposed new Paragraph was adopted.

Paragraph 42

245. Paragraph 42 was adopted without change.

Proposed new Paragraph

246. The Government member of India submitted an amendment to add a new paragraph under "Fire precautions" to read:

Suitable visual indications should be provided to indicate clearly the directions of escape in case of fire.

The Employers' members said that whether this was necessary depended on the state of the site and proposed a subamendment to preface the paragraph with the words "Where appropriate". This was accepted by the proposer and the amendment, as subamended, was adopted.

247. The proposed new Paragraph was adopted.

Paragraph 43

248. Paragraph 43 was adopted without change.

Paragraph 44

249. Paragraph 44 was adopted without change.

Paragraph 45

250. The Government member of Turkey introduced an amendment to insert after the word "personnel" the words "and the workers". It was not possible always to have first-aid personnel on a construction site and workers should also be competent to save life. It was considered impracticable by the Employers' members and the Workers' members to expect every worker to be proficient in the terms of the Paragraph and the amendment was rejected.

251. Paragraph 45 was adopted without change.

Paragraph 46

252. Paragraph 46 was adopted without change.

Paragraph 47

253. Paragraph 47 was adopted without change.

Proposed new Paragraph

254. The Workers' members submitted an amendment to add a new paragraph to read:

Whenever new products, equipment and working methods are introduced, special attention should be paid to informing and training workers in occupational safety.

The Employers' members supported the amendment and also accepted a subamendment by the Workers' members to add the words "and health" after the word "safety". The amendment, as subamended, was adopted. The appropriate title would be considered by the Drafting Committee. The Workers' members withdrew a related amendment.

255. The proposed new Paragraph was adopted.

Paragraph 48

256. Paragraph 48 was adopted without change.

Adoption of the Report, the Proposed Convention and the Proposed Recommendation

257. In the course of the consideration of paragraphs 1 to 256 of the draft report, alterations with a view to clarifying, correcting or completing the text of various paragraphs were requested by various members of the Committee.

258. Subject to the modifications agreed on, the Committee adopted the report unanimously.

259. The Committee proceeded to examine the proposed Convention, Article by Article. During discussion on Article 8 the spokesman for the Employers' members said that in both subparagraphs 1(a) and 1(b) the word "or" should be substituted for the word "and" as it appeared between the words "control over" and "primary responsibility". Clearly the sense of the Article was to fix responsibility in the alternative. The Workers' members agreed to such amendments and they were adopted.

260. The Government member of the Federal Republic of Germany, as spokesman for the Government members of the member States of the EC, said that reference to "worksite" in subparagraphs 1(a) and (b) was inconsistent with the use of the defined term "construction site" elsewhere in the instruments. Both the Employers' and the Workers' members agreed to such amendments.

261. Article 8, as amended, was adopted.

262. The spokesman for the Government members of the member States of the EC asked why the words "natural or artificial" had been deleted in English from their amendment to Article 19 by the Drafting Committee. The representative of the Secretary-General said that the Drafting Committee had followed the French text of the subamended amendment submitted.

263. The spokesman for the Employers' members said that in paragraph 2 of Article 30 the reference to "employers" should be in the singular as the responsibility to provide equipment would fall upon an individual employer in respect of his own workers. The Workers' members agreed.

264. Article 30 as amended was adopted.

265. In the course of consideration of the Articles, alterations to the French and Spanish texts to align the wording with that of the English text were agreed.

266. The Committee unanimously adopted the proposed Convention as a whole.

267. The Committee proceeded to examine the proposed Recommendation, Paragraph by Paragraph. During the discussion of Paragraph 14, the Employers' members said that the reference to "employers" should be in the singular for the same reason as that advanced in the discussion of Article 30. The Workers' members agreed to that proposal.

268. Paragraph 14, as amended, was adopted.

269. In discussion of Paragraph 35 the spokesman for the Employers' members suggested an amendment to replace the word "working" by the word "employed". The workers and others should be protected from dangers in an excavation at all times and

not only while they were actually working. The Workers' members agreed.

270. Paragraph 35, as amended, was adopted.

271. In discussion of Paragraph 40 the Employers' members proposed that the words "motor driven if necessary" be parenthesised by brackets so that they referred only to boats. The 'Workers' members agreed to that proposal.

272. Paragraph 40, as amended, was adopted.

273. In the course of consideration of the Paragraphs, alterations to the French and Spanish texts were agreed to align the wording with the English text.

274. The Committee unanimously adopted the proposed Recommendation as a whole.

275. The texts of the proposed Convention and the proposed Recommendation are produced below.

276. The Report of the Committee and the texts of the proposed Convention and the proposed Recommendation are submitted to the Conference for consideration.

Geneva, 15 June 1988

(Signed) J.A. MIRZA
Chairman

Dr. K.-J. PANZKE
Reporter and
Deputy Chairman

Proposed Convention concerning Safety and Health in Construction

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Seventy-fifth Session on 1 June 1988, and

Noting the relevant international labour Conventions and Recommendations and, in particular, the Safety Provisions (Building) Convention and Recommendation, 1937, the Co-operation in Accident Prevention (Building) Recommendation, 1937, the Radiation Protection Convention and Recommendation, 1960, the Guarding of Machinery Convention and Recommendation, 1963, the Maximum Weight Convention and Recommendation, 1967, the Occupational Cancer Convention and Recommendation, 1974, the Working Environment (Air Pollution, Noise and Vibration) Convention and Recommendation, 1977, the Occupational Safety and Health Convention and Recommendation, 1981, the Occupational Health Services Convention and Recommendation, 1985, the Asbestos Convention and Recommendation, 1986, and the list of occupational diseases as revised in 1980 appended to the Employment Injury Benefits Convention, 1964, and

Having decided upon the adoption of certain proposals with regard to safety and health in construction, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention revising the Safety Provisions (Building) Convention, 1937;

adopts this day of June of the year one thousand nine hundred and eighty-eight the following Convention, which may be cited as the Safety and Health in Construction Convention, 1988:

I. SCOPE AND DEFINITIONS

Article 1

1. This Convention applies to all construction activities, namely building, civil engineering, and erection and dismantling work, including any process, operation or transport on a construction site, from the preparation of the site to the completion of the project.

2. A Member ratifying this Convention may, after consultation with the most representative organisations of employers and workers concerned, where they exist, exclude from the application of the Convention, or certain provisions thereof, particular branches of economic activity or particular undertakings in respect of which special problems of a substantial nature arise, on condition that a safe and healthy working environment is maintained.

3. This Convention also applies to such self-employed persons as may be specified by national laws or regulations.

Article 2

For the purpose of this Convention:

- (a) The term "construction" covers:
 - (i) building, including excavation and the construction, structural alteration, renovation, repair, maintenance (including cleaning and painting) and demolition of all types of buildings or structures;
 - (ii) civil engineering, including excavation and the construction, structural alteration, repair, maintenance and demolition of, for example, airports, docks, harbours, inland waterways, dams, river and avalanche and sea defence works, roads and highways, railways, bridges, tunnels, viaducts and works related to the provision of services such as communications, drainage, sewerage, water and energy supplies;
 - (iii) the erection and dismantling of prefabricated buildings and structures, as well as the manufacturing of prefabricated elements on the construction site;
- (b) the term "construction site" means any site at which any of the processes or operations described in subparagraph (a) above are carried on;
- (c) the term "workplace" means all places where workers need to be or to go by reason of their work and which are under the control of an employer as defined in subparagraph (e) below;
- (d) the term "worker" means any person engaged in construction;
- (e) the term "employer" means:
 - (i) any physical or legal person who employs one or more workers on a construction site; and
 - (ii) as the context requires, the principal contractor, the contractor or the subcontractor;
- (f) the term "competent person" means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill for the safe performance of the specific work. The competent authorities may define appropriate criteria for the designation of such persons and may determine the duties to be assigned to them;
- (g) the term "scaffold" means any temporary structure, fixed, suspended or mobile, and its supporting components which is used for supporting workers and materials or to gain access to any such structure, and which is not a "lifting appliance" as defined in subparagraph (h) below;
- (h) the term "lifting appliance" means any stationary or mobile appliance used for raising or lowering persons or loads;
- (i) the term "lifting gear" means any gear or tackle by means of which a load can be attached to a lifting appliance but which does not form an integral part of the appliance or load.

II. GENERAL PROVISIONS

Article 3

The most representative organisations of employers and workers concerned shall be consulted on the measures to be taken to give effect to the provisions of this Convention.

Article 4

Each Member which ratifies this Convention undertakes that it will, on the basis of an assessment of the safety and health hazards involved, adopt and maintain in force laws or regulations which ensure the application of the provisions of the Convention.

Article 5

1. The laws and regulations adopted in pursuance of Article 4 above may provide for their practical application through technical standards of codes of practice, or by other appropriate methods consistent with national conditions and practice.

2. In giving effect to Article 4 above and to paragraph 1 of this Article, each Member shall have due regard to the relevant standards adopted by recognised international organisations in the field of standardisation.

Article 6

Measures shall be taken to ensure that there is co-operation between employers and workers, in accordance with arrangements to be defined by national laws or regulations, in order to promote safety and health at construction sites.

Article 7

National laws or regulations shall require that employers and self-employed persons have a duty to comply with the prescribed safety and health measures at the workplace.

Article 8

1. Whenever two or more employers undertake activities simultaneously at one construction site—

- (a) the principal contractor, or other person or body with actual control over or primary responsibility for overall construction site activities, shall be responsible for co-ordinating the prescribed safety and health measures and, in so far as is compatible with national laws and regulations, for ensuring compliance with such measures;
- (b) in so far as is compatible with national laws and regulations, where the principal contractor, or other person or body with actual control over or primary responsibility for overall construction site activities, is not present at the site, he shall nominate a competent person or body at the site with the authority and means necessary to ensure on his behalf co-ordination and compliance with the measures, as foreseen in subparagraph (a) above;
- (c) each employer shall remain responsible for the application of the prescribed measures in respect of the workers placed under his authority.

2. Whenever employers or self-employed persons undertake activities simultaneously at one construction site they shall have the duty to co-operate in the application of the prescribed safety and health measures, as may be specified by national laws or regulations.

Article 9

Those concerned with the design and planning of a construction project shall take into account the safety and health of the construction workers in accordance with national laws, regulations and practice.

Article 10

National laws or regulations shall provide that workers shall have the right and the duty at any workplace to participate in ensuring safe working conditions to the extent of their control over the equipment and methods of work and to express views on the working procedures adopted as they may affect safety and health.

Article 11

National laws or regulations shall provide that workers shall have the duty to—

- (a) co-operate as closely as possible with their employer in the application of the prescribed safety and health measures;
- (b) take reasonable care for their own safety and health and that of other persons who may be affected by their acts or omissions at work;
- (c) use facilities placed at their disposal and not misuse anything provided for their own protection or the protection of others;
- (d) report forthwith to their immediate supervisor, and to the workers' safety representative where one exists, any situation which they believe could present a risk, and which they cannot properly deal with themselves;
- (e) comply with the prescribed safety and health measures.

Article 12

1. National laws or regulations shall provide that a worker shall have the right to remove himself from danger when he has good reason to believe that there is an imminent and serious danger to his safety or health, and the duty so to inform his supervisor immediately.

2. Where there is an imminent danger to the safety of workers the employer shall take immediate steps to stop the operation and evacuate workers as appropriate.

III. PREVENTIVE AND PROTECTIVE MEASURES

Article 13

SAFETY OF WORKPLACES

1. All appropriate precautions shall be taken to ensure that all workplaces are safe and without risk of injury to the safety and health of workers.

2. Safe means of access to and egress from all workplaces shall be provided and maintained, and indicated where appropriate.

3. All appropriate precautions shall be taken to protect persons present at or in the vicinity of a construction site from all risks which may arise from such site.

Article 14

SCAFFOLDS AND LADDERS

1. Where work cannot safely be done on or from the ground or from part of a building or other permanent structure, a safe and suitable scaffold shall be provided and maintained, or other equally safe and suitable provision shall be made.

2. In the absence of alternative safe means of access to elevated working places, suitable and sound ladders shall be provided. They shall be properly secured against inadvertent movement.

3. All scaffolds and ladders shall be constructed and used in accordance with national laws and regulations.

4. Scaffolds shall be inspected by a competent person in such cases and at such times as shall be prescribed by national laws or regulations.

Article 15

LIFTING APPLIANCES AND GEAR

1. Every lifting appliance and item of lifting gear, including their constituent elements, attachments, anchorages and supports, shall—

- (a) be of good design and construction, sound material and adequate strength for the purpose for which they are used;
- (b) be properly installed and used;
- (c) be maintained in good working order;
- (d) be examined and tested by a competent person at such times and in such cases as shall be prescribed by national laws or regulations; the results of these examinations and tests shall be recorded;
- (e) be operated by workers who have received appropriate training in accordance with national laws and regulations.

2. No person shall be raised, lowered or carried by a lifting appliance unless it is constructed, installed and used for that purpose in accordance with national laws and regulations, except in an emergency situation in which serious personal injury or fatality may occur, and for which the lifting appliance can be safely used.

Article 16

TRANSPORT, EARTH-MOVING AND MATERIALS-HANDLING EQUIPMENT

1. All vehicles and earth-moving or materials-handling equipment shall—

- (a) be of good design and construction taking into account as far as possible ergonomic principles;
- (b) be maintained in good working order;
- (c) be properly used;
- (d) be operated by workers who have received appropriate training in accordance with national laws and regulations.

2. On all construction sites on which vehicles, earth-moving or materials-handling equipment are used—

- (a) safe and suitable access ways shall be provided for them; and
- (b) traffic shall be so organised and controlled as to secure their safe operation.

Article 17

PLANT, MACHINERY, EQUIPMENT AND HAND TOOLS

1. Plant, machinery and equipment, including hand tools, both manual and power driven, shall—

- (a) be of good design and construction, taking into account as far as possible ergonomic principles;
- (b) be maintained in good working order;
- (c) be used only for work which they have been designed unless a use outside the initial design purposes has been assessed by a competent person who has concluded that such use is safe;
- (d) be operated by workers who have received appropriate training.

2. Adequate instructions for safe use shall be provided where appropriate by the manufacturer or the employer, in a form understood by the users.

3. Pressure plant and equipment shall be examined and tested by a competent person in cases and at times prescribed by national laws or regulations.

Article 18

WORK AT HEIGHTS INCLUDING ROOFWORK

1. Where necessary, to guard against danger, or where the height of a structure or its slope exceeds that prescribed by national laws or regulations, preventive measures shall be taken against the fall of workers and tools or other objects or materials.

2. Where workers are required to work on or near roofs or other places covered with fragile material, through which they are liable to fall, preventive measures shall be taken against their inadvertently stepping on or falling through the fragile material.

Article 19

EXCAVATIONS, SHAFTS, EARTHWORKS, UNDERGROUND WORKS AND TUNNELS

Adequate precautions shall be taken in any excavation, shaft, earthworks, underground works or tunnel—

- (a) by suitable shoring or otherwise to guard against danger to workers from a fall or dislodgement of earth, rock or other material;
- (b) to guard against dangers arising from the fall of persons, materials or objects or the inrush of water into the excavation, shaft, earthworks, underground works or tunnel;
- (c) to secure adequate ventilation at every workplace so as to maintain an atmosphere fit for respiration and to limit any fumes, gases, vapours, dust or other impurities to levels which are not dangerous or injurious to health and are within limits laid down by national laws or regulations;
- (d) to enable the workers to reach safety in the event of fire, or an inrush of water or material;
- (e) to avoid risk to workers arising from possible underground dangers such as the circulation of fluids or the presence of pockets of gas, by undertaking appropriate investigations to locate them.

Article 20

COFFERDAMS AND CAISSONS

1. Every cofferdam and caisson shall be—

- (a) of good construction and suitable and sound material and of adequate strength;

(b) provided with adequate means for workers to reach safety in the event of an inrush of water or material.

2. The construction, positioning, modification or dismantling of a cofferdam or caisson shall take place only under the immediate supervision of a competent person.

3. Every cofferdam and caisson shall be inspected by a competent person at prescribed intervals.

Article 21

WORK IN COMPRESSED AIR

1. Work in compressed air shall be carried out only in accordance with measures prescribed by national laws or regulations.

2. Work in compressed air shall be carried out only by workers whose physical aptitude for such work has been established by a medical examination and when a competent person is present to supervise the conduct of the operations.

Article 22

STRUCTURAL FRAMES AND FORMWORK

1. The erection of structural frames and components, formwork, falsework and shoring shall be carried out only under the supervision of a competent person.

2. Adequate precautions shall be taken to guard against danger to workers arising from any temporary state of weakness or instability of a structure.

3. Formwork, falsework and shoring shall be so designed, constructed and maintained that it will safely support all loads that may be imposed on it.

Article 23

WORK OVER WATER

Where work is done over or in close proximity to water there shall be adequate provision for—

- (a) preventing workers from falling into water;
- (b) the rescue of workers in danger of drowning;
- (c) safe and sufficient transport.

Article 24

DEMOLITION

When the demolition of any building or structure might present danger to workers or to the public—

- (a) appropriate precautions, methods and procedures shall be adopted, including those for the disposal of waste or residues, in accordance with national laws or regulations;
- (b) the work shall be planned and undertaken only under the supervision of a competent person.

Article 25

LIGHTING

Adequate and suitable lighting, including portable lighting where appropriate, shall be provided at every workplace and any other place on the construction site where a worker may have to pass.

Article 26

ELECTRICITY

1. All electrical equipment and installations shall be constructed, installed and maintained by a competent person, and so used as to guard against danger.

2. Before construction is commenced and during the progress thereof adequate steps shall be taken to ascertain the presence of and to guard against danger to workers from any live electrical cable or apparatus which is under, over or on the site.

3. The laying and maintenance of electrical cables and apparatus on construction sites shall be governed by the technical rules and standards applied at the national level.

Article 27

EXPLOSIVES

Explosives shall not be stored, transported, handled or used except—

- (a) under conditions prescribed by national laws or regulations; and
- (b) by a competent person, who shall take such steps as are necessary to ensure that workers and other persons are not exposed to risk of injury.

Article 28

HEALTH HAZARDS

1. Where a worker is liable to be exposed to any chemical, physical or biological hazard to such an extent as is liable to be dangerous to health, appropriate preventive measures shall be taken against such exposure.

2. The preventive measures referred to in paragraph 1 above shall comprise—

- (a) the replacement of hazardous substances by harmless or less hazardous substances wherever possible; or
- (b) technical measures applied to the plant, machinery, equipment or process; or
- (c) where it is not possible to comply with subparagraphs (a) or (b) above, other effective measures, including the use of personal protective equipment and protective clothing.

3. Where workers are required to enter any area in which a toxic or harmful substance may be present, or in which there may be an oxygen deficiency, or a flammable atmosphere, adequate measures shall be taken to guard against danger.

4. Waste shall not be destroyed or otherwise disposed of on a construction site in a manner which is liable to be injurious to health.

Article 29

FIRE PRECAUTIONS

1. The employer shall take all appropriate measures to—

- (a) avoid the risk of fire;
- (b) combat quickly and efficiently any outbreak of fire;
- (c) bring about a quick and safe evacuation of persons.

2. Sufficient and suitable storage shall be provided for flammable liquids, solids and gases.

Article 30

PERSONAL PROTECTIVE EQUIPMENT AND PROTECTIVE CLOTHING

1. Where adequate protection against risk of accident or injury to health, including exposure to adverse conditions, cannot be ensured by other means, suitable personal protective equipment and protective clothing, having regard to the type of work and risks, shall be provided and maintained by the employer, without cost to the workers, as may be prescribed by national laws or regulations.

2. The employer shall provide the workers with the appropriate means to enable them to use the individual protective equipment, and shall ensure its proper use.

3. Protective equipment and protective clothing shall comply with standards set by the competent authority taking into account as far as possible ergonomic principles.

4. Workers shall be required to make proper use of and to take good care of the personal protective equipment and protective clothing provided for their use.

Article 31

FIRST AID

The employer shall be responsible for ensuring that first aid, including trained personnel, is available at all times. Arrangements shall be made for ensuring the removal for medical attention of workers who have suffered an accident or sudden illness.

Article 32

WELFARE

1. At or within reasonable access of every construction site an adequate supply of wholesome drinking water shall be provided.

2. At or within reasonable access of every construction site, the following facilities shall, depending on the number of workers and the duration of the work, be provided and maintained—

- (a) sanitary and washing facilities;
- (b) facilities for changing and for the storage and drying of clothing;
- (c) accommodation for taking meals and for taking shelter during interruption of work due to adverse weather conditions.

3. Men and women workers should be provided with separate sanitary and washing facilities.

Article 33

INFORMATION AND TRAINING

Workers shall be adequately and suitably—

- (a) informed of potential safety and health hazards to which they may be exposed at their workplace;
- (b) instructed and trained in the measures available for the prevention and control of, and protection against, those hazards.

Article 34

REPORTING OF ACCIDENTS AND DISEASES

National laws or regulations shall provide for the reporting to the competent authority within a prescribed time of occupational accidents and diseases.

IV. IMPLEMENTATION

Article 35

Each Member shall—

- (a) take all necessary measures, including the provision of appropriate penalties and corrective measures, to ensure the effective enforcement of the provisions of the Convention;
- (b) provide appropriate inspection services to supervise the application of the measures to be taken in pursuance of the Convention and provide these services with the resources necessary for the accomplishment of their task, or satisfy itself that appropriate inspection is carried out.

V. FINAL PROVISIONS

Article 36

This Convention revises the Safety Provisions (Building) Convention, 1937.

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International
Labour Office, and having met in its Seventy-fifth Session on 1 June 1988,
and

Having decided upon the adoption of certain proposals with regard to safety and health in construction, which is the fourth item on the agenda of the session, and

Adopts this _____ day of June of the year one thousand nine hundred and eighty-eight the following Recommendation, which may be cited as the Safety and Health in Construction Recommendation, 1988:

1. The provisions of the Safety and Health in Construction Convention, 1988 (hereinafter referred to as “the Convention”) and of this Recommendation should be applied in particular to:

- (a) building, civil engineering and the erection and dismantling of prefabricated buildings and structures, as defined in Article 2(a) of the Convention;
- (b) the fabrication and erection of oil rigs, and of offshore installations while under construction on shore.

(a) the term “construction” covers:

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- (g) the term "competent person" means a person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill for the safe performance of the specific work. The competent authorities may define appropriate criteria for the designation of such persons and may determine the duties to be assigned to them;
- (h) the term "scaffold" means any temporary structure, fixed, suspended or mobile, and its supporting components which is used for supporting workers and materials or to gain access to any such structure, and which is not a "lifting appliance" as defined in clause (i) below;
- (i) the term "lifting appliance" means any stationary or mobile appliance used for raising or lowering persons or loads;
- (j) the term "lifting gear" means any gear or tackle by means of which a load can be attached to a lifting appliance but which does not form an integral part of the appliance or load.

3. The provisions of this Recommendation should also apply to such self-employed persons as may be specified by national laws or regulations.

II. GENERAL PROVISIONS

4. National laws or regulations should require that employers and self-employed persons have a general duty to provide a safe and healthy workplace and to comply with the prescribed safety and health measures.

5. (1) Whenever two or more employers undertake activities at one construction site, they should have the duty to co-operate with one another as well as with any other persons participating in the construction work being undertaken, including the owner or his representative, in order to comply with the prescribed safety and health measures.

(2) Ultimate responsibility for the co-ordination of safety and health measures on the construction site should rest with the principal contractor or such other person as is primarily responsible for the execution of the work.

6. The measures to be taken to ensure that there is organised co-operation between employers and workers to promote safety and health at construction sites should be prescribed by national laws or regulations or by the competent authority. Such measures should include—

- (a) the establishment of safety and health committees representative of employers and workers with such powers and duties as may be prescribed;
- (b) the election or appointment of workers' safety delegates with such powers and duties as may be prescribed;
- (c) the appointment by the employer of suitably qualified and experienced persons to promote safety and health;
- (d) the training of safety delegates and safety committee members.

7. Those concerned with the design and planning of a construction project should take into account the safety and health of the construction workers in accordance with national laws, regulations and practice.

8. The design of construction equipment, tools, protective equipment and other similar equipment should take account of ergonomic principles.

III. PREVENTIVE AND PROTECTIVE MEASURES

9. Construction work should be planned, prepared and undertaken in such a way that—

- (a) risks liable to arise at the workplace are prevented as soon as possible;
- (b) excessively or unnecessarily strenuous work positions and movements are avoided;
- (c) organisation of work takes into account the safety and health of workers;
- (d) materials and products are used which are suitable from a safety and health point of view;
- (e) working methods are employed which protect workers against the harmful effects of chemical, physical and biological agents.

10. National laws or regulations should provide for the notification to the competent authority of construction sites of such size, duration or characteristics as may be prescribed.

11. Workers should have the right and the duty at any workplace to participate in ensuring safe working conditions to the extent of their control over the equipment and methods of work and to express views on the working procedures adopted as they may affect safety and health.

SAFETY OF WORKPLACES

12. Housekeeping programmes should be established and implemented on construction sites which should include provision for—

- (a) the proper storage of materials and equipment;
- (b) the removal of waste and debris at appropriate intervals.

13. Where workers cannot be protected against falls from heights by any other means—

- (a) adequate safety nets or safety sheets should be erected and maintained; or
- (b) adequate safety harnesses should be provided and used.

14. The employer should provide the workers with the appropriate means to enable them to use individual protective equipment and should ensure its proper use. Protective equipment and protective clothing should comply with standards set by the competent authority, taking into account as far as possible ergonomic principles.

15. (1) The safety of construction machinery and equipment should be examined and tested by type or individually, as appropriate, by a competent person.

(2) National laws and regulations should take into consideration the fact that occupational diseases may be caused by machinery, apparatus and systems which do not take account of ergonomic principles in their design.

SCAFFOLDS

16. Every scaffold and part thereof should be of suitable and sound material and of adequate size and strength for the purpose for which it is used and be maintained in a proper condition.

17. Every scaffold should be properly designed, erected and maintained so as to prevent collapse or accidental displacement when properly used.

18. The working platforms, gangways and stairways of scaffolds should be of such dimensions and so constructed and guarded as to protect persons against falling or being endangered by falling objects.

19. No scaffold should be overloaded or otherwise misused.

20. A scaffold should not be erected, substantially altered or dismantled except by or under the supervision of a competent person.

21. Scaffolds as prescribed by national laws or regulations should be inspected, and the results recorded, by a competent person—

- (a) before being taken into use;
- (b) at periodic intervals thereafter;
- (c) after any alteration, interruption in use, exposure to weather or seismic conditions or any other occurrence likely to have affected their strength or stability.

LIFTING APPLIANCES AND LIFTING GEAR

22. National laws or regulations should prescribe the lifting appliances and items of lifting gear which should be examined and tested by a competent person—

- (a) before being taken into use for the first time;
- (b) after erection on a site;
- (c) subsequently at intervals prescribed by such national laws or regulations;
- (d) after any substantial alteration or repair.

23. The results of the examinations and tests of lifting appliances and items of lifting gear carried out in pursuance of Paragraph 22 above should be recorded and, as required, made available to the competent authority and to employers and workers or their representatives.

24. Every lifting appliance having a single safe working load and every item of lifting gear should be clearly marked with its maximum safe working load.

25. Every lifting appliance having a variable safe working load should be fitted with effective means to indicate clearly to the driver each maximum safe working load and the conditions under which it is applicable.

26. A lifting appliance or item of lifting gear should not be loaded beyond its safe working load or loads, except for testing purposes as specified by and under the direction of a competent person.

27. Every lifting appliance and every item of lifting gear should be properly installed so as, inter alia, to provide safe clearance between any moving part and fixed objects, and to ensure the stability of the appliance.

28. Where necessary to guard against danger, no lifting appliance should be used without the provision of suitable signalling arrangements or devices.

29. The drivers and operators of such lifting appliances as are prescribed by national laws or regulations should be—

- (a) of a prescribed minimum age;
- (b) properly trained and qualified.

TRANSPORT, EARTH-MOVING AND MATERIALS-HANDLING EQUIPMENT

30. The drivers and operators of vehicles and of earth-moving or materials-handling equipment should be persons trained and tested as required by national laws or regulations.

31. Adequate signalling or other control arrangements or devices should be provided to guard against danger from the movement of vehicles and earth-moving or materials-handling equipment. Special safety precautions should be taken for vehicles and equipment when manoeuvring backwards.

32. Preventive measures should be taken to avoid the fall of vehicles and earth-moving and materials-handling equipment into excavations or into water.

33. Where appropriate, earth-moving and materials-handling equipment should be fitted with structures designed to protect the operator from being crushed should the machine overturn, and from falling material.

EXCAVATIONS, SHAFTS, EARTHWORKS, UNDERGROUND WORKS AND TUNNELS

34. Shoring or other support for any part of an excavation, shaft, earthworks, underground works or tunnel should not be erected, altered or dismantled except under the supervision of a competent person.

35. (1) Every part of an excavation, shaft, earthworks, underground works and tunnel where persons are employed should be inspected by a competent person at the times and in the cases prescribed by national laws or regulations, and the results recorded.

(2) Work should not be commenced therein until after such an inspection.

WORK IN COMPRESSED AIR

36. The measures regarding work in compressed air prescribed pursuant to Article 21 of the Convention should include provisions regulating the conditions in which the work is to be carried out, the plant and equipment to be used, the medical supervision and control of workers and the duration of work in compressed air.

37. A person should only be allowed to work in a caisson if it has been inspected by a competent person within such preceding period as is prescribed by national laws or regulations; the results of the inspection should be recorded.

PILE DRIVING

38. All pile-driving equipment should be of good design and construction taking into account as far as possible ergonomic principles, and properly maintained.

39. Pile driving should be carried out only under the supervision of a competent person.

WORK OVER WATER

40. The provisions regarding work over water prescribed in pursuance of Article 23 of the Convention should include, where appropriate, the provision and use of suitable and adequate—

- (a) fencing, safety nets and safety harnesses;
- (b) life vests, life preservers, manned boats (motor driven if necessary) and lifebuoys; and
- (c) protection against such hazards as reptiles and other animals.

HEALTH HAZARDS

41. (1) An information system should be set up by the competent authority, using the results of international scientific research, to provide information for architects, contractors, employers and workers' representatives on the health risks associated with hazardous substances used in the construction industry.

(2) Manufacturers and dealers in products used in the construction industry should provide with the products information on any health risks associated with them and on the precautions to be taken.

(3) In the use of materials that contain hazardous substances and in the removal and disposal of waste, the health of workers and of the public and the preservation of the environment should be safeguarded as prescribed by national laws and regulations.

(4) Dangerous substances should be clearly marked and provided with a label giving their relevant characteristics and instructions on their use. They should be handled under conditions prescribed by national laws and regulations or by the competent authority.

(5) The competent authority should determine which hazardous substances should be prohibited from use in the construction industry.

42. The competent authority should keep records of monitoring of the working environment and assessment of workers' health for a period prescribed by national laws and regulations.

43. The manual lifting of excessive weights which presents a safety and health risk to workers should be avoided by reducing the weight, by the use of mechanical devices or by other means.

44. Whenever new products, equipment and working methods are introduced, special attention should be paid to informing and training workers with respect to their implications for safety and health.

DANGEROUS ATMOSPHERES

45. The measures regarding dangerous atmospheres prescribed pursuant to Article 28, paragraph 3, of the Convention should include prior written authority or permission from a competent person, or any other system by which entry into any *area* in which a dangerous atmosphere may be present can be effected only after completing specified procedures.

FIRE PRECAUTIONS

46. Where necessary to guard against danger, workers should be suitably trained in the action to be taken in the event of fire, including the use of means of escape.

47. Where appropriate suitable visual signs should be provided to indicate clearly the directions of escape in case of fire.

RADIATION HAZARDS

48. Stringent safety regulations should be drawn up and enforced by the competent authority with respect to construction workers engaged in the maintenance, renovation, demolition or dismantling of any buildings in which there is a risk of exposure to ionising radiations, in particular in the nuclear power industry.

FIRST AID

49. The manner in which first-aid facilities and personnel are to be provided in pursuance of Article 31 of the Convention should be prescribed by national laws or regulations drawn up after consulting the competent health authority and the most representative organisations of employers and workers concerned.

50. Where the work involves risk of drowning, asphyxiation or electric shock, first-aid personnel should be proficient in the use of resuscitation and other life-saving techniques and in rescue procedures.

WELFARE

51. In appropriate cases, depending on the number of workers, the duration of the work and its location, adequate facilities for obtaining or preparing food and drink at or near a construction site should be provided, if they are not otherwise available.

52. Suitable living accommodation should be made available for the workers at construction sites which are remote from their homes, where adequate transportation between the site and their homes or other suitable living accommodation is not available. Men and women workers should be provided with separate sanitary, washing and sleeping facilities.

IV. EFFECT ON EARLIER RECOMMENDATIONS

53. This Recommendation supersedes the Safety Provisions (Building) Recommendation, 1937, and the Co-operation in Accident Prevention (Building) Recommendation, 1937.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Twenty-sixth sitting

Thursday, 16 June 1988, 10.15 a.m.

President: Mr. Beyreuther

ELEVENTH REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

Interpretation from German: The PRESIDENT – The first item on this morning's agenda is the eleventh report of the Selection Committee. I call on Mr. Vargas Escobar, Government delegate, Nicaragua, Chairman of the Selection Committee, to present the report.

Interpretation from Spanish: Mr. VARGAS ESCOBAR (*Government delegate, Nicaragua; Chairman of the Selection Committee*) – I have the honour of submitting to the Conference the eleventh report of that Committee, which is contained in *Provisional Record* No. 5J. The report deals solely with changes in the composition of the committees of the Conference.

I recommend to the Conference the adoption of this report.

Interpretation from German: The PRESIDENT – The eleventh report of the Selection Committee is now before the Conference. If there are no objections, I take it that the report is adopted?

(The report is adopted.)

REPORT OF THE COMMITTEE ON APARTHEID: SUBMISSION AND DISCUSSION

Interpretation from German: The PRESIDENT – The second item on the agenda is the consideration of the report of the Committee on Apartheid.

I have the pleasure to invite Mr. Nkomo, Government delegate, Zimbabwe, Chairman of the Committee on Apartheid; Mr. Hernández, Employers' adviser, Philippines, Employers' Vice-Chairman; and Mr. Mercier, Workers' delegate, Canada, Workers' Vice-Chairman; as well as Mr. Vollebaek, Government adviser, Norway, Reporter, to take their seats on the rostrum.

I call on Mr. Nkomo, Chairman of the Committee, to submit the report.

Mr. NKOMO (*Government delegate, Zimbabwe; Chairman of the Committee on Apartheid*) – Allow me first to recognise the leader of SWAPO.

At the outset, allow me to thank all delegates to the Conference for their confidence in electing me as Chairman of this Session's Committee on Apartheid. It is indeed a fitting tribute to my country, Zimbabwe, a symbol to a victorious struggle against racism

and a living proof that it is possible to build a democratic and non-racial society out of the ashes of racial discrimination.

The Committee has met this year against the background of increased violence and repression unleashed by the apartheid regime against the Black South African trade unions. Pretoria is now bent on promulgating, through the White minority, laws intended to cripple the trade union movement. Your Committee had occasion to listen to the testimony given by representatives of the Congress of South African Trade Unions (COSATU) and National Congress of Trade Unions (NACTU). In that context I wish to recall a statement by a representative of COSATU which, inter alia, stated: "Under the most difficult conditions they were able to rally over two million people. It was a clear demonstration of the determination of the people to replace the illegitimate racist apartheid regime with a non-racial democratic society. The action of the past three days had forced the Minister of Manpower to suggest negotiating with COSATU on the proposed Labour Bill. A special COSATU Executive Committee meeting was held on 8 June to decide on the Minister of Manpower's proposal. It was agreed that the Executive Committee would meet the Minister on condition that the agenda should provide that the Minister would accept the jurisdiction of the ILO as the body with the right to decide on the criteria of the proposed law."

When the President of the ANC, Mr. Oliver Tambo, appraised the President of the developments in South Africa, the Committee was exceedingly grateful that the Workers, Employers and Governments in the ILO authorised the President to send a message of solidarity with the oppressed workers of South Africa. It is our hope that the signal so conveyed would be well understood by the Botha regime.

Before this august body is the report of the Committee on Apartheid, which it has been proposed will henceforth be known as the Conference Committee on Action against Apartheid. The work of the Committee was conducted in an atmosphere of serenity and mutual understanding. It underscored the fact that apartheid had no place in civilised society and had to be eradicated. All the participants were unanimous on the imperative of eradicating apartheid and contributing to the evolution of a democratic and free South Africa. All sentiments and reservations are recorded in this report.

These were the results of our painstaking efforts, and it merely remains for me now to pay special tribute to my two Vice-Chairmen, namely Mr. Her-

nández, Employers' adviser from the Philippines, and Mr. Mercier, Workers' delegate from Canada. Further thanks go to Mr. Vollebaek, Government adviser from Norway, who was elected Reporter. It was due to their expertise, their experience and talents that my task of Chairman was made easy. I am immensely indebted to them, as indeed to all members of the Committee for the success of the Committee.

Lastly, may I commend that the Conference adopt the report by consensus.

Mr. HERNANDEZ (*Employers' adviser, Philippines; Vice-Chairman of the Committee on Apartheid*) – I wish to convey to the President my most sincere congratulations and those of the Employers' Confederation of the Philippines on his well-deserved election to the presidency of the 75th Session of the International Labour Conference and on the efficient manner in which he has ably steered the Conference deliberations.

It is with a deep sense of pride and gratification that I associate myself with Mr. Nkomo, Minister of Labour, Manpower Planning and Social Welfare of Zimbabwe and Chairman of the Committee, in asking for the unanimous adoption by the Conference of the report and conclusions of the Committee on Apartheid. The conclusions of the Committee underscore once again the continuing commitment of the tripartite constituents of the International Labour Organisation and of all freedom-loving peoples the world over to the incessant search for appropriate, effective and urgent measures designed to dismantle and totally eliminate, at all times and at all places, apartheid and racism and any political and social system that impinges upon the principles enshrined in the Declaration of Philadelphia and promotes and exacerbates denial of human rights.

As Mrs. Corazon C. Aquino, the new leader of democracy and beloved President of the Republic of the Philippines, declared in this forum last Tuesday, "Liberty is non-negotiable"; and paraphrasing her, nothing can resist the greed and evil of apartheid except the power and pressure of the international community including – and most especially – the tripartite members of this noble and august Organisation.

The conclusions of the Committee are a response to the continuing refusal of the Government of South Africa to heed and promote the objectives set forth in the Preamble of the ILO Constitution and the Declaration of Philadelphia and represent quite appropriately an answer to that Government's so-called "total strategy".

The Committee's report is a document for freedom and democracy, for justice and equality as well as an instrument that seeks for liberty and human dignity. There is appropriate stress on the fact that the Committee specifically recommends the adoption of the Declaration concerning Action against Apartheid in South Africa and Namibia and the renaming of the Committee as the Conference Committee on Action against Apartheid. Needless to say the Committee's recommendations are timely and urgent in view of the disturbing developments in South Africa and the universal abhorrence for apartheid.

In commending the report and conclusions for adoption by the Conference, I must with your indulgence reiterate the reservations made during the

Committee's deliberations this year and those made in last year's session of the Conference by a very small minority of employers, including those from the United Kingdom, the Netherlands, the Federal Republic of Germany, Japan, Australia, the United States, France, Italy, Denmark, Sweden and Switzerland in respect of certain aspects of the Declaration and the Programme of Action relating to specific measures that are not within the constitutional competence of the Organisation or within the parameters of its current policies. However, despite these reservations the Employers' group expresses its full support for the Committee's report and conclusions and reiterates its adherence to the tenets of democracy and the principles promotive of man's dignity and well-being.

May I request the Conference to lend support to and unanimously adopt the report and conclusions of the Committee on Apartheid.

Interpretation from French: Mr. MERCIER (*Workers' delegate, Canada; Vice-Chairman of the Committee on Apartheid*) – On behalf of the Workers' group, I would like to express our satisfaction with the groups of the Committee, and our sincere thanks to Mr. Nkomo, Mr. Hernández and our Reporter. Without them, the Committee would have met with difficulties that could probably have been insurmountable. But the work we did this year will go down in the annals of the ILO.

As Vice-Chairman and spokesman for the Workers' group on the Committee on Apartheid, I would like first of all to express the hope that our work will be acknowledged by the plenary through the adoption by consensus of our Declaration, programme of action and conclusions, so that these instruments may convey a message of real solidarity with the Black majority in South Africa and Namibia, and an unambiguous message to the South African regime that half-hearted measures are now finished, that we have reached a consensus and a truly comprehensive strategy, and that apartheid has no friends left.

Our Committee has had the privilege of hearing the direct testimony of the representatives of COSATU and NACTU during its sessions. They spoke to us on the days following the third extension of the state of emergency in South Africa. They spoke to us shortly after the three days of protest staged by the Black workers against the proposed amendments of the Industrial Relations Act and the Orderly Internal Politics Bill, both of which seek to choke off the Black independent trade union movement in South Africa. Some 3 million workers belonging to these two federations participated massively in these peaceful protests; it is the only way for those who have no vote to make their voice heard. They were also protesting against the banning of 17 anti-apartheid organisations and against the restriction imposed on COSATU. These restrictions prevent COSATU from requesting the release of their leaders who are in detention, such as Moses Mayekiso, the Secretary-General of NUMSA, the trade union of metallurgists, whose trial is still in progress; from commemorating tragic events such as the disaster of the Kinross mine, in which hundreds of Black miners lost their lives; from asking for clemency for those known as the "Sharpeville Six", one of whom is a young woman trade unionist. The

Supreme Court has just rejected a request for a new trial for the Six, thus condemning them to being hanged, unless international pressure is sufficient and manages to convince the South African authorities that hanging people without the slightest proof of their guilt, but merely on grounds of collective guilt, will not go unpunished. COSATU is no longer allowed to express the point of view of the Black workers of South Africa on the role of foreign investment in their country, or even to pronounce the word "sanctions". What is more, COSATU may no longer organise meetings to debate in a democratic manner the way in which apartheid affects Black workers.

Two weeks ago, two members of the Laundry Workers' Union of NACTU were imprisoned simply because they were in possession of stickers which protested against the proposed amendment to the Industrial Relations Act. During the protests last week, at least seven workers were killed and more than 20 wounded. We are told that more than 2,000 workers were sacked. In his Report, the Director-General tells us that at the end of 1987, 322 trade unionists were imprisoned. Everyday we receive new lists of COSATU and NACTU members who have been detained.

Every three months or so the South African regime imposes increasingly restrictive limitations on the freedom of the press. With the extension of the state of emergency, these restrictions have once again been strengthened. The trade union of Black journalists, the MWASA, is the preferred target.

And what is the position of employers vis-à-vis this continuously worsening situation? The largest South African companies such as the Anglo-American, which says it is a "liberal" organisation, have clearly demonstrated in the past few days that they support the proposed amendments to the Industrial Relations Act; these amendments will raise further obstacles to the implementation of internationally recognised labour standards.

It is no surprise therefore that COSATU has submitted a complaint in this connection to the Director-General of the ILO, who will transmit it, according to established procedures, to the Economic and Social Council of the United Nations. We can no longer doubt that the employers directly support the maintenance of apartheid and the shameless exploitation of Black workers.

During the sessions of our Committee, the representative of the CBI, that is to say of the British employers, tried to convince us that British companies invest in South Africa in order to improve the lot of Black workers and to secure for them all kinds of advantages. We had to draw his attention to the chapter in the Director-General's Report which states that only 18 companies, among the 146 which had submitted their reports under the EEC Code of Conduct, were paying their Black workers a higher wage than the bare minimum. Still worse, the lowest salaries were paid by the large companies, such as Shell, Courtaulds and Lonhro.

Along the same lines as the CBI representative, the honourable government representative of the United States based his hopes for change in South Africa on the "economic power" of Black workers. He explained that the Administration did not share the views of Congress in this area, or approve of its efforts to tighten American economic sanctions against South Africa.

This thesis is in total contradiction with the reality of apartheid. We have before us statistics on the miserable wages paid to Black workers, and on the extent of their malnutrition and unemployment. These are the evils of apartheid which, as a matter of fact, had provoked strikes of protests in the 1970s, in other words well before the imposition of economic sanctions. It seems to me extraordinary to base any hope of change on "the economic power of the workers". Why is there this reticence relating to the effectiveness of economic sanctions against South Africa, when the United States Administration itself manifests a continuous enthusiasm for applying them elsewhere against morally bankrupt regimes? And what a contradiction between the fact that the United States, by the very will of the American people, has adopted very severe sanctions, and the fact that the Administration of that country continues to veto much more modest measures proposed by the Security Council of the United Nations!

Rest assured that the regime of South Africa would not impose such drastic restrictions on those who advocate economic sanctions if it were not convinced of the effectiveness of sanctions. We welcome Mr. Sam Nujoma. We are discussing a regime which year after year has defied the international community. Its occupation of Namibia, which was decreed illegal as far back as 1966, should be punished as provided for in the United Nations Charter, for this regime cannot be qualified by any other word than criminal. The representative of NACTU spoke to us about the profound humility of Black workers in South Africa when they look at the sacrifices that the people of the front-line States have made, and the high price they have paid for their solidarity with the Black majority in South Africa. Military aggression, the destruction of the economic and social fabric, political destabilisation – this is the daily lot of those countries.

Our Declaration concerning Action against Apartheid in South Africa, as well as the Programme of Action against Apartheid, amended and updated by the Tripartite Conference in Harare and our Committee, take into account the reality of the situation. The Declaration will no longer be a Declaration concerning the Policy of Apartheid in South Africa, but a Declaration concerning Action against Apartheid. The Workers' group hopes that this small change in the title will reflect a new reality in our commitment to combat apartheid, rather than just complaining about it.

The Workers' group launches an appeal to all the members of our Organisation to adopt by consensus this Declaration and Programme of Action, to demonstrate our collective determination to undertake this struggle, in which our weapons shall be comprehensive and mandatory economic sanctions.

However, it is also our duty to give a vigorous and concerted response to the events which are now taking place in South Africa, which I repeat, are a threat to the whole future of trade union life in that country.

It is in this spirit that the Workers' group has formulated appropriate conclusions to supplement the Declaration and Programme of Action. Guided by the Director-General's statement that only concerted international pressure aimed at the most sensitive aspects of the South African Government will succeed in bringing about a peaceful dismantling of

the policy of apartheid, we have tried in our conclusions this year to identify the areas which we consider to be the most sensitive for South Africa, where concerted and specific action is required.

Apartheid is a genuine challenge for the international community. It is absolutely imperative for all of us to accept this challenge together, without any reservation, without a vote, which might give the South African regime the impression that it still has some friends left.

Yes, let us accept this challenge together. Our credibility depends on it, as does that of our Organisation.

Mr. VOLLEBAEK (*Government adviser, Norway; Reporter of the Committee on Apartheid*) – It is my honour, as Reporter of the Committee on Apartheid, to present the Committee's report, as contained in *Provisional Record* No. 19.

The report contains an account of the Committee's deliberations, as well as a proposed updating of the Declaration concerning Action against Apartheid in South Africa and Namibia, a proposed Programme of Action against Apartheid and conclusions relating to urgent action to be taken.

The proposed updating relates specifically to the situation in Namibia.

The Committee also proposes that the name of the Committee be changed to the Conference Committee on Action against Apartheid.

I propose that the report be adopted by this Conference.

Interpretation from German: The PRESIDENT – The general discussion on the report of the Committee on Apartheid is now open. In a few moments we shall have the honour of hearing Mr. Sam Nujoma, President of the South West African People's Organisation (SWAPO), address us.

However, before giving Mr. Nujoma the floor I would like briefly to say a little about him, about his tireless struggle against apartheid and for the liberation of his country, Namibia.

As an employee of the railroads in the capital of Namibia in the fifties, Mr. Nujoma discovered for himself just how unacceptable is the oppression under which the Black workers live under the apartheid regime which prevails in occupied Namibia.

Very rapidly, he became a militant fighting for the rights not only of the railroad workers but of the population of Namibia as a whole.

Very early on, he stood out as a decisive, courageous and skilful organiser, working for the working population of his country.

His commitment and involvement in the anti-apartheid movement led to his dismissal from service, to his arrest and finally to exile.

Outside his home country, however, Mr. Nujoma continued tirelessly in his efforts to mobilise the international community to fight against the illegal occupation of Namibia by South Africa, while the decisions taken by the General Assembly of the United Nations and decisions taken by the International Court of Justice were being flagrantly violated.

His ceaseless involvement and work led in 1960 to the formation of SWAPO, the internationally recognised liberation movement of the people of Namibia; he was elected first President of that organisation.

It is now ten years since the International Labour Conference, at its 64th Session in 1978, decided that Namibia should become a full Member of the ILO. That is why today is a specially appropriate time to listen to the words of one of the most eminent freedom fighters; someone who incarnates not only the struggle against apartheid, a concern to which the International Labour Organisation has devoted much of its time and effort for many years, but also the efforts of the people of Namibia to achieve absolute freedom and sovereignty.

These are the prerequisites which will make it possible for Namibia to take up its rights and obligations as a Member of the International Labour Organisation.

Therefore, it is a very great pleasure for me to invite Mr. Sam Nujoma to the speaker's rostrum to make his address to the participants to this Conference.

Mr. NUJOMA (*President of the South West Africa People's Organisation (SWAPO)*) – Permit me to take this opportunity to congratulate you, Mr. President, on your election to the chairmanship of the 75th Session of the International Labour Conference.

The decision of the delegates to elect you to this very important position testifies to the trust they have in you and in your competence, skill and experience to guide the deliberations of this august assembly. Your election is also a clear indication of the respect your great country, the German Democratic Republic, has earned among the nations of the world as a champion of democracy, peace and freedom for all the peoples of the world.

On behalf of the oppressed people of Namibia, and on my own behalf, I would like to sincerely thank the Director-General of the International Labour Office, Mr. Francis Blanchard, for having invited me to address the 75th Session of the International Labour Conference in this hall which has a unique historical significance for Namibia. As you may recall, Mr. Chairman, it was in this very same hall where members of the then League of Nations met to discuss the fate of my country, albeit without the participation or even consultation of the Namibian people, and mandated the country to the British Crown to be exercised by South Africa on behalf of Britain.

This hall, therefore, has an important bearing on what has become of Namibia since then. More importantly, it was also in this hall that a historic decision was taken to admit Namibia to full membership of the ILO, thus paving the way for the special relationship which illegally occupied Namibia now enjoys with the ILO.

We value highly the membership of Namibia in the ILO and hope that our country will, in a not very distant future, take its rightful place within the entire family of the United Nations system as a free, democratic and sovereign State. Finally, but not least, I would like to express my delegation's most profound gratitude to the authorities of the Swiss Confederation for the kind and wonderful hospitality extended to my delegation since our arrival here yesterday.

It is of historic importance to the struggle of the Namibian people that I address the International Labour Conference which brings representatives of governments, employers and workers together for a

united action in furtherance of the noble cause of social justice and in the interest of workers throughout the world.

It is hardly possible to find words which can adequately express the contribution of the ILO to the promotion of the rights and betterment of the working people's living and working conditions. Since the years of Albert Thomas, the first Director of the International Labour Office, to the present day, under the able guidance of Mr. Francis Blanchard, the ILO has enormously contributed to the lot of the working people and social peace through relentless efforts to improve the social and economic well-being of those in and out of employment throughout the world.

It is in recognition of these commendable efforts that the Organisation was awarded the well-deserved Nobel Peace Prize in 1969.

In its preamble, the ILO Constitution declares that universal and lasting peace can be founded only on the basis of social justice. At Philadelphia, in 1944, the International Labour Conference adopted a Declaration, now an annex to the Constitution, which embodies an even more dynamic concept: it proclaims the right of all human beings "to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity". It further states that "poverty anywhere constitutes a danger to prosperity everywhere".

But can true and lasting peace be achieved in the face of a vicious arms race which threatens the very survival of the entire human race? Can the social and economic well-being of the peoples of the world be achieved while enormous sums of money are squandered on weapons of mass destruction every day? Can one talk of true and lasting peace when millions of people, Namibians included, still languish under colonial, racial and foreign domination and are denied their basic human rights? According to some estimates, the total global expenditure on armaments now amounts to some trillion dollars, I repeat – trillion not billion dollars. But this senseless spending is occurring at a time when unemployment has reached an alarming proportion in most of the developed and developing countries.

The senseless spending is also taking place at a time when the world economy is in severe recession and developing countries are begging for development money to restructure their dwindling and ailing economies in order to meet the rising consumer demands and to provide employment to the millions of their peoples.

Since the proceeds from the sale of arms only benefit a few people, this has contributed to increasing inequality in the industrialised countries, and to exacerbating poverty and structural maladjustment in the developing world.

I do not need to dwell too much on the link between the arms race and the global economic crisis because this is not a new subject. But the fact cannot be over-emphasised that this world spends huge resources on arms and related materials at the expense of the much needed economic development in areas where development never saw the light of day.

Certainly, there are millions of peace-loving people the globe over, who believe that without disarmament there can be no meaningful develop-

ment and without development there can be no peace, and without peace there can be no justice.

Our fear and repulsion for the use of force and war is primarily because of the loss of human lives which is involved in such activities. But, in the developing world, human lives are also lost every day in another kind of "war", namely the battle against poverty and underdevelopment. Yes, some people are being killed by the bullets and shells of oppressive and dictatorial regimes. But more many die because of famine and diseases. There is little hope that this kind of war will be ended without sustained economic development, and without development there can be no social justice.

The challenge being posed by this situation to the whole world is moral, political and social. The threat to world peace, security and social justice posed by the arms race cannot any longer be reconciled with the moral imperative that human life and well-being represent the highest value, which we should all try to uphold and protect. Some have argued against the connection between disarmament and the transfer of resources to the development needs of the developing world. That is to say, we have been reminded more than once that the Third World has no automatic right to claim entitlement to the financial resources that would be released from disarmament. But valid as this argument may be, what the developing countries are asking for is the solidarity of all progressive and peace-loving forces of the world to enable them to tackle the problem of development.

It is against this background that we welcome the improving relations between the world's two biggest Powers, the United States and the USSR, which has resulted in the signing of the historic agreement on the elimination of intermediate nuclear missiles, which we hope might give renewed confidence and co-operation, instead of confrontation, between East and West.

This year marks the 40th anniversary of the Universal Declaration of Human Rights and the 10th anniversary of the United Nations Security Council Resolution 435 which contains the United Nations Plan for the Decolonisation of Namibia.

Many people have expected that Namibia would be free by now and, therefore, able to occupy its rightful place in the community of sovereign nations. On the contrary, Namibia remains under the yoke of apartheid, colonisation and illegal occupation. The situation has gone from bad to worse, and the apartheid regime is busy brutalising our people and committing untold atrocities, using more than 100,000 racist troops that it has stationed in Namibia today. Among these are specially trained killer units, such as the so-called Koevoet (crowbar) units that are employed to murder innocent civilians and terrorise the Namibian population.

The South African colonial army, police and the terrorist gangs have unleashed a truly genocidal campaign against the Namibian people. Every week that passes, there are fresh reports of atrocities, as Pretoria tries in vain to contain the forward march of the Namibian people's national liberation struggle, under the leadership of SWAPO.

The South African occupation army, the police and the special terror units are conducting a reign of terror in the form of torture, physical and psychological attack and general harassment of our people, both old and young. It is difficult to believe that

human beings can go to the extent to which the South African racists in Namibia have gone to inflict suffering on other human beings. As one of Pretoria's common methods of torture, people are being burned alive over glowing charcoal fires. Others are thrown into small prison cells with wooden walls and floors in which sharp nails are driven. We have people who have had their limbs amputated, other than medically.

The occupation army now habitually drives its armoured vehicles and trucks over peasants' planted agricultural fields, destroying crops in the process. Entire villages are wiped out just because they are suspected of assisting SWAPO freedom fighters.

Schools, and even churches, have not been spared this destructive brutality. Fifteen schools have recently been bombed or set on fire and members of their staff arrested and tortured by the South African troops in Namibia. Church property is now and then targeted for bombardment.

For example, in January, February and during the last week of March and the first two weeks of April 1987, the following cases of atrocities were reported and documented: 20 people were deliberately run over and killed by South African armed vehicles while in their homes or walking by the roadside; 10 women were raped by South African soldiers; 31 men, women and children were severely beaten up by the racist forces; 4 people were tortured by roasting them over fires; 6 homes were destroyed by army vehicles; 40 people were abducted and detained; 15 peasant crop fields were destroyed by the occupation army; 20 families were robbed of all their property by South African soldiers.

More than half of the Namibian population lives under martial law and a dusk-to-dawn curfew. Any person found outside his or her house after dark runs the risk of being shot on sight. The racist soldiers and the terror gangs shoot first and ask questions afterwards, even at corpses. These are but a few examples of the atrocities which South African commits in Namibia today.

Allow me now to turn briefly to the labour and employment conditions in my country. The ruthless racial discrimination against the exploitation of Blacks, which is the official practice in both occupied Namibia and South Africa, finds its most vivid expression in the labour market where the working environment of a Black worker is most oppressive and exploitative. A Black worker has virtually no access to adequate remunerative employment opportunity. In the absence of meaningful protective labour legislation, the Black worker has no legal right to a pension, sick pay, maternity leave, etc., as happens in other, democratic, countries.

The bulk of the Namibian labour force works for the foreign economic interests which control 90 per cent of the country's economy. These foreign economic interests are engaged in a merciless exploitation of Namibia's human and natural resources through large corporations and financial institutions from Britain, the Federal Republic of Germany, France, Italy, Switzerland and other Western European countries, the United States of America, Canada, Japan and South Africa. All these foreign corporations operate on the basis and conditions laid down in the licenses issued to them by the South African occupation regime.

The very high profits these corporations are making are a result of the excessive exploitation of the Black cheap labour and natural wealth of Namibia. But while exploiting the captive African cheap labour and Namibia's natural resources, these multinational corporations are providing the racist regime with the necessary revenues to maintain its illegal and brutal occupation of Namibia.

The Black employees of the corporations are by and large accommodated in the so-called workers' compounds. Life in these compounds is horrible, to say the least. Workers are packed into overcrowded barracks with concrete structures for beds. Sanitation is either very poor or non-existent. Most of the inmates of these compounds are people who are separated from their families for the duration of their so-called contract periods. Namibian Black workers have very little or no protection at all in law against industrial injury, illness or redundancy. In most cases, workers are excluded from fringe benefits, pension opportunities and other amenities accorded to White workers. Where social provisions exist, they do not cover the contract workers. The so-called "Conditions of Employment Act", which South Africa has introduced in Namibia, through its puppets in Windhoek, to hoodwink world public opinion, has not changed the ugly reality of this situation.

The underdevelopment of Namibia continues without abatement, and the available statistics show that as much as 60 per cent of Namibia's gross national product is repatriated abroad by the transnationals as company profits before taxes. Of the remaining 40 per cent, a large part is used as operating expenses of the foreign economic interests in Namibia. Per capita income for the Whites in Namibia is approximately 3,000 rands, while the corresponding figure for Blacks is 125 rands – a ratio of 24 to 1. This, surely, is one of the most blatant examples of inequitable distribution of income in the world today.

Over the last two years there has been a resurgence of trade union activity in Namibia, resulting in a number of industrial actions. This has led to the dismissal of thousands of workers by some of the big foreign corporations in Namibia. A case in point was the dismissal of workers from their work at the Tsumeb, Otjihase and Kombat copper mines and other corporations. The workers were dismissed en masse for having demanded better pay and minor improvements in their living and working conditions. However, the mining companies, notably the Tsumeb Corporation Limited, in which Britain, South Africa and the United States have the dominant interest, decided to systematically victimise the workers. The majority of the workers dismissed are those who are union members, thus clearly showing the anti-trade union line which these foreign companies have taken.

The multinationals have for many years worked together with the colonial authorities in Namibia to suppress trade unions and to silence workers' opposition to apartheid oppression and injustices. However, as the repression of the workers has intensified over the decades, so has their commitment to abolish apartheid in Namibia.

Thus, in spite of harsh reprisals from transnational corporations and the colonial regime, the workers have in recent years succeeded in forming mass and effective trade unions, such as the Namibian Food

and Allied Union, the Mineworkers Union of Namibia, the Metal and Allied Namibia Workers, and the Namibia Public Workers Union. All these unions are affiliated to the National Union of Namibian Workers. With the formation of these trade unions, the Namibian workers are continuing their historic resistance to colonial domination, repression and exploitation.

We consider it imperative for the international community, particularly the ILO, to come to the aid of the trade unions in Namibia so that they can effectively continue to fight for the rights of our exploited and oppressed workers.

In view of the prevailing critical political, military and economic situation in Namibia, we strongly call upon the entire international community to impose comprehensive mandatory sanctions against South Africa for its refusal to relinquish its illegal occupation of Namibia.

In this connection, we sincerely welcome the measures taken by some countries in imposing sanctions against South Africa. We urge those which have not yet done so to follow suit.

I cannot end my speech without welcoming the updated Declaration concerning Action against Apartheid in South Africa and Namibia and the Programme of Action against Apartheid as presented to the Conference for adoption.

I am happy to note that for the first time both the Declaration and the Programme of Action apply equally to the situation in South Africa and Namibia.

I sincerely appeal to the distinguished delegates here assembled to adopt the Declaration and the Programme of Action by consensus. By doing so, you will send a clear signal to the racist colonial regime of South Africa that the international community is fully behind the oppressed people of Namibia and South Africa.

I also congratulate the Director-General of the ILO for the comprehensive report concerning the policy of apartheid in South Africa. I have noted that this year the report covers the situation in Namibia satisfactorily.

However, we feel that the issue of Namibia should be covered in a separate chapter in the Report.

Lastly, we sincerely thank the ILO for co-operating with SWAPO in training Namibian refugees in exile. In this regard, I have to mention specifically the vocational training centre which the ILO and the SWAPO of Namibia jointly constructed for the Namibians at Cuacra in the People's Republic of Angola. The centre is very useful to the Namibians and is a concrete testimony to the wonderful co-operation which exists between SWAPO and the ILO.

I must say that this vocational training centre is the first, because in Namibia we do not have anyone for the Africans, so therefore we thank the ILO for this invaluable contribution to the Namibian people.

In conclusion, I would like to mention that, like the rest of humanity, the Namibian people hope that the current international political atmosphere, which is characterised by dialogue and co-operation, will have positive implications for Namibia's long delayed independence. We in SWAPO, therefore, support recent proposals by Angola to find a settlement in the south-western corner of Africa, leading to the immediate independence of Namibia, security for Angola and the withdrawal of Cuban troops from Angola.

Let me also reaffirm, at the same time, SWAPO's support for and solidarity with the people of South Africa in their just struggle against racism for a democratic, united and non-racial South Africa.

We strongly condemn the racist South African policy of destabilisation of the independent African States in the region, particularly the People's Republic of Angola.

Similarly, SWAPO maintains the view that the question of Palestine is at the core of the conflict in the Middle East. As such, it follows that any just, durable and comprehensive solution in the area must lead to the establishment of an independent Palestine State. We therefore support the Palestinian people, led by the PLO, in their struggle to achieve this goal. We also support the Sahraoui people, led by the Polisario Front, in their fight for the independence of Western Sahara.

On behalf of SWAPO, I would like to express our sincere gratitude to all countries, national and international organisations, which have supported and continue to support our struggle for self-determination. In this connection, I would like to single out the front-line States, in particular the People's Republic of Angola, other OAU member States, the socialist countries, the Nordic countries, Holland, Italy and the member countries of the non-aligned movement.

To the White population in Namibia, I would like to reiterate SWAPO's position that the struggle we are waging is not, has not been, and never will be, directed against individual Whites. Rather, it is a struggle to end apartheid and colonialism. Above all, it is a struggle to restore the human dignity of all our people, Black and White.

Interpretation from German: The PRESIDENT – Mr. Nujoma, I thank you most sincerely for this very impressive address which you have just made before this Conference. This will help all of us to understand better your struggle against the problem of apartheid, and to use the means available to us in a better way to show our solidarity with you.

Interpretation from German: Mr. MUHR (*Workers' delegate, Federal Republic of Germany*) – The time for discussing the pros and cons of sanctions against South Africa is past. The time has now come for action. In the South African Republic, 1987 was a year in which yet again many people lost their lives in their struggle for the recognition of human rights. Thirty thousand persons in the course of one single year were detained for more than a month, as the Report before us indicates.

We are still under the shock of the decision of the Supreme Court of South Africa to refuse to reopen the trial of the condemned Sharpsville Six, and this, despite the fact that statements and testimonies in the original trial were quite obviously falsified.

With the prohibition of the political activity of the Congress of South African Trade Unions (COSATU) and the banning of 17 anti-apartheid organisations, the South African regime has destroyed the last bridges for a peaceful settlement with the Black population. However, this still does not seem to be sufficient for those in power in the southern tip of Africa. Now labour rights are to be further limited.

The changes effected by Parliament since 1987 represent a well-orchestrated attack against the Black trade union movement. Although South Afri-

can labour legislation grants trade unions the right to exist, their activities can be curtailed in a wide variety of ways. For instance trade union members who take part in a strike – and strikes are legal in South Africa – may find themselves dismissed.

In future, any collective action is going to be considered a strike. Sympathy strikes will also no longer be legal. The trade unions are to be held liable for any damage which occurs during illegal strikes and, according to the recent legislation, almost all of them will be considered illegal.

The industrial council system has been restructured; instead of a negotiating body, there will be a strike prevention and compulsory arbitration system.

We are not able to give an account of the full extent of the planned restrictions on trade union rights here; however, I think this is clear when we look back at the three days of protest last week. Millions of Black workers stayed away from work from Monday until Wednesday and, as a result, the economy was largely paralysed.

The inexorable harshness of the South African regime against the freedom movement has, so far as we know until now, cost ten persons their lives.

We bow with respect and with honour before these and all those who have died in the cause of freedom and human dignity.

We pay tribute to the millions of workers in South Africa who made this three-day general strike, the largest in the history of South Africa. Their courage obliges us to continue to give them our support in their struggle.

If the South African Government were to forbid financial support from abroad for political parties and trade unions, or if it were to take similar prohibitive measures, then we should find ways and means to continue to help the anti-apartheid movement.

We view with revulsion the White minority in South Africa which fails to recognise the signs of the times and continues to maintain its power with weapons and with violence, holding the vast majority of the population in bondage and depriving them of their freedom.

That is why we emphasise, once again, that so long as the apartheid regime shows no readiness to alter its policy of contempt for human beings and maintains its illegal occupation of Namibia, sanctions are a necessary and a legitimate tool of international politics to implement human rights and international law in South Africa.

The German Confederation of Trade Unions (DGB) has therefore renewed its call for a boycott on all goods from South Africa. Together with its member organisations, it is continuing its public information and mobilisation campaign with advertisements and posters against the apartheid regime.

We have already achieved some success. Two of the major chain stores in the Federal Republic of Germany no longer sell any goods from South Africa.

However, these are only the first of our successes. We must also try to exert our influence on those enterprises which are still operating in South Africa.

We must at least demand that they draw no further economic advantage from the application of apartheid and security and emergency measures. The right to strike and the right of staff delegates and trade union officials to be represented in disciplinary and complaint procedures must be granted by them.

A sign of progress is that the metalworkers trade union (IG Metall), the largest of our members in the German Confederation of Trade Unions, together with its South African brother trade unions, has drawn up a list of minimum standards for labour relations and labour conflicts. This is now being applied in the Federal German iron and steel enterprises with branches in South Africa.

South African and Federal German trade unions will jointly monitor the implementation of these principles. This is once again an example of specific economic action taken against this regime's new forms of aggression.

To this effect "minimum standards" have been drawn up on the basis of practical, day to day experience. These standards reflect not only the practical needs of young Black trade unionists but also the experiences of Federal German trade unions in their numerous past efforts to provide help and solidarity in the case of conflict.

The fact that these minimum standards are so closely matched to practical realities and that they were jointly formulated, makes these "minimum standards" a qualitatively new and special step in the long series of political inroads to change circumstances in South Africa. We would be pleased if this example were to be followed in other countries.

By grouping racial, social security and labour rights together, the White minority and in particular the employers in South Africa, have great means at their disposal to control and oppress Black workers and their unions.

Those companies, which, despite international demands for economic sanctions, continue activities in South Africa, must therefore at least declare themselves ready to draw no advantage from this undemocratic and anti-social legal system. We call upon all those concerned to respect all the resolutions taken against apartheid including those yet to be taken at this 75th Session of the International Labour Conference.

We must once and for all put an end to the situation whereby human rights are not applied to the vast majority of the population.

Mr. SUNMONU (*representative of the Organisation of African Trade Union Unity*) – Permit me, on behalf of the Organisation of African Trade Union Unity (ORTUU), to join you in welcoming Sam Nujoma, President of Swapo, to this session of the Conference. It is the hope of all African and other freedom-loving peoples of the world that the next time, possibly next year, the Governing Body of the ILO invites President Nujoma to address the International Labour Conference it will be in his capacity as President of the Republic of Namibia.

Let me express the profound appreciation of my organisation to the Director-General, Mr. Blanchard, for the excellent way his special Report on the application of the declaration concerning the policy of apartheid in South Africa was prepared this year. It is a great improvement on last year's Report.

From the Report, the conditions under which Black trade unions operate through repressive apartheid laws is a matter of great concern to us. We praise the courage and the indomitable spirit of the leadership and members of COSATU and NACTU. As trade unionists, we cannot accept the tribal into-

nation of, and collaboration with the apartheid regime of, the Nkatha-formed United Workers Union of South Africa (UWUSA). The struggle for the death of apartheid in South Africa and Namibia will not be served by unions such as UWUSA.

On behalf of the OATUU, I congratulate the Governing Body of the ILO for convening the Tripartite Conference on Action against Apartheid in Harare from 3 to 6 May 1988. Our congratulations also go to the Director-General and all his Officers and staff, and also to the Government and people of Zimbabwe for the successful outcome of the conference. All the delegates, observers and participants of the Harare conference are also congratulated and thanked for the draft Declaration concerning Action against Apartheid in South Africa and Namibia, which the Conference Committee worked upon and is presenting for the adoption of this Conference session.

We are glad to see the inclusion of Namibia in the Declaration because of the practice of apartheid in Namibia by the racist regime, as a result of its illegal and criminal occupation of Namibia, in defiance of the termination of its mandate by the United Nations, and Security Council resolution 435 for the independence of Namibia.

The new Declaration concerning Action against Apartheid in South Africa and Namibia being put for adoption by this Conference should be supported and adopted by all the three constituents of the ILO unanimously. We are tired of the hypocrisy of the "apostles of human rights and democracy". They call for the practice of human rights and democracy everywhere in the world, except in apartheid South Africa. We would, therefore, like Mrs. Margaret Thatcher and President Ronald Reagan to be kind enough to tell the whole world whether apartheid conforms to their definition of human rights and democracy. If their answer is no, and their alibi is that they have condemned apartheid as inhuman and a crime against humanity, then are they suggesting that apartheid should be destroyed or reformed? Then, how? It is, however, pertinent to inform these two world leaders that it is now universally acknowledged that apartheid cannot be reformed, so it must be destroyed. The world is then left with only two options to destroy apartheid, i.e. through peaceful means or violent means. The only peaceful means to destroy apartheid is through mandatory economic sanctions against the regime. It is, therefore, inconceivable that Mrs. Thatcher's conservative Government and the Reagan Administration, in spite of the overwhelming support of the people of Great Britain and the United States respectively should still adamantly and hypocritically maintain that sanctions would not work against racist South Africa. Why did their respective Governments impose sanctions against other countries like Poland, Cuba, Iran and Nicaragua? We are, however, comforted by the fact that the people of the United States, through their accredited representatives in the two houses of the United States Congress have voted for sanctions against the apartheid South African regime. As equally successfully demonstrated last Saturday at the concert organised by the British Anti-Apartheid Committee at Wembley Stadium in London to commemorate the 70th birthday of Nelson Mandela, we have no doubt that the majority of the British people hate apartheid and they want it destroyed.

I have singled out the Governments of Great Britain and the United States of America not because they are the only Governments supporting the apartheid regime but because of their hypocrisy and double standards. If we must call a spade a spade, then the Governments of the Federal Republic of Germany, France, and Japan are also indirectly guilty of supporting the apartheid regime in South Africa by their refusal to apply sanctions against the odious regime. The same can be said of the employers of all these countries. We are also comforted by the fact that the workers, trade unions and other democratic organisations of the above-named countries have, by their words and actions, condemned apartheid and are fighting it on all fronts. We thank all of them for their fight against apartheid, and the moral and material support they are giving to the victims of apartheid in South Africa, Namibia and the front-line States.

We appeal to the humanity of the supporters, promoters, godfathers and godmothers of apartheid to assist the international community to bring an early and peaceful destruction to apartheid by not only adopting but also implementing the Declaration before this session of the Conference. We especially appeal to all countries of the world, particularly to the Western industrialised countries to impose immediate mandatory economic sanctions against the apartheid South African regime and isolate it politically, militarily, culturally and diplomatically. They should also take immediate steps to disinvest in South Africa, in addition to all the actions contained in the Programme of Action against Apartheid in the Declaration.

May I take this opportunity, on behalf of the OATUU, to warn Japan of the dire consequences Japanese companies face in Africa for their unethical filling of the void created by the withdrawal of United States companies from apartheid South Africa. When the day of reckoning comes, Africa will not forget such treachery.

On behalf of my organisation and millions of African workers and people, I thank the Nordic countries for their principled fight against apartheid, and their assistance to its victims inside South Africa, Namibia and the front-line States. We shall never forget. We appeal to other countries and their non-governmental organisations for similar support. We call for the unconditional independence of Namibia this year and for massive international assistance for the post-independence reconstruction and development of Namibia.

In conclusion, I call for the unanimous adoption of the Declaration and Report of the Committee on Apartheid. We shall consider any negative remark or vote or abstention as support for the practice of apartheid in South Africa and Namibia.

Mr. KAILEMBO (*representative of the International Confederation of Free Trade Unions*) – On behalf of the International Confederation of Free Trade Unions, I should like to convey to this plenary session the full commitment of the 87 million workers the world over under the ICFTU umbrella to the fullest implementation of the updated Declaration concerning Action Against Apartheid in South Africa and Namibia, its Programme of Action and the conclusions adopted by the Conference Committee on Apartheid.

I have listened carefully to Mr. Sam Nujoma's speech which so vividly described the situation of the Black workers in his country. He may rest assured that just as we mobilised maximum international support for the Namibian mineworkers during their strike at Tsumeb, putting maximum pressure on that company, we shall continue making every effort to maximise support for the struggle of the Black workers of Namibia in their efforts to organise for trade union and human rights for the fullest and speediest implementation of United Nations Security Council resolution 435.

While we are meeting here today, the majority of Black workers of South Africa are engaged in a struggle for survival. There can be no doubt that the proposed amendments to the Labour Relations Act and the promulgation of the Orderly Internal Politics Bill are aimed at emasculating, at destroying the independent Black trade union movement in South Africa, at destroying it – because in the absence of rights, after the bannings and restrictions on anti-apartheid organisations – the independent Black trade union movement has come to represent the aspirations of the Black majority.

What do the proposed amendments to the Labour Relations Act really intend to do? They intend to introduce such an incredibly onerous procedure for the calling of a legal strike that virtually all strikes will become illegal. Already, under the existing law, some 90 per cent of the strikes in South Africa are considered illegal. Employers will be able to sue unions and their officials for damages arising out of illegal strikes, that is virtually for all strikes. Under the proposed amendments it will not be unfair labour practice for the bosses selectively to re-employ workers after a strike, thus making sure that union activists are excluded. The proposed amendments will also promote the recognition of minority unions, or racially based unions, intended to divide the workers. In the light of these proposed amendments, the Government's explanation as to the intentions of the Orderly Internal Politics Bill look particularly ominous. The Government explains as follows, and I quote: "What primarily involved is the monitoring of foreign-funding and the placing of controls on the use of funds for politically subversive or illegal activities." As practically all strikes will be illegal, it is clear that the Government intends to curtail solidarity funds reaching the independent Black trade union movement. It is intended to curtail assistance to the victims of apartheid. What is to become of the European Community's so-called "positive measures" in these circumstances?

Prior to the European Community Summit in May, a top-level ICFTU/ETUC delegation made representations to the European Community, pleading for some real sanctions measures, such as a comprehensive coal embargo – more than ever urgent because of the present situation.

In doing so, we had every confidence that we were genuinely reflecting the wishes of the majority of Black workers in South Africa. Already back in April 1985, the ICFTU adopted a comprehensive sanctions programme in its policy statement entitled "Beating Apartheid". This document draws its value from the fact that the independent Black trade union movement played a key role in its drafting. The same applies to the conclusions of the ICFTU/SATUCC Conference on "Beating Apartheid and Strengthen-

ing the Front-Line States", which was held in Lusaka in October 1986, which, among other things, led to the establishment of a monitoring unit on sanctions within the ICFTU Secretariat.

Now that it has become illegal for the independent Black trade union movement to call for such measures, the ICFTU considers it as its duty to propagate their message as vigorously as possible. This constitutes elementary trade union solidarity.

On 1 and 2 June the ICFTU called for a special meeting of its Co-ordinating Committee on South Africa, which brings together its affiliates from the industrialised countries, from the African region, from the international trade secretariats and from the independent Black trade union movement inside South Africa. The Co-ordinating Committee examined the most appropriate international trade union response in view of the present crisis we are facing.

It is with great satisfaction that we note that the areas identified for specific target action by the Conference Committee on Apartheid are exactly those that our Co-ordinating Committee recommended for special ICFTU campaigns. Indeed, we committed ourselves to mobilising workers for campaigns to bring about a coal embargo and to stop South Africa from gaining energy self-sufficiency. For example, for this campaign our monitoring unit has already prepared material on the Mossel Bay gas project and Kudu gas fields in Namibia, identifying those foreign companies that are co-operating in these ventures. We have also drawn up a list of those companies that are co-operating with South Africa's SASOL plants, whose management has consistently been anti-union, massively firing workers during strikes, bringing in vigilantes and police squads, and evicting workers from hostels. The NACTU-affiliated South African Chemical Workers' Union is now in its fourth month of dispute with the SASOL management. Another campaign is aimed at putting pressure on banks to stop loans and credit guarantees that promote South Africa's interests.

We have updated our list of companies with investments and interests in South Africa. And if I may summarise, the culprits are: the United Kingdom, with 374 companies; the Federal Republic of Germany, with 333 companies; the United States, with 164 companies; Japan, with 103; France, with 90; Switzerland, with 54. The list endeavours to expose, among other things, those companies that have claimed to withdraw from South Africa while in fact maintaining their interests in the Republic.

The ICFTU very much welcomed the inclusion in the updated Programme of Action of a call for pressure on the subsidiaries of South Africa's transnationals. Indeed, our monitoring unit has been doing extensive research in this field, and an ICFTU list of transnationals with their subsidiaries is now in print.

Our Co-ordinating Committee recommended that we should intensify our efforts to put greater pressure on the south-east Asian countries, some of which are heavily involved in the so-called Bantustans. Moreover, a number of transnationals operating from those countries have apparently been increasing – more particularly Japan and Taiwan – their involvement in South Africa, taking the place of those that are heading the sanctions call. We are approaching our Asian and Pacific regional organisation so that this matter is given a high profile at the forthcoming congress of that organisation, and so

that appropriate representations are made to the governments concerned.

We also very much welcome to greater emphasis on the tragic situation of the front-line States in the updated Declaration and Programme of Action. The ICFTU is endeavouring to implement as fully as possible the conclusions of our Lusaka Conference that I mentioned earlier. We sent a special ICFTU/SATUCC mission to Mozambique to see how best we could show solidarity to the trade union movement in that country in its efforts to alleviate the intolerable suffering of the population, caused by South Africa's proxy forces, permanent destabilisation, compounded by drought. As a first gesture we provided blankets for people who had nothing with which to protect themselves from the oncoming winter. Now, we are working on longer-term projects, particularly to help rehabilitate migrant workers expelled from South Africa. We are also carrying out a feasibility study, together with SATUCC, on ways and means of bringing about immediate relief to migrant workers in the whole of the southern African region and planning a longer-term strategy aimed at promoting employment creation in the supplier countries.

In conclusion, allow me to return to the current situation in South Africa – a situation of deep crisis where human lives are becoming increasingly cheap in a spiral of State and overall violence spilling well over the borders of South Africa. Very soon, another six Black people will probably be hanged. I am, of course, referring to the Sharpeville Six.

After months of campaigning, the ICFTU's World Congress, held in Melbourne in March this year, issued a strong appeal to the South African authorities for clemency for the Sharpeville Six. Just as arrangements were being made for a top-level Congress delegation to make direct representations to the South African Embassy in Canberra, we were informed that a stay of execution order had been granted. Now we learn with distress that the request for a retrial has been refused. We call for immediate tripartite action at all levels to save the lives of the Six, who appear destined to be hanged merely to allow Botha to gain a few more votes from his conservative constituents.

I thus add my voice to those who have preceded me in expressing the hope that the updated Declaration and Programme of Action, as well as the Committee's Conclusions, will be adopted by consensus and will be translated into immediate action.

The ICFTU for its part pledges to continue making every possible effort, through its Co-ordinating Committee on South Africa, to maximise all forms of assistance to the independent Black trade union movement in South Africa and Namibia and to mobilise our membership world-wide for the fullest implementation of the commitments made here and endorsed by our governing bodies.

Mr. NKADIMENG (*representative of the African National Congress*) – Allow me in the first place to congratulate the President on his election to preside over this important session of the International Labour Conference. I think we feel particularly confident in his chairmanship because we know of his untiring assistance to the other liberated countries in Africa, Angola, Mozambique, Guinea-Bissau and Zimbabwe. Allow me to congratulate him in the

hope that since his country, and he personally, is one of those very important trenches for the liberation movement, you shall continue to render unqualified assistance to the liberation movement in South Africa and Namibia.

We bring you militant greetings from your fighting brothers and sisters in South Africa who have emerged from one of the most impressive and rousing confrontations with the apartheid regime of the bosses in the recorded history of the workers' struggles in South Africa.

This magnificent show of strength takes place against a backdrop of heavy odds in the struggle of the South African workers and people for national and social emancipation. It is a situation of deep economic and political crisis for the apartheid system.

On the economic plane, the country is plagued by a multitude of malaises. The gross domestic product (GDP) is falling with each passing year. In 1985, it declined by 1.1 per cent, showing a slight improvement of a mere 0.5 per cent in 1986. On the other hand, the population growth rate of 3 per cent per annum outpaces by far the meagre growth rate of the GDP.

The stagnation in industrial performance is due in large measure to the squandering of resources on imports of capital-generating items such as military equipment and exorbitant patents for their internal production. Large quantities also for the sanctions-busting exercise. These measures are designed to make the Pretoria regime self-sufficient on items vital for the perpetuation of the apartheid system. They are meant to cushion the effects of increased sanctions and thus increase the regime's potential for floating national and international pressures for the eradication of the criminal system of apartheid.

During his budget speech to the White Parliament earlier this year, Pretoria's Finance Minister, Barend du Plessis, admitted, however, that due to sanctions and other pressures on the regime, many projects designed to reinforce apartheid had to be abandoned. This is a clear admission by Pretoria of the effectiveness of the international action.

Eight successive years of a devastating drought, dwindling markets both internally and externally have meant a further deterioration in living standards. Wages have dropped by 20 per cent in real terms since 1986.

In the political arena, the racist regime's initiatives, the so-called reform, have grounded to a halt. In fact, all pretences of a reform have been thrown overboard. Increasingly, the regime has come to resort on more and more repression and repressive measures.

Following its declaration of a nationwide state of emergency in 1986, which is in its third continuous year as from 10 June 1988, the Pretoria racist regime has resorted to jackboot methods of governance. Not only has it unleashed its forces of repression and oppression – the army and the police – against the people, it has now come to deploy an array of forces against our people.

Within its system of national security management, it has established a network of what is called joint management centres (JMCs) covering major industrial and economic centres of the country. The JMCs are designed to pool the military and civilian efforts for the suppression of democratic popular

protests. In the trail of these JMCs, death and destruction have become the order of the day in my country. Many trade unionists, political activists, youth, women, religious and other activists are in detention or have died at the hands of Pretoria's security forces, vigilante units and forces of its Bantustan creations with greater concentration and ferocity in the Pietermaritzburg - Pinetown - Durban Complex in Natal in recent times.

Economic development and political progress in the region of southern Africa are subjected to intolerable strain and destabilisation by Pretoria. Rebellion is fomented and outright aggression is launched against the countries of the subcontinent.

The militancy and resilience in struggle by workers and other sections of the population of South Africa should be understood within this context of extreme repression by the racist regime with the collusion of the employers. It is a clear demonstration of the determination to do away with the state of emergency, the Labour Relations Amendment Bill, the Fund-Raising Bill, the murder and detention of trade union leaders and workers, the impending execution of three members of the National Union of Mineworkers (NUM). It is a determination to do away once and for all with this threat to peace and security in the region and rid the world of the crime of apartheid.

We feel very honoured, therefore to join you in the deliberations of this august body today, the International Labour Organisation (ILO), as in previous gatherings such as the recent joint ILO/OATUU (Organisation of African Trade Union Unity) meeting in Harare. We of the South African Congress of Trade Unions and the ANC are convinced that the results of this present consultation will further greatly contribute to the speedy demise of the abominable system of apartheid. This crisis which the racist regime is in leaves no other way out.

Let me further state, comrades, brothers and sisters, that despite the unrelenting resistance of the people of South Africa and Namibia and the efforts of the international community, the apartheid system continues to exist. Indeed, with each passing day, the situation in southern Africa continues to deteriorate. This demands urgent action by the peoples of the world to hasten the end of the apartheid system as a necessary condition and prerequisite for the transformation of our country into a united, democratic and non-racial South Africa.

We appeal to this meeting to warn the employers not to compound further the situation prevailing inside our country.

We appeal to this world body to reaffirm and implement the Programme of Action adopted at the Arusha conference: "Peoples of the world against apartheid for a democratic South Africa". The struggle for national liberation and social emancipation of the people of South Africa and Namibia requires your continued support.

We appeal to this meeting for continued assistance to SACTU and the entire democratic trade union movement in South Africa; for the further isolation of the regime and implementation of mandatory economic sanctions; to demand the stay of execution of the three NUM members on the death row; to demand the unconditional release of Oscar Mpethe and all detained trade union leaders and workers; the release of Nelson Mandela on his 70th birthday

and all other political prisoners; send letters of protest to employers and their organisations on their stand against COSATU and the workers of South Africa.

Before concluding, may I also associate myself with those who spoke before me to urge for acceptance of this updated Declaration against apartheid by consensus.

Once more, allow me to wish this session success in its deliberations.

A luta continua! Victory is certain! An injury to one is an injury to all!

Interpretation from German: The PRESIDENT - I have approximately 45 speakers on my list at the present moment and I would therefore like to suggest that speakers limit themselves to seven to ten minutes. We could then proceed rapidly and smoothly and complete our agenda for today.

Mr. MOSAKA (*representative of the Pan-Africanist Congress of Azania*) - On behalf of the Pan-Africanist Congress of Azania, my delegation wishes to join previous speakers in congratulating the President on his election to the presidency of the 75th Session of the International Labour Conference. His long record and experience in the labour and social fields befit his choice to guide the deliberations of this Conference. We are confident that under his leadership this Session will come to a fruitful conclusion.

Included in the Director-General's Report this year is the subject of human rights. This year also marks the 40th anniversary of the Universal Declaration of Human Rights. Today's plenary sitting is devoted to a subject that is incongruent with human rights, namely apartheid, which negates the pronouncements of this Declaration.

This plenary sitting also coincides with the day on which the regime in South Africa, 12 years ago, unleashed violence against the Black students demonstrating peacefully against inferior education. There exists in South Africa, therefore, a gross violation and disregard of freedom and justice.

In discussing apartheid in South Africa, it is imperative to go to the origins of the system, which became institutionalised in 1948 when the Nationalist Party came to power. We contend that the problem of apartheid did not begin in 1948. We hold that at the root of the problem is the landlessness of the majority population. We were dispossessed of our land three centuries ago. This dispossession was brought about violently. In 1913 the dispossession was formalised by a law in the White Parliament.

The problem, therefore, is not just an attitude of mind of the minority to the majority; the problem is a denial of economic, social, cultural, civil and political rights which form the basic premise of the International Bill of Human Rights.

The ILO, pursuant to these ideals, provides a forum where governments, employers and workers enter into discussion on issues related to these basic rights under the various rules.

South Africa found that the standards agreed upon in the ILO were not in harmony with its discriminatory practices, and therefore did not feel accommodated.

The regime, through its Parliament, to which 80 per cent of the population has no access, passes laws

that systematically deny the Black majority advancement.

This Parliament is currently sitting and could pass laws that will severely restrict trade union activity, and the Government will be forced to cut the activities of the trade union organisation.

A new labour relations amendment Act has been tabled which will withdraw the provisions of the 1981 Act, which came into force after a long struggle by the Black workers for recognition of the Black independent trade union.

The regime is resisting granting the Black worker even the limited benefits accruing under the 1981 Act. The Black workers registered their repugnance of this latest move through the three-day national protest from 6 to 8 June. The regime is also planning further curbs on trade unions and their overall organisation through the Orderly Internal Politics Bill, which will restrict internal assistance to these bodies.

The system of apartheid has been indicted as an affront to mankind. Consequently, it cannot be reformed but must be eradicated and a system guaranteeing fundamental human rights must be established, a system that will guarantee individual rights and not group rights. To realise this objective, the people of South Africa will resort to all the forms of struggle at its disposal.

The international community has accepted that apartheid must be ended, and is expected to strive for its termination. In this regard, sanctions have been identified as one measure to complement the internal efforts of the oppressed people.

However, we see that economic expediency has tended to outweigh moral necessity in applying sanctions. We know that the measures that could help to bring about the end of this system are within the jurisdiction of all those who subscribe to peace and social justice. However, arguments against disengagement from South Africa allow for ambivalence with regard to the transnationals doing business there.

We are therefore indebted to the ILO for providing us with assistance in recognition of the just cause for which we are striving. We are also grateful to the Members of the ILO who have responded positively to the requirements of the Declaration concerning the Policy of Apartheid in South Africa. We hope that the Declaration will be translated into action.

Injustice is injustice; it cannot be conveniently ignored, but should be fought wherever it exists.

The regime has denied justice to the majority of people of the land through the denial of basic rights. It follows therefore that an unjust system cannot be justly applied.

We wish to commend the Director-General for the Special Report on apartheid, which relentlessly exposes the injustices perpetrated by this regime.

We wish to thank the ILO and all those who called for the lives of the Sharpeville six to be spared. Only this week these patriots have again been refused a retrial. We request everyone to pursue the campaign to save them. The Sharpeville six have asked for justice and not for mercy.

Our profound gratitude goes to the people of the front-line States, which continue to be subjected to wanton aggression by the South African regime.

We are also grateful to the Nordic countries for taking action against South Africa and aiding the victims of this system.

Our unqualified support and solidarity are extended to the workers and people of Palestine who are engaged in a legitimate struggle for self-determination.

Finally, I am confident that the report of the Committee on Apartheid, the Declaration concerning Action against Apartheid in South Africa and Namibia, and the Programme of Action against Apartheid will be unanimously adopted by this Conference.

Interpretation from Japanese: Mr. TANAKA (*Workers' delegate, Japan*) – I should like, at the outset, to congratulate the Committee for the splendid updated Declaration, and also wish to pay my profound respects to Mr. Mercier, the spokesman, and the Worker members of the Committee.

I have been most moved by the speech made by Mr. Nujoma, the President of SWAPO.

My conscience has been deeply stirred to work against apartheid.

I rise to speak as a member of the Japanese trade unions, to state that we are opposed to apartheid and that the Japanese trade unions are doing everything possible to eradicate this evil regime.

I strongly appeal for the proposed Declaration concerning Action against Apartheid in South Africa and Namibia to be adopted at this Conference, with the consensus of all its members, as was the case at the last Tripartite Conference at Harare.

The proposed Declaration urges the Committee to continue to monitor with increased vigour action against apartheid, and I believe that this is the most important and essential measure that the ILO can take at this time.

The main theme of this Conference is *Human rights – A common responsibility*. I believe that apartheid constitutes the most blatant denial of human rights and example of discrimination. It is indeed, as has been said, modern slavery.

I am enraged at the way that our Black worker colleagues of South Africa, because of apartheid, are discriminated against by the Whites and obliged to lead a hard and painful life. I feel deeply angered and indignant at the way so many Black workers of South Africa, fighting to eradicate this evil law, are murdered, or arrested without legal trial and imprisoned for long periods.

Economic sanctions against South Africa have been proposed as one of the measures to eliminate apartheid. I believe that the consistent and thorough implementation of economic sanctions by all countries is one of the most important tasks before us. Unfortunately, I have to admit that my country continues to trade with South Africa, that every year the volume of trade is increasing, and the number of enterprises engaged in business there is also increasing. I am greatly concerned about this.

The Japanese workers and trade unions are completely opposed to apartheid; we have been working under the policy of the International Confederation of Free Trade Unions and, in consultation with the Organisation of African Trade Union Unity, have been engaged in various actions against apartheid. We have organised rallies to which the members of ICFTU and OATUU have been invited. We have invited them to attend our conventions, and asked them to participate with us in demonstrations. We have organised fund-raising campaigns on a number of occasions. We have also addressed protests to the

South African Consulate in Japan, and have dispatched a number of protest telegrams to the Government of South Africa. In addition, we have appealed to the Government of Japan and to the economic organisations of my country to seize every opportunity to take action against apartheid, including trade restrictions. At every opportunity we have made representations, consulted them and put forward proposals.

Therefore, I believe that the proposal contained in the new Declaration that separate reports should be made to the ILO on the individual actions and activities of governments, workers and employers, to clarify what has been done by whom, when and what still has to be done, is extremely important for taking effective sanctions against the system.

We, the Japanese workers, pledge that we will fight, with renewed determination, to eliminate apartheid, together with our brothers and sisters of ICFTU and OATUU.

In concluding my statement, I urge once again that the draft Declaration be adopted unanimously by the Conference.

Interpretation from Chinese: Mr. FANG (*Workers' delegate, China*) – We have carefully gone through the report of the Committee on Apartheid and the Declaration concerning the Policy of Apartheid in South Africa and Namibia as well as the Programme of Action against Apartheid as amended. We think they are very good documents and agree with the report, the Declaration and the Programme of Action as amended.

More than 20 years have passed since the International Labour Conference adopted the Declaration in 1964. However, the South African authorities have not in the least changed their position in pursuing the criminal policy of apartheid. On the contrary, they have been intensifying their atrocious and repressive measures against the just struggles waged by people of various circles in South Africa against the apartheid system. They have not only refused to release Nelson Mandela and other political prisoners, but also detained without trial tens of thousands of people, as well as arrested, kidnapped, tortured and murdered large numbers of trade union leaders and activists since the declaration of the state of emergency in 1986. In February this year, COSATU, the largest trade union organisation in South Africa, and 17 other mass organisations were prohibited from carrying out any political activities. At the same time, in defiance of the relevant resolutions adopted by the United Nations, the South African authorities have been continuing their illegal occupation of Namibia and intensifying their colonial rule over Namibia, making use of it as a base to invade other southern African countries. Moreover, they have time and again launched aggressions and subversions against the neighbouring countries in a vain attempt to threaten them to give up their support to the just struggles waged by the people of South Africa and Namibia. However, all these perverse acts of the South African authorities have met with severe condemnations and strong opposition from people and countries who care for justice all over the world.

We are very glad to see that the people of South Africa and of the southern African countries have been further united in their persistent struggle against South African racism and that the struggle of

the Namibian people for independence has been surging forward, putting the South African authorities in an ever more isolated position.

The Chinese workers and trade unions have all along strongly condemned and been firmly opposed to the racist policy pursued by the South African authorities and their atrocious repression of the workers and people in South Africa. We resolutely support the South African workers and people in their just struggle against apartheid and racial discrimination and for racial equality and fundamental rights. We resolutely support the Namibian people in their just struggle for national independence. We pay tribute to the front-line States for their enormous contributions to the liberation causes of the people of southern Africa. We have noted with satisfaction that the Tripartite Conference on Action against Apartheid sponsored by the International Labour Organisation in Harare has registered positive results. We call upon the International Labour Organisation to continue to adopt effective measures to implement the Declaration and the Programme of Action against Apartheid, adopted by the Conference, in a comprehensive way. We hold that greater pressure should be exerted on the South African authorities in the political, economic and all other possible fields, including comprehensive and mandatory sanctions, as a means to force them to give up the system of apartheid.

We are fully convinced that, with the support of the people of Africa and all countries in the world which uphold justice, the final victory will surely belong to the South African people and the Namibian people who have a glorious tradition of militancy.

Mr. MORTON (*Workers' delegate, United Kingdom*) – I first congratulate the President on his election to preside over this 75th Session of the International Labour Conference, a momentous session, not least because of the Report now before the Conference.

On behalf of the workers of the United Kingdom I support and commend the Report and the conclusions of the Committee and the revised Declaration.

The TUC, with 9 million members, is by far the largest democratic representative organisation in my country. It has been deeply involved in the struggle against apartheid for many years. Our involvement in that struggle has led us consistently to support and advocate mandatory economic sanctions and the severance of relations – including cultural relations – with South Africa. We, the organised workers in Britain have been reinforced in our beliefs by such spontaneous and informal demonstrations as the Mandela concert last week as well as by the expressions of support from many voluntary organisations in our country.

Now, there is of course no doubt about the legal and constitutional right of our Government, the United Kingdom Government, to express its views on the matter of action or indeed inaction against apartheid, both in this Conference and elsewhere. But there is a serious question about the degree to which they represent the views of the ordinary people of Britain on this matter.

What is even more doubtful is how long their views about the efficiency of polite persuasion can logically be sustained. The special Report of the Director-General makes it absolutely clear that such

approaches have fallen – and will continue to fall – on deaf ears. Increased repression and inhumanity has been the response to these friendly overtures. Those who say that there is no evidence that economic sanctions will succeed ignore the clear evidence that diplomatic exchanges in the absence of such sanctions are *not* succeeding. Similarly, those who suggest that Black economic power may eventually break down the structure of apartheid appear to disregard the evident fact that the whole repressive structure of the South African State is designed and applied to the ruthless preservation of that evil regime. Without external intervention neither such limited economic power as will be permitted to the oppressed people nor any considerations of justice will produce a *peaceful* transition in that country.

It is these considerations, not a desire for confrontation for its own sake, that cause us – the overwhelming majority of the Committee – to submit these conclusions and this programme of necessary action.

We appeal to those who would rely on peaceful persuasion to be persuaded themselves and to join wholeheartedly in this great international effort. Let them do so openly and, as requested by the Committee, undertake to give individual replies on the implementation of the measures stipulated in the updated Declaration and Programme of Action.

If governments will not join in this humanitarian action then let them – at the very least – comply with the Programme to this extent – let them lift all impediments preventing or inhibiting trade unions from taking action against apartheid. Let them ensure that their own people are free to express themselves in action and then be prepared to learn from the result.

British workers, through the TUC, will continue to give all possible support and assistance to their brothers and sisters in South Africa. We have continued at home, as we do here, to urge the British Government to support United Nations mandatory economic sanctions and to apply more vigorously the measures it has adopted.

Our member unions in Britain extend all possible support to independent trade unions in South Africa and approach British companies with South African subsidiaries in dispute with those unions.

We sent financial relief to workers involved in strikes and generally seek to give fraternal support to fellow trade unionists.

The TUC has produced a cinema advertisement film promoting the consumer boycott of South African goods and publishes other materials for this purpose.

We welcome this revised and updated Declaration and Programme of Action. We shall intensify our efforts to implement the Programme in all its detail.

Like others, we should prefer this report to be adopted without any division; but if there is to be one we shall stand proudly with what we are sure will be the overwhelming majority and what we are certain is the moral majority of this Conference.

Mrs. FRYBORTOVA (*representative of the World Federation of Trade Unions*) – On behalf of the World Federation of Trade Unions, representing in its ranks 214 million workers from all over the world, I should like to express the support of our organisation for the conclusions of the Committee on Apartheid in respect of the Declaration concerning Action

against Apartheid in South Africa and Namibia and assure you, true to our long-standing commitments, that our Federation and all its affiliated organisations will contribute in every possible manner towards follow-up action.

The implementation of the Declaration and the Programme of Action against Apartheid certainly will be an important instrument of the people in southern Africa, particularly of the workers and trade unions, in their struggle for human and trade union rights in South Africa and Namibia.

Only this week, on the occasion of the International Day of Solidarity with the struggling people of South Africa, the World Federation of Trade Unions took appropriate initiatives to intensify its solidarity actions for the just struggle of the workers and people in South Africa and Namibia for their inalienable rights and freedoms.

Concerning the latest decision of the South African High Court, the WFTU has reiterated its total condemnation of the death sentences passed on the “Sharpeville Six”, in gross violation of law and justice, in a telegram of protest to P.W. Botha, head of the apartheid regime.

The WFTU therefore once again joins the worldwide demand by organisations and governments for the cancellation of the decision to carry out the execution of these innocent persons, and calls for their unconditional release.

The international community cannot turn a blind eye and a deaf ear when thousands of workers and people are harassed, detained, tortured and killed in cold blood.

The WFTU is deeply concerned at the worsening of the situation in South Africa and its continuance and worsening of the human suffering resulting from the apartheid system of the Pretoria regime and its new extension of the state of emergency to cover the entire country.

Especially, concerning the tragic and inhuman situation of the South African and Namibian workers, the WFTU underlines the fact, as stated in the conclusions of the Committee, that the policy of apartheid remains the most serious and persistent challenge to the principles of equality that are defended by the ILO.

The WFTU reiterates ‘that the policies and practices of apartheid pursued by the Pretoria racist regime, which are the root cause of the grave and deteriorating situation in South Africa and Namibia and in southern Africa as a whole, constitute a serious threat to international peace and security.

The WFTU strongly condemns the racist Pretoria regime for its repeated attacks against the front-line States, and its recruiting, training, financing, directing and infiltrating of bandits and mercenaries, for the purpose of destabilising the independent neighbouring countries, actions which have caused a high toll in economic loss and human suffering.

In connection with the realisation of the Programme of Action against Apartheid, the WFTU is concerned about the operations of transnational corporations doing business in South Africa and Namibia. It is a fact that these TNCs, which have formally announced disinvestment from South Africa and Namibia, still maintain a large presence there by various subterfuges. There is no convincing evidence that the TNCs’ declarations in any way helped to weaken the apartheid regime. The collusion between

TNCs and the racist regime continues. Therefore, the WFTU reiterates its demand that actions of TNCs operating in South Africa and Namibia should come under the United Nations definition of the crime of apartheid and that legal action should be taken against them.

The Pretoria regime has recently decided to ban the political activity of 18 anti-apartheid organisations, including the Congress of South African Trade Unions (COSATU). Furthermore, the racist regime has promulgated the Amendment Bill to the Labour Relations Act, which is designed to shackle the strength of the trade union movement. These new provisions will not only contravene ILO standards but could, in effect, paralyse the Black trade union movement. In this respect, the WFTU learned with great concern that a number of employers in South Africa have threatened to undertake action against COSATU, its affiliates and members who participated in the country-wide protest of the trade union movement from 6 to 8 June 1988 against these measures of the Pretoria regime. Such is the challenge issued by the apartheid regime and its collaborators to all people in South Africa advocating freedom and justice.

In conclusion, I should like to assure all of you here in this plenary session that the 214 million workers who belong to the WFTU will take a very active part in all measures contributing to eliminate apartheid. This, we feel, is our obligation. Therefore, let us unanimously demonstrate our unity in the struggle against apartheid not only in supporting but particularly in implementing the conclusions of the Committee on Apartheid and especially the Declaration concerning Action against Apartheid in South Africa and Namibia and thereby contribute to the establishment of a free, democratic unfragmented and non-racial South Africa and an independent Namibia.

Mr. ZOUPANOS (*Chief, External Relations and Inter-Agency Affairs of the United Nations, on behalf of the Chairman of the United Nations Special Committee against Apartheid*) – I take the floor as representative to this Conference of the United Nations and its Centre against Apartheid, to salute the presence at, and the participation in, this Conference of Mr. Sam Nujoma, President of the South West Africa People's Liberation Organisation. We pay tribute to his fighting spirit and to his leadership in the struggle for the liberation of his country.

I have been requested to deliver a statement by the Chairman of the Special Committee against Apartheid of the United Nations, Mr. Joseph Garba, and the statement reads as follows.

Mr. President,

Allow me to congratulate you on your election and the guidance you have provided, along with your colleagues in the Bureau, to the work of the Conference. I also take the opportunity to express the high esteem in which we hold Mr. Blanchard, the Director-General of the International Labour Office and Secretary-General of this Conference, and our appreciation for his contribution to the international campaign against apartheid.

Your work today assumes special significance. Recent developments in South Africa show that the apartheid

regime is determined to continue its undeclared war against the people of South Africa and the region. Also, they show that South Africa will continue to defy the international consensus against it in the belief that apartheid can be maintained with impunity.

History, however, indicated that no government can rule eternally without the consent of all its people. The end of apartheid is historically inevitable. The question before us is whether or not the unanimous rejection of apartheid can be transformed into concerted and effective international action against the regime. It is in this context that the work of the International Labour Organisation becomes an important component of the international campaign against apartheid.

In adopting, as expected, the conclusions and recommendations of your Committee, including in particular the proposed Declaration concerning Action against Apartheid, you are giving concrete support to the Black workers of South Africa, those courageous men and women who confront the regime and the employers at the point where it hurts best – at the workplace.

Your Conference has been privileged to hear the testimony given by the representatives of the Congress of South African Trade Unions and the National Congress of Trade Unions. Through their voices you have heard of the victories and disappointments of the Black workers of South Africa. You have seen their courage and determination to fight against the regime's attempts to shackle the Black labour movement and all other forms of political resistance. You have heard their views regarding the assistance they need from the International Labour Organisation, particularly at this juncture. The representatives of COSATU and NACTU have clearly stated that apartheid is of global concern and that international support of their struggle is now more imperative than ever. They have reiterated that only effective – and more importantly – enforceable action by the international community against South Africa will help in the demise of apartheid. And they have no illusions about the pain international action like sanctions will bring them.

Understanding this need to isolate the regime and in so doing support the liberation struggle in South Africa, the General Assembly of the United Nations has repeatedly called for the imposition of comprehensive and mandatory sanctions against South Africa under Chapter VII of the United Nations Charter. Short of the adoption of these sanctions, it has called for the application of co-ordinated and strictly monitored measures. The General Assembly has recognised the need to target the loopholes among the sanctions taken by individual States so far. It has recognised the need to urge States to strengthen these measures, close the loopholes and strictly monitor the implementation of their sanctions.

The Special Committee against Apartheid has welcomed the selective measures adopted by different States which, it must be stressed, vary in their strength and, therefore, in their effectiveness. These measures, though, constitute the growing international consensus against the regime. But as the representatives of the Black labour movement of South Africa have said, increased support to their struggle is now needed. And only a firm and effective response by the international community, that is, sanctions, will help them bring about peaceful change in their country. In South Africa today, the writing is on the wall. No stone shall stand on top of the other till eternity. Let us hope that the actions of the International Labour Organisation and the United Nations can help the Black workers of South Africa realise their ultimate goal: the complete elimination of apartheid, and the building of a democratic, united and non-racial society, at peace with itself, with its neighbours, and with the world.

(*The Conference adjourned at 1 p.m.*)

Twenty-seventh sitting

Thursday, 16 June 1988, 3.15 p.m.

Presidents: Mr. Aitken, Mr. Adiko, Mr. Tsujino, Mr. Beyreuther

REPORT OF THE COMMITTEE ON APARTHEID: DISCUSSION (concl.) AND ADOPTION

The PRESIDENT (Mr. AITKEN) – We will now resume our discussion on apartheid.

Mr. MUKHERJEE (*Workers' adviser, India*) – First of all, on behalf of the working class of my country I express my heartiest congratulations to the President and to the entire working class of the world through this august gathering. Indeed, it is a great privilege to be with you all, at this international forum. As a delegate of the Indian Workers' group from the Indian National Trade Union Congress, the largest trade union organisation of India, it is a great honour for me to address you here in this historic place.

My subject is the right of the trade union movement in general and the struggle against apartheid in South Africa.

Because of shortage of time I have no desire to enter into an in depth analysis of the problem. I shall just refer to certain basic and important characteristics of the subject.

The ILO is playing a vital role in promoting the solidarity of workers by encouraging and strengthening the democratic trade unions and advocating their rights in various international governmental and non-governmental forums. But still, it is a blot on the entire civilised world that the apartheid policy of the White minority Government in South Africa, which denies the majority population basic human rights and freedoms, is being tolerated.

It is also appalling that, despite world-wide condemnation of the blatant discriminatory policies of the South African Government, some affluent countries in the West, while loudly claiming to be crusaders for freedom and human rights, talk of "constructive engagement" in a bid to cover their economic and trade links with the White regime, which has loosed a reign of unabashed violence on the majority Black population struggling for freedom in their own country.

My organisation, the INTUC, is a signatory to the resolution passed by the 71st Session of the International Labour Conference at Geneva, calling for comprehensive and effective economic sanctions against South Africa in order to force an end to its apartheid policy.

Let this august house call on the workers and their movements the world over to demonstrate their solidarity with the people of South Africa by forcing the governments in their respective countries to refrain

from having any type of relations with the racist regime.

Now, I want to suggest some action by the United Nations, by the governments, by the employers' organisations, by the trade unions the world over, and by the ILO.

First, government action through the United Nations: to adopt comprehensive and mandatory sanctions against South Africa, in accordance with Chapter VII of the United Nations Charter; to co-operate by all possible means in the implementation of United Nations resolution 435 for the independence of Namibia.

Second, government action: to sever political, military, cultural, sporting and diplomatic relations with the South African Government, in so far as such relations with South Africa are maintained; to stop trade and commercial relations with, and to prohibit new public and private investment in South Africa, as well as the export of nuclear and other technology to the South African Government. In addition, to prohibit loans, trade credits and gold exchanges by the banks to and with South Africa; to discourage the emigration of their nationals and the promotion of tourism to South Africa, by such means as banning advertising and cutting air and sea links with South Africa; to give material and moral support to the liberation movements, to the independent Black trade union movements and to popular movements struggling for the establishment of human rights in South Africa and Namibia; to lift all impediments preventing trade unions from participating in solidarity action with the workers engaged in the anti-apartheid struggle.

Third, action by employers' organisations: to ensure that their members do not maintain trade, commercial or financial relations with the minority South African Government; to try to transfer the investments to other African countries, especially the front-line and SADCC States; to refuse to co-operate with the South African authorities in the implementation of apartheid legislation and to make a firm commitment to the abolition of apartheid.

Fourth, action by trade unions the world over: to give financial and moral support to the Black independent trade union movement inside South Africa; to organise consumer boycotts in order to promote sanctions against the South African Government; to co-ordinate trade union action against apartheid in accordance with the Declaration adopted by the International Conference of Trade Union on Sanctions and other Actions against the Apartheid Regime in South Africa, held in Geneva in 1983.

Fifth, ILO action: to give further impetus to implementation of the Declaration concerning the Policy of Apartheid and the Programme of Action; to increase activities in the fields of vocational training, assistance to migrant workers, improvements in infrastructures and in other fields of benefit to workers of South Africa; to ensure a wider dissemination of public information throughout all member States, by all possible means, concerning atrocities being perpetrated by the apartheid South African regime within South Africa and Namibia, as well as front-line and neighbouring States, as a means of countering the news blackout imposed by the South African Government under its oppressive emergency and-overcoming the silence of the mass media.

I am proud to mention that under the leadership of our beloved Prime Minister Rajiv Gandhi, India has pledged Rs. 500 million to the African fund over three years. India has helped Angola, Botswana, Mozambique, Tanzania, Zambia, Zimbabwe and liberation movements with supply of articles of daily use and consumer durables worth Rs. 15 million to Angola and Rs. 15 million to SWAPO.

Lastly, I assure you that the Indian working class, which considers the valiant struggle of the South Africa's liberation movement as its own, will in every possible manner strengthen the South African Congress of Trade Unions and the African National Congress in their determination to put a permanent end to apartheid as well as to achieve the release of all brave fighters.

I want to finish my speech with the part of Indian "Rigvede" philosophy, which will be proper here: "May our aim be common, our assembly common, Common the minds and the thoughts of these united.

A common purpose do I lay before you, and worship with our common oblation. Common be our aim and our hearts united, Our minds be one so that all may happily live together."

Mr. MALVIYA (*Deputy Minister for Labour, India*) – May I first of all congratulate the Chairman and members of the Committee on Apartheid for the high quality of their report placed before us. On behalf of the delegation of India I would like to express our support for the set of conclusions adopted by the Committee on Apartheid. We also fully endorse the proposed Declaration concerning Action against Apartheid in South Africa and Namibia and the Programme of Action against Apartheid annexed to it, which have been amended and updated by the Tripartite Conference on Action against Apartheid held in Harare early last month, and hope that these would be adopted unanimously by the plenary session of this Conference.

South Africa is a place where racism and racial discrimination is the deliberate and acknowledged official policy of the State; where Blacks have no rights or freedoms, no voice in the management of their affairs and are denied their human dignity. They are disenfranchised in their own land and deprived of their proper means of subsistence. Nowhere in the world is racism more virulently manifested and institutionalised than in the apartheid system of South Africa; an abhorrent system created to perpetuate the hold of the Whites over the South African majority of Blacks and Coloured people. As the late Prime Minister of India, Pandit Jawaharlal Nehru, so clearly stated while addressing the Lower

House of the Indian Parliament 30 years ago; and I quote "In South Africa, it is the deliberate, acknowledged and loudly proclaimed policy of the Government itself to maintain this segregation and racial discrimination. This makes the South African case unique in the world. It is a policy which obviously no person and no country which believes in the United Nations Charter can ever compromise, because it uproots almost everything the modern world stands for and considers worth while, whether it is our ideas of democracy or of human dignity."

India's own commitment to the struggle against apartheid, extending over many decades is well known. We have been privileged to play a special and leading role in support of the long and valiant struggle of the Black majority in South Africa for human dignity and freedom. India was also the first country to impose sanctions against South Africa and I would like to confirm again that our application of diplomatic and economic sanctions against the Pretoria regime and our boycott in this respect is complete.

India strongly condemns the evil of apartheid and regards all modifications of it as completely unacceptable, for apartheid has to go and it has to go in its entirety. In this context, we call upon all governments, employers' and workers' organisations which have not so far done so to join in imposing comprehensive and mandatory sanctions against apartheid. Clearly, the international community must act cohesively to ensure that such sanctions become a reality. As my Prime Minister Shri Rajiv Gandhi said, it is futile to hope that co-operation in any manner with the regime will give anyone leverage or influence, so as to change things for the better.

Comprehensive and mandatory sanctions constitute the only peaceful means to compel the South African regime to dismantle apartheid. The half-a-dozen or so governments supporting South Africa should realise that any delay in action to end apartheid in South Africa would only lead to more bloodshed, perhaps on an unprecedented scale. If peaceful change does not take place in southern Africa, bloodshed and the grossest suffering would be inevitable. It is the duty of the international community to see that this does not happen.

I would like to commend the Director-General of the ILO for the high quality of his Special Report on the Application of the Declaration concerning the Policy of Apartheid in South Africa which has also for the first time analysed the situation in Namibia. The new evidence of the continuing deterioration of the situation of the Black majority in southern Africa causes us deep concern. It is clear that the perverse system of apartheid is responsible for the expanding turbulence in the labour field in South Africa. The Pretoria regime continues to trample trade union rights, harass and imprison trade union leaders, ban trade union organisations, and generally use brute force to smother any kind of protest. Hardly a day passes without our learning of fresh acts of repression and torture, and of deaths arising out of the violence spread by the South African regime. In complete defiance of world public opinion, the Pretoria regime has undertaken new acts of repression. ANC activists have been killed; regional destabilisation activities undertaken including raids into neighbouring states. In February 1988 regulations were promulgated by the Pretoria regime banning political

activity by 17 leading anti-apartheid organisations and by COSATU. My Government condemns outright such acts of the Pretoria regime which, through them, seeks to perpetuate the evils of racism.

It was because of India's abiding commitment to the elimination of apartheid that we were entrusted by the non-aligned countries at the Harare Non-Aligned Summit to chair the AFRICA Fund which was set up to channel urgently needed assistance to the frontline States. Pledges and contributions to the AFRICA Fund already exceed a quarter billion US dollars in cash or in kind and have come from as many as 46 countries, including those outside the Non-Aligned Movement. This includes a pledged contribution from the Indian Government of approximately US\$40 million to the AFRICA Fund. In addition, funds have also been raised by way of public contributions from individuals, workers' and employers' organisations in India. I take this opportunity to appeal to governments, employers' and workers' organisations, non-governmental bodies and individuals to make every possible contribution to the AFRICA Fund so as to ensure the early realisation of its noble objectives.

Today we were privileged to be addressed by Mr. Sam Nujoma, President of SWAPO. He outlined the extremely grave and difficult situation facing the Namibian people. India condemns outright South Africa's illegal occupation of Namibia and is entirely with the oppressed people of Namibia and their sole legitimate representative, SWAPO, in their just struggle for independence.

In conclusion, I would like to restate our conviction that the abhorrent system of apartheid is doomed to collapse. As the late Prime Minister of India, Shrimati Indira Gandhi, so eloquently stated, and I quote: "The idea of freedom cannot be stamped out. Some spark will persist to burst into flame, somewhere, some time, to light the way and illumine hearts and ultimately lead to success. Neither colour nor caste nor sex makes one person superior or inferior. No matter what laws South Africa devises for itself, history cannot be denied, nor will the inexorable march of the future be halted. Apartheid cannot survive".

Mr. SARKAR (*Workers' delegate, Bangladesh*) – We join the previous speakers in congratulating the President on his election to this distinguished position. I also congratulate the Vice-Presidents of this Conference. I place my trust in their abilities to conduct the affairs of this Conference in the right direction.

The Director-General has highlighted the issues on human rights in his Report. He also referred to them in the Special Report on Apartheid and the report on the situation of workers of the occupied Arab territories. These issues are directly connected with the unsatisfactory state of affairs prevailing in different countries. But the situation in the occupied Arab territories as well as in South Africa and Namibia calls for fitting attention from this tripartite body.

As will be recalled, the question of human rights in the occupied Arab territories, including Palestine, is being discussed in various forums of the United Nations system. In spite of the priority attached to this issue by the international community, tangible changes have yet to occur in this connection for

human beings in general, and workers in particular, who have been subjected to atrocities and tribulations. I would urge this august body to take steps to ameliorate the sufferings of the people in the occupied Arab territories and to protect the rights and interests of workers there. Measures should be taken to ensure education and training for Arab workers, equal opportunities of employment and equal remuneration for equal work. Measures should also be taken to prevent arbitrary dismissals and the inhuman treatment that is meted out to them.

I have no words to condemn this policy of apartheid. It is a policy which enables the racist regime not only to deny fundamental human rights to Black people in South Africa but to perpetuate discrimination in matters of education, training, employment and services, among others. The baneful effects of this policy is found in the denial of civil rights that are recognised throughout the world. South Africa has now the notoriety of being isolated from the community of nations, the majority of which have no social, political and economic relations with it.

Isolation has not, however, brought sanity into the body politic of South Africa. Rather, the racist regime has taken measures to prevent the Black people of South Africa from receiving their due. Discrimination has led the majority to a state of despair. However, the world community, through the ILO, has instituted programmes to remedy the grievances of the Black people, on the one hand, and as a demonstration of solidarity with them, on the other.

On behalf of the workers of the world, as well as of Bangladesh, I denounce the policies and programmes of Israel and Africa and express solidarity with the oppressed people. May I state here that all the social partners in Bangladesh, namely the Government, employers and workers are working in unison to advance the cause of Palestinian and Black workers. The workforce in Bangladesh is determined to work hand in hand with the Palestinian and Black workers.

The workers of Bangladesh are very happy to associate themselves with ILO activities designed to help the workers both in the occupied Arab territories and in South Africa. The workers have persuaded our Government, under the benevolent and dynamic leadership of President Hossain Mahammad Ershad, to associate itself with other member States in the ILO, the United Nations, the Commonwealth, the Organisation of the Islamic Conference (OIC) and the Non-Aligned Movement in adopting measures to try to force the racist regime to accept the realities of life. The organisation of workers, as it has in the past, pledges itself to work hand in hand with the workers of the world in the field of technical co-operation sponsored by the ILO for workers in the occupied Arab territories, South Africa and Namibia.

With these words, I conclude my statement. I thank the President for giving me the floor and thank the delegations of friendly countries for giving me a patient hearing.

Interpretation from Arabic: Mr. ABDULGHANI (*representative of the Palestine Liberation Organisation*) – It is a great pleasure for me to be addressing this august assembly during this special meeting devoted to discussion of the Report of the Committee

on Apartheid. Allow me, first of all, to congratulate the President most sincerely for having guided the work of this session so ably and with such wisdom and competence.

I am also very grateful to the Chairman of the Committee, Mr. Nkomo, Minister of Labour, Zimbabwe; thanks to his wisdom and leadership, the Committee has been able to present its Report on Apartheid to this session. At the same time, I should like to greet our dear invited guest, Brother Nujoma, President of SWAPO. I wish him and his fellow African fighters every success in their constant and uninterrupted struggle for freedom, independence and the elimination of the abominable policy of apartheid which runs counter to all humanitarian principles, values and ideals.

We have read very carefully the Report submitted by the Director-General on the application of the Declaration concerning the Policy of Apartheid in South Africa. In that Report the Director-General set out the recent developments in the area of labour and social matters in that region of the world. Although laudable efforts have been made in preparing this Report, and although it represents an improvement compared with previous Reports, it has not attained the desired level and has not emphasised the most sensitive points. Because the Report did not call things by their proper names, the Working Party of the Committee on Apartheid was obliged to make a number of recommendations; in particular, it requested the Director-General to prepare a report on the application or non-application by governments, employers' and workers' organisations of certain ILO decisions, in order to expose the hypocrisy of certain parties which address fine-sounding words to our African brothers and then stab them in the back by supporting the apartheid regime and collaborating with that regime economically, politically, socially and militarily. We are referring in particular to the hypocritical policies practised by the Zionist entity, the United States, the United Kingdom and other countries with which you are only too familiar. I should also like to highlight the conclusions reached by the special group on the financial and banking facilities accorded to the ILO, particularly the conclusion encouraging the Director-General to diversify and spread the ILO's deposits among the banks and financial institutions.

While appreciating the considerable efforts that have been made in this area and the delicacy of this situation, we feel, from these conclusions, that the international organisations, and more specifically the ILO, had to remain prisoners of the big financial corporations and had to continue with their financial operations and investments in South Africa and Namibia. This, in our opinion, is a very important and very serious situation, which must be corrected, and an end must be put to it as quickly as possible.

The Director-general has highlighted the policy of repression practised by the Pretoria regime against the people of South Africa, and in particular the state of emergency, the military laws, the arrests, the deportations, the demolition of houses, and the raping of women and children. To all that must be added the censorship imposed on the newspapers and the mass media. These are the same methods and the same practices as those imposed by the Israeli entity against the Palestinian workers. Furthermore, these practices have become more numerous and have in-

tensified during the courageous uprising of our people. This is not strange when we realise that this Israeli entity is throwing fighters out of helicopters, burying people alive, gouging their eyes out and breaking their limbs so as to handicap them for life. In fact, Zionism and apartheid are two inseparable manifestations of the same evil, as was borne out by the United Nations General Assembly resolution adopted in 1975 which considered Zionism as a form of racism.

As the fighters of South Africa and Namibia rot in prison, with the great Nelson Mandela at their head, there are hundreds of thousands of Palestinian nationalist and trade union fighters who are also rotting in Israeli prisons with Shahir Saad and his six comrades who are members of the People's Committee of the General Confederation of Workers in the West Bank at their head. As South Africa persecutes African fighters, so the Zionist Mossad also hunts down the leaders of the PLO to assassinate them. Their most recent crime has been the assassination of the fighter Abu Jihad. We are certain that all this is drawing to its end, and our African brothers are realising that their victory rests in the joint action they can take and in the strikes they can organise, and which have recently expanded to involve more than 3 million workers. It is the same for the Palestinian workers who are refusing to work in Israeli institutions and companies, in response to the instructions given by the leadership of the uprising, under the aegis of the PLO.

You have certainly heard of the Bantustans in southern Africa but I don't believe you will have heard of Bantustans in occupied Palestine. Whatever the degree of injustice, unfairness and poverty in which these African Bantustans exist, if their inhabitants want to plant a tree they are not required to obtain prior authorisation. The populations of the Bantustans do not need authorisation to manage their water resources, as is the case in our villages as a result of the "kindnesses" of the Israeli occupation. I wouldn't wish to press too far the comparison between the two racist regimes of South Africa and Palestine in terms of the usurping of land, confiscation, groundless arrests, arms and nuclear co-operation, but I think I should stress what has been said by the Soviet newspaper *Red Star* and the French magazine *Le Point* to the effect that trading in death is the cornerstone of the Israeli economy and that Israel is the main exporter of arms to South Africa. Israel has just exported long-range 155-mm. guns to South Africa.

I should like to follow your own example and stop the comparisons there. I should, however, like to say that we give vigorous support to the proposed Declaration concerning Action against Apartheid in South Africa and Namibia and to the Programme of Action against apartheid submitted by the Committee on Apartheid. We appeal for mandatory sanctions to be imposed and for all the parties which do not comply to be denounced. Adequate funds must also be made available to implement these recommendations, even if those funds have to be obtained at the expense of other programmes, given that nothing is dearer than human life in its freedom and dignity.

We in the PLO are ready to share our resources with our struggling brothers in the African National Congress, and the Pan-Africanist Congress of Azania

and with SWAPO, just as the children of the revolution of the stones in Palestine have, through their uprising, compelled the Israeli enemy to recall more than 150 experts in repression and espionage who had been loaned by the Zionist entity to the apartheid regime. We shall, therefore, continue our solidarity with our brothers on the African continent; we shall support them with all our hearts so that together we may raise the banner of victory against our common enemies, namely the apartheid regime and the Zionist entity.

Mr. MASHASI (*Workers' delegate, United Republic of Tanzania*) – First of all, allow me to pay tribute to Mr. Sam Nujoma, President of SWAPO, who addressed us this morning and to reassure him of the support of the workers of the United Republic of Tanzania to the struggling workers and people of Namibia.

This day has a special significance. It marks the twelfth anniversary of the Soweto massacre, a day when more than 170 unarmed protesters, mostly school-children, were killed by the ruthless South African forces. Let us pay homage to the martyrs of freedom by showing our determination to eradicate apartheid.

We are considering for the second time updating the Declaration which was originally adopted by the International Labour Conference in 1964. At that time, the international community realised that apartheid was an evil to mankind and that its elimination was of concern to us all. Indeed, apartheid was showing indications that it was not only a dirty system but that it would become a threat to world peace.

It is now 24 years since the Declaration was adopted. The world has since witnessed not only enormous persecution of the Black people in South Africa itself, but also abhorrent actions of the regime, ranging from direct raiding of the neighbouring front-line States to destabilisation of the States by terror; using its proxy armies of MNR in Mozambique and UNITA in Angola. It is strangling the economies of the front-line States, especially by making it difficult for the neighbouring landlocked States to have access to harbours for their exports and imports.

The regime has remained stubborn with regard to the illegal occupation of Namibia. It has taken the cursing world for a humble toothless bulldog, if I may use the phrase of a Zambian diplomat.

The proposals contained in the updated Declaration and the Programme of Action against Apartheid seek to reject this abusive status. The ILO, as the champion of human rights, cannot pretend that it does not have the right to apply what it considers to be the most effective means to eradicate apartheid.

We have been hearing from some quarters that the ILO is not competent to recommend mandatory economic sanctions. The International Labour Conference has identified a problem and it is free to prescribe a solution to the problem. It would be hypocritical on the part of delegates to this Conference to say that we know the solution and that it is within the capability of the Members of this Organisation, but that we are unable to put it into practice.

Representatives of some member States and some employers' members have declared that they are opposed to the imposition of mandatory economic sanc-

tions because, in their opinion, the measures will harm more the people we are undertaking to defend. This, to me, is tantamount to an insult to the intelligence not only of the oppressed people in South Africa and Namibia and of the front-line States, but also of the entire world.

All the forces representing the oppressed masses in South Africa and Namibia have pointed out that their people are prepared to suffer the consequences of mandatory economic sanctions, for they know that there can be no greater suffering than the one they are experiencing now. The front-line States have said the same.

We are all sure that with mandatory economic sanctions the apartheid regime cannot survive for long. It is my view, and indeed that of the workers of the United Republic of Tanzania, whom I represent, that those who are opposing mandatory economic sanctions, those who are opposing absolute isolation of the South African regime, are in alliance with the regime. They are the pillars of the regime. We are appealing to them to join hands with the international community to help precipitate the eradication of apartheid.

The workers of the United Republic of Tanzania consider themselves a party to the struggle. We shall not retreat until victory is attained.

In conclusion, may I take this opportunity to pay tribute once again to the Congress of South African Trade Unions (COSATU) and to the workers of South Africa in general for the success of a three-day general protest which the world witnessed early this month. We are proud of their heroic struggle.

I commend the proposed Declaration concerning Action against Apartheid in South Africa and Namibia and the Programme of Action against Apartheid for adoption.

Human rights are a common responsibility.

Interpretation from Arabic: Mr. BOZO (*Minister of Social Affairs and Labour, Syrian Arab Republic*) – I have the honour once again to address this august assembly on behalf of the workers, employers and the Government of Syria to discuss the subject of apartheid.

I should like to start by congratulating Mr. Sam Nujoma, who was our honoured guest this morning, wishing him and the African people in Namibia and South Africa success against the Pretoria regime.

I would also like to express my gratitude to my friend, Minister Knomo of Zimbabwe, for his wise chairmanship of the Committee on Apartheid, which finished its work with great success thanks to his wisdom and competence.

The ILO, using its tripartite structure, has undertaken great efforts in combating apartheid in South Africa and Namibia. We are all hopeful that the Programme of Action of our Committee will mobilise the political will to eradicate this abhorrent regime and eliminate apartheid.

We in the Arab world looked forward to the results of this Committee with great interest, hoping for progress in the field of labour and human rights which will alleviate the suffering of the African masses and enable them to continue their struggle until they achieve their legitimate aspirations of freedom and equality.

The work of the Committee on Apartheid coincides with the 40th anniversary of the Universal Dec-

laration of Human Rights; it also coincides with the convening of the Harare Conference, which reached a number of very promising and satisfactory decisions. Despite the fact that we have some reservations, we urge those concerned to work wholeheartedly to eliminate the apartheid regime.

All persons, no matter their creed, race or colour, are created by God and have the right to dignity. This is proclaimed by all religions.

I take the floor today to express the complete endorsement by the Arab delegations of the results of the Committee's work.

As you know, our solidarity with the African peoples and movements is a matter of principle; it goes back in history to the independence of Arab peoples. The Arab League in its earliest resolutions confirmed this solidarity and our faith in the just struggle of peoples for freedom and equality. Therefore we shall never accept the hypocritical policies of those who publicly condemn the Pretoria regime while secretly continuing to collaborate with it. The Arab stance is solid and steadfast. It is based on our religion, which considers all men equal. Without going into the details of what the Arab countries will do to help their brothers in South Africa and the legitimate liberation movements in their heroic struggle against apartheid to secure their right to self-determination, I affirm that we shall give them our full support. What the Arab countries are doing at all levels stems from their conviction that comprehensive and mandatory sanctions must be imposed on the apartheid regime. This is the moral duty of all peoples. We shall continue on this path. We must all work together to put an end to this racist regime which oppresses the African masses.

The Arab people are most sensitive to the sufferings of the Black population of South Africa. After 40 years, our brothers and sisters in Palestine and other occupied Arab territories are still experiencing the same sufferings as those of the African people, both the victims of two racist entities, in South Africa and Namibia and in Palestine. Both are deprived of their most basic human rights, and are subject to the same practices: oppression, terrorism, military force, deportation and other inhumane practices.

The long list of crimes and aggressions against these peoples includes the policy of settlements, the arming of the settlers, the arrest of trade unionists, etc. Of course, both regimes stem from the same source: racism. This ideology runs counter to basic human rights. These two peoples have no other choice but to struggle against the racist regimes.

The Arab group, including governments, employers and workers, strongly supports the Declaration and the condemnation of apartheid, as well as the Programme of Action against the policy of apartheid as presented by the Committee on Apartheid. We would have preferred that these documents had called for mandatory sanctions against the racist regime in occupied Palestine, which maintains military, nuclear, economic and trade relations with the Pretoria regime, despite the international community's condemnation. These relations provide mutual support to these two abhorrent regimes and further the oppression of their victims.

Ms. RUGE (*Government delegate, Norway*) – In order to comply with the President's request for brevity I will present here a short version of my

prepared intervention. On this occasion I have the honour to speak on behalf of the Nordic countries, that is, Denmark, Finland, Iceland, Sweden and my own country, Norway.

Today, we commemorate Soweto Day, remembering all those who were killed and wounded in Soweto in 1976. Both the uprising in Soweto and the other unrest that we have seen in South Africa over the years are clear indications of the suffering and frustrations of the majority of the people in that country. The situation for the Black majority in South Africa and Namibia today is worse than ever. We face a situation where international action against apartheid and support for the victims of apartheid are more important than ever.

The ILO must continue to strengthen its efforts in this field. The Nordic countries therefore welcome the updating of the Declaration on Apartheid, and we endorse the draft Declaration that was prepared by the tripartite conference in Harare last month and adopted by the Committee on Apartheid at this Conference. We strongly urge governments, workers and employers of the world to take the Declaration seriously and implement the Programme of Action.

We would also like to welcome the Director-General's Special Report. This Report contains valuable information that is most useful in our deliberations.

South Africa's continued illegal occupation of Namibia is a source of serious tension in all of southern Africa, and according to the view of the Nordic countries it is therefore most appropriate that the situation in Namibia is dealt with in the updated Declaration. The future of Namibia is linked to the abolition of apartheid in South Africa, and our assistance to Namibia should be seen in that context.

The Nordic countries condemn all forms of racial discrimination, especially South Africa's policy of apartheid and continual aggression against its neighbouring States. International solidarity with and support for the Front-Line States in the face of South Africa's aggression have become increasingly important.

Our countries are convinced that international measures against South Africa are necessary to abolish apartheid. Positive measures, not the least in the form of economic assistance to Front-Line States and to victims of apartheid, are also important. However, they cannot be a substitute for restrictive measures like an economic boycott of South Africa. The Nordic countries have on numerous occasions urged the United Nations Security Council to impose comprehensive and mandatory sanctions against South Africa. The absence of such sanctions should, however, not be used as a pretext for failing to act against apartheid. That is why all the Nordic countries have adopted national laws and measures on economic boycott against South Africa. We are of course aware that a Nordic economic boycott by itself cannot put significant pressure to bear on South Africa. However, we do hope that our measures can inspire other countries to follow suit.

South Africa's policy of destabilisation has created a situation of war in neighbouring countries and forced a large number of people from these countries to leave their homes. In order to look into what the international community can do to alleviate some of the burdens caused by this situation for the refugees and for their host countries, Norway has undertaken

to host a conference in Oslo on 22 to 24 August this year in co-operation with the Organisation of African Unity, the United Nations High Commission for Refugees and the United Nations Development Programme. We hope that the conference will give a new impetus to raising the consciousness of the international community to the plight of the people in the region.

Time is running out for peaceful solutions to the problems of South Africa and Namibia. If apartheid is not abolished soon the whole region of southern Africa may explode in a violent upheaval. It is time for all nations to prove that their rejection of the apartheid system is genuine by introducing restrictive measures against South Africa and by increasing their assistance to other countries in the region. Hence, let us all join in taking effective action against apartheid.

In spite of their overall support for the Declaration the Nordic countries are not in a position to sever diplomatic relations with South Africa, and there is no legal foundation on which the Nordic governments could comply with the recommendation that contracts be denied to firms and enterprises having commercial relations with South Africa.

Mr. ELIAV (*Government delegate, Israel*) – My delegation has studied with great interest the report of the Committee on Apartheid, a unique body of the ILO established to deal with the unique situation. The Government of Israel has always been on record as condemning unequivocally the policy of apartheid carried out in South Africa. Any policy based on the false doctrine that human beings can be distinguished from one another on the basis of colour or alleged racial differences or that any so-called race can claim superiority to any other is totally contrary to the Jewish doctrine of the equality of human beings expressed in the Bible and enshrined in Israel's Declaration of Independence. Indeed, it would be unthinkable that a Jewish State, after the appalling suffering undergone by the Jewish people in the name of such revolting doctrines, should in any way take a different stand. It is our firm wish that apartheid and the evil philosophy underlying it should disappear from the face of the earth.

This policy has been expressed on many occasions in different forms and the most recent steps regarding this policy were taken by the Government of Israel on 18 September 1987, namely: the prohibition of new investments in South Africa, any exceptions to be approved by a committee composed of the Minister of Finance, the Bank of Israel and the Minister of Foreign Affairs; the prohibition of government loans, and of the sale and transfer of oil and oil products and of the import of Kruger rands; the freezing of iron and steel imports at their level at that time; the reduction of cultural contacts between the two countries to a level that reflects Israel's negative attitude towards apartheid; sport events, if any, to be subject to the decisions of international sports associations; the Minister of Tourism and other tourist authorities to refrain from promoting tourism to South Africa; no scientific agreement to be signed any more; government officials no longer to visit South Africa without authorisation by an interministerial committee; and the establishment of a fund to assist in the implementation of training programmes

in Israel in educational, social and cultural fields for members of the Black and Coloured community of South Africa. Finally, all possible measures to be adopted to prevent Israeli territory from serving as a transit area for the movement of goods and services between South Africa and other countries with a view to circumventing sanctions imposed by a third country. Israel's commercial ties with South Africa are, in fact, extremely limited and are decreasing even more.

In a list published by the ICFTU on 13 May of the leading 1,200 countries that trade with South Africa, Israeli companies are very low down on the list. Furthermore, Israel has taken positive measures to foster good relations with the Black community of South Africa. The Afro-Asian Institute of the General Federation of Labour, the Histadrut, has played a major role in this respect. In April 1986 it conducted its first workshop seminar specifically designed for the leaders of the Black community in South Africa. Twenty people took part, all of them longstanding fighters against apartheid. The theme of the seminar was the role of the people's organisations in community and nation building. The results achieved were examined, their relevance to present-day South Africa discussed and proposals based on these discussions put forward. A second seminar was held from November to December 1986 on the subject of the role of trade unions in community and nation building. The third, in April 1987, on women's and people's organisations in community and nation building, and the fourth in November-December 1987 on the role of people's organisations in community and nation building. Furthermore, the Institute has also conducted such activities in South Africa itself: in August 1987 in Soweto, Cape Town and Northern Transvaal. The Institute's team was warmly welcomed and established contacts with a very large number of men and women across a broad spectrum.

Israel has thus demonstrated both its condemnation of the policy of apartheid practised by the South African Government and its wish to foster good relations with the Black population there. No baseless accusations against us made in a spirit of hatred and venom like those just a few minutes ago can change the facts, and these polemics only deflect attention from the issue at hand.

Let us hope that these and similar policies adopted by other countries will end in the termination of the regime of apartheid and the introduction of a system based on human equality and dignity.

Interpretation from German: Mr. MARTINEK (*Government delegate, Austria*) – The Austrian Government delegation approves the report of the Committee on Apartheid. This corresponds to the Austrian Government's Policy of rejecting apartheid. We are following the situation in southern Africa with considerable attention and concern. The problems of that region within the International Labour Conference are of course of great interest to us above all the problems concerning workers and employers, which cannot be solved as long as the unjust system of apartheid continues to exist. There are serious violations of human rights. However, the Austrian Government delegation must stress it cannot agree to all the items in the report of the Committee on Apartheid.

We feel that the conclusions of this Conference are perhaps not a matter for our Organisation, but rather for the Security Council of the United Nations.

Interpretation from Russian: Mr. BOTVINOV (*Workers' Adviser, USSR*) – For the past quarter of a century the question of the situation in South Africa has been at the centre of attention at our Conference every year without fail. This is unfortunately not because it has become a habit, but because it is a necessary and most melancholy reaction to the ever deteriorating situation in the South African subregion, which the racist regime in Pretoria has turned into a chronic nucleus of oppression of the African population and a serious threat to peace and international security.

This session of the Conference takes on particular importance against this background. As we know, after a careful analysis of the situation in Africa, which had become extremely explosive, and of the trend of Botha's policies, the 73rd Session last year recommended that the ILO Declaration and Programme of Action against Apartheid be reviewed and supplemented, in view of the considerable contribution of our Organisation to the struggle for the elimination of the shameful system of apartheid in South Africa, with its basis of hatred for mankind, and to putting a stop to Pretoria's aggressive attitude against the Front-line and neighbouring States.

The events of last year, which provided endless evidence of the further worsening of the situation in southern Africa, only underlined the necessity for our Organisation to take long overdue additional and effective measures in this direction. A rich source of information of the dramatic situation unfolding in that country is the well-balanced and substantial 24th Special Report submitted to our Conference by the Director-General. More evidence is provided by the events at the beginning of this year, including the introduction in February of the bans and restrictions by the Pretoria regime on 17 mass democratic organisations in South Africa, the wave of terrorist acts against ANC representatives in Africa and Europe and the acts of open armed aggression by South African forces against Angola, Botswana and Mozambique. The latest example was the recently held three-day strike, unparalleled in scale, of African workers in South Africa who, under the very difficult conditions of the state of emergency, struck in protest at the pending draconian anti-trade union bill in that country. The challenge has been made and time will not wait.

In the opinion of our delegation, the tripartite Conference of the ILO which was held in Harare in May against apartheid accomplished positive results. It submitted for approval proposals for revising the texts of the ILO Declaration on Action against Apartheid in South Africa and Namibia and the Programme of Action against Apartheid. The undoubted merit of these documents is the extension of their range to cover Namibia, the consolidation and expansion of aid and co-operation to front-line and neighbouring countries and stricter measures against the racist Pretoria regime, so as to achieve abolition of the apartheid system by peaceful means and avoid the incipient explosion of violence with tragic consequences. The key element at the present stage of the struggle against apartheid is, we are convinced, the introduction and the application of comprehensive

mandatory sanctions against the racist regime in South Africa, namely the measures being asked for primarily by the victims of apartheid themselves: the oppressed majority of the population of South Africa and the neighbouring countries which have achieved independence.

On behalf of the delegation of workers of the USSR, we urge all participants to the present tripartite Conference, to support unanimously the report of the Committee on Apartheid and thereby approve the revised texts of the Declaration of the ILO and the Programme of Action against Apartheid, rather than putting forward trumped up excuses and objections.

But, of course, even more important than approving these documents will be the scrupulous, conscientious implementation of their provisions by all member States of the ILO. And in this connection we fully support the proposal in the report of the Committee on Apartheid to improve the control system of the ILO. We trust that the Governing Body of the ILO will adopt the recommendation of the Committee in order to enable our Organisation and all its members to make an active contribution to the struggle of the world community for the speedy elimination of the apartheid regime in southern Africa.

(Mr. Adiko takes the Chair.)

Interpretation from Spanish: Mr. GABUARDI IBARRA (*Government adviser, Nicaragua*) – On behalf of the Nicaraguan Government, I thank you for this opportunity to express the feelings of my country in connection with the dramatic effects of apartheid upon the life of the populations of South Africa and Namibia.

We should also like to extend a greeting from this rostrum to our colleague, Mr. Sam Nujoma and his noble cause.

Mankind and the community of nations have been waging a long struggle to do away with this racist policy, which is an affront to the entire human race.

The Reports submitted to the Conference on the development of this harsh reality suffered by the workers and peoples of Namibia and South Africa, clearly show the sacrifices and sufferings meted out to them.

Nothing can justify attitudes which claim to remodel the Pretoria regime or put it into different form. The only possible acceptable moral approach to apartheid is its complete eradication.

The Nicaraguan Government in the spirit of the principles set out in the Universal Declaration of Human Rights, joins all those who condemn this criminal regime and fully supports the adoption of much more radical sanctions against South Africa.

Finally, we express our full support for the declaration on the subject as drafted by the Committee on Apartheid.

Interpretation from Spanish: Mr. TORREZ GÁMEZ (*Workers' delegate, Nicaragua*) – Our delegation would like to greet from this platform our comrade, Sam Nujoma, and his noble cause.

On behalf of the workers of Nicaragua, we express our whole-hearted condemnation of the odious regime of apartheid.

The workers of South Africa and Namibia are heroically resisting the oppression of a criminal social

and political system which is flouting all the principles of humanity.

Racial discrimination is a shame in the history of mankind. It has left deep scars that will not easily be erased from our consciences.

Nicaragua, therefore, would like to support the Report of the Committee on Apartheid, and we urge all the other delegations to do likewise. There is no moral justification for coexistence with the Pretoria regime. Those who advocate a simple restructuring of relations are placing their political and economic interests ahead of the need to take effective measures to eliminate that system.

The workers of Nicaragua express their full and unreserved solidarity with the workers of Namibia. We are convinced that the injustice and immortality of apartheid will soon disappear from the face of the earth.

Interpretation from German: Mr. LAMPRECHT (*Workers' adviser, German Democratic Republic*) – All the previous Special Reports of the Director-General on the Application of the Declaration concerning the Policy of Apartheid have clearly shown that my Organisation and my country have done everything in order to implement the action decided upon by the International Labour Organisation against apartheid.

The Committee on Apartheid has provided us with documents which respond to the new demands made upon us by the struggle against apartheid. We support the updated Declaration as well as the Programme of Action against Apartheid.

Facts have clearly shown us – and this has also been stressed by the discussion – that apartheid, which is an anachronism in our century, cannot be reformed but must be eliminated. We therefore firmly support any measures designed to step up sanctions and other actions against apartheid. For this reason, we also welcome the setting up of a permanent monitoring group to follow up and monitor the application of sanctions and to point out any violations.

We also welcome the fact that the Director-General will report about this subject every year.

On behalf of my Organisation, I can assure you that we will apply this Declaration to the letter and continue giving our solid support to the actions of the South African trade unions.

We are aware that there are still certain groups which want to convince us that all boycott measures and other sanctions will only have an adverse effect on the Black population. Practice, however, has shown that this policy derives super-profits from the sweat and blood of the Black population and leads to the stabilisation and continuation of the apartheid policy. The International Confederation of Free Trade Unions (ICFTU) has published an extremely interesting and informative booklet, on this subject: *Investment in apartheid*. It gives the names and addresses of 1,267 transnational corporations and their branch offices which work in co-operation with the apartheid regime or which have settled in South Africa; and this in spite of all the United Nations sanctions and all the efforts made by the International Labour Organisation to eliminate apartheid.

However, every day longer than apartheid lasts is tantamount to the denial of human dignity in one's own country, the denial of the right to existence, the

violation of all democratic trade union rights and freedoms and the practice of terror and violence against the majority of the population.

Every additional day of apartheid implies arbitrary arrests, torture, even murder; it also means unsuccessful efforts to paralyse the action of democratic organisations, particularly that of COSATU; it also means that international law is trampled underfoot.

This situation requires the urgent co-operation of all democratic forces in the world against apartheid. Trade unions alone – and there are practically 400 million organised workers in the world – today constitute a powerful force which can do a great deal to support the struggle of South African trade unions.

I should like from this rostrum to assure the trade unionists of South Africa and all those struggling against apartheid in Namibia and in South Africa of the full support of my organisation, the Free German Trade Union Federation, in their fight for a free, united, democratic and non-racist South Africa and for a free Namibia.

Mr. O'FARRELL (*Workers' adviser, United States*) – As the Committee on Apartheid of the 75th Session of the International Labour Conference began its deliberations on the updating of the Programme of Action against Apartheid and its review of the Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa, momentous events were occurring in that country.

On 6, 7 and 8 June, more than a million workers exercised their right to protest in the equitable, economic, political and social system in South Africa by refusing to go to work. In the time-honoured tradition of workers everywhere in the world, the workers of South Africa, denied the ballot box, denied the right of political expression, denied social equality solely because of the colour of their skin, and about to have their few hard-won and grudgingly acknowledged trade union rights eviscerated by an amendment to the Labour Relations Act, voted with their feet. More than 90 per cent of the workforce in the major industrial areas of South Africa cast their votes against the enactment of legislation by the White minority that would further impede the Black trade unions in their peaceful pursuit of equality.

Speaker after speaker here has related all the problems facing the people of South Africa in their struggle. There is no need for me to repeat them. Speaker after speaker have pointed out the things being done in their own countries and by their own organisations to support the struggle of the people in South Africa for freedom. Speaker after speaker have lamented the fact that there has been no progress towards eliminating apartheid and that things seem to be worse now than when we met here one year ago.

I, for one, would like to present a different view of the events of the past year. The Special Report of the Director-General shows us that Black trade union membership in 1986 was estimated to be more than 1,150,000, an increase of more than 26 per cent over 1985 and, for the first time, more than half of the total trade union membership.

The Report also tells us that the number of strikes in South Africa increased by more than 600 per cent between 1979 and 1986, while the number of workers involved in these strikes increased by almost 1,000

per cent in the same period. In 1987 the National Union of Mineworkers conducted a legal strike that kept more than 340,000 miners off the job for three weeks and represented a major feat of organisation that should be seen as an indication of the process made by Black trade unions.

The Labour Relations Amendment Bill currently being considered by the South African Parliament is evidence of the success of the efforts of the Black trade union organisers over the past ten years. If there had been no progress in the fields of organising, collective bargaining, dispute resolution and other legitimate trade union activity, and if the trade unions had not successfully demonstrated their increasing ability to work in concert to achieve their legitimate objectives, then there would be no need for the Government to undertake to change the rules and tilt the game in favour of the employers and the Government, and against the workers. Violence and intimidation are not sufficient for the Government of South Africa: Police-state measures cannot contain the workers and therefore other so-called legal measures have to be found to deter the march of the workers towards equality. While the Amendment Bill itself is repressive and must be fought by any means available to South African workers and their unions, we should not lose sight of the fact that events leading to such a proposal by the Government should be viewed as a positive reflection of the spirit and the determination of the oppressed workers of South Africa, and their success. The enactment of the Amendment Bill will be a set-back in the progress of the trade union movement but it will not be fatal to their cause, nor will it deter South African workers or their supporters around the world in their continued opposition to the apartheid system.

In the words of the Director-General in his Special Report "The past year saw both consolidation and growth of the trade union movement, with the two major federations laying the foundations for even larger membership and stronger structures, developments which occurred in circumstances of great difficulty and represent a considerable achievement. In addition, the emerging unions themselves, through their democratic internal processes and in the absence of Black rights and political parties, are providing their members with the experience of democratic practices which they see as a major factor in the struggle for both improved working conditions and a just and equitable political system. The actions of the ILO in stating its intent to assist in this struggle and the actions of constituent members of the ILO in bringing the intent of the Organisation to fruition in their respective areas must be of inestimable value to those in South Africa who carry on the struggle day by day. That is why the Workers' delegation of the United States of America honours the progress made to date by the workers of South Africa, reaffirms its support of them in their struggle and urges the unanimous adoption of the revised Declaration concerning the Policy of Apartheid that is before us today.

Interpretation from French: Mr. RYCHLY (*Workers' adviser, Czechoslovakia*) – Within the general context of the International Labour Conference which is dealing specifically with questions of respect for human rights, our annual session devoted to the situation in South Africa and the entire southern region of the continent is very important.

Forty years after the adoption of the Universal Declaration of Human Rights, there is throughout the world no more striking example of the brutal violation of human rights than that of South Africa.

The racist regime of South Africa continues to tyrannise its population and that of Namibia, and commits aggressions and attacks against sovereign neighbouring States.

The Government of South Africa has just been shown the tremendous will of the patriotic and democratic forces which have mobilised the African workers to organise their resistance action. A significant part is played in this by the trade unions, which have become the most important basis for the struggle of the workers for change.

The resistance movement in South Africa is also growing, thanks to increasing international solidarity with the just struggle of the South Africa and Namibian peoples. However, international solidarity cannot be really effective if the appeals launched by the international community do not bring about a reaction by certain governments and certain countries which profit handsomely from the existence of apartheid to consolidate their position of supremacy in the region and take advantage of the situation to maintain tension there, thus jeopardising constructive achievements throughout the world which humanity welcomes with hope.

We share the ideas contained in the special report of the Director-General of the ILO, that is that only international pressure upon the South African Government can lead to the liquidation of apartheid.

On behalf of all Czechoslovakian trade unionists we reiterate the following demands: all economic sanctions directed against South Africa should be applied consistently and made mandatory; the measures against the activities of the democratic mass organisations in South Africa should be immediately revoked; all the trade unionists, patriots and political prisoners detained in South Africa should be immediately released; the resolutions adopted by the United Nations, the International Labour Organisation, the WFTU and other international organisations concerning the solution of the situation in South Africa and the settlement of the situation in Namibia should be implemented without delay.

We therefore support the new documents which have come from the Harare Conference and encourage their implementation. We reiterate our appeal for united action by all parts of the international trade union movement and other progressive and democratic forces to support the just struggle of the South African and Namibian peoples aimed at the final liquidation of apartheid and the establishment of lasting peace and security in the region.

Interpretation from German: Mr. HERTEL (*Government delegate, German Democratic Republic*) – In 1964, the International Labour Conference adopted the Declaration concerning the Policy of Apartheid in South Africa. Today, 24 years later, we are being called upon to adapt this Declaration to new requirements for the second time and to bring the Programme of Action in line with the the latest developments.

On the one hand, this bears witness to the sad fact that the world has not yet succeeded in eradicating this dreadful situation. As a result of its hopeless situation, the regime of apartheid is becoming in-

creasingly aggressive against its own people and those of neighbouring States.

On the other hand, the updating of the Declaration, is an expression of the growing conviction, both within and outside South Africa, that only concerted action and relentless international pressure on the Government of South Africa, can force it to abandon its policy of segregation.

The system of apartheid cannot be reformed; it must be completely demolished. It is therefore only logical that in the updated Declaration and Programme of Action, particular stress is laid on the promotion of comprehensive sanctions against the racist regime, based on Chapter VII of the United Nations Charter. My Government, which has no relationship at all with the racists, supports firm sanctions as the only effective, peaceful means of obliging the regime to change its policy.

The call by the independent Black trade unions of South Africa for sanctions, refutes the claim constantly put forward by certain groups that sanctions will harm first and foremost those who are already oppressed. Behind this statement, of course, we know there are interests of international monopolies who fear a threat to important sources of profit for them. The projected setting up of an independent group of experts to monitor the maintenance of sanctions is an important forward step towards the worldwide promotion of comprehensive and binding measures. All overt and covert collaboration with the racists will only prolong the suffering of the people in South Africa.

My Government is very happy to see the extension of the Declaration and the Programme of Action to Namibia and the front-line States. The ILO will now be in a position to commit itself even further in its support of the people of Namibia under the recognised leadership of SWAPO, which is struggling for a free and democratic Namibia. Our Organisation could make an important contribution towards preparing the people of that region for the day when they will be taking the responsibility for their future into their own hands.

It is a great joy for us that the President of SWAPO, Sam Nujoma, was able to be with us. We have had a close relationship of many years' standing with him, as attested by the number of regular meetings he has had with the highest representatives of the German Democratic Republic, which are all documented.

His talk this morning gave us a graphic picture of the situation in Namibia, and also of the struggle of his people for independence.

My country will continue to support the people of Namibia even more in the future, and it is unreservedly in favour of the full application of the United Nations Security Council resolution 435/78, and the other relevant United Nations resolutions on the settlement of the Namibian question.

The racists, with state-controlled terrorist actions, are trying to undermine the front-line States in their justified struggle to support their brothers in South Africa, and are also trying to destabilise the governments of these States. Pressure and terror tactics used by the regime, both inside and outside the country, constitute an additional heavy burden for the population of that area. The recent ILO Tripartite Conference on Action against Apartheid in Harare showed the determination of these States to step

up their efforts even more in their struggle against apartheid. The German Democratic Republic fully supports these States.

South Africa represents not only a danger to peace and security in the region. The international agreements recently signed with regard to disarmament and the solution of regional conflicts, as well as manifold activities to do away with other centres of tension and conflict, show clearly that a peaceful settlement of problems is also possible in South Africa.

Finally, may I pledge the full support of my Government to the new Declaration and the Programme of Action, as well as to all the other accompanying urgent measures that are needed. They constitute an excellent foundation for the ILO's further commitment to combat apartheid. It is the duty of all of us to breathe life into these documents.

Interpretation from Russian: Mr. BORCHT-CHEVSKY (*Government delegate, USSR*) – Today, we are approving the Report of the Committee on Apartheid. Each page of this report time and again calls for a decisive struggle to eliminate this monstrous legacy of the past, this criminal practice which has been elevated by the racist regime of South Africa to the rank of State policy.

The Soviet Union fully supports the aims of the new Declaration concerning Action against Apartheid in South Africa and Namibia and the Programme of Action. Their adoption will unquestionably enter the history of the International Labour Organisation as an important event. The real situation in South Africa and Namibia, the specific facts listed in the Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa, the acts of brigandage perpetrated by the South African racists with respect to the front-line States looks particularly ugly against the backdrop of the main theme of this session which is the common responsibility of the international community for human rights.

The Pretoria regime stubbornly continues resisting the demand to put an end to the policy it is carrying out, resorts to its favourite method of terror and repression against those fighting for the rights of the indigenous population. Some particularly striking facts concerning this emerged very clearly from this morning's statement by Mr. Sam Nujoma.

Looking at the crime of racism and understanding their complete incompatibility with a civilised way of operating, the question arises will-nilly as to where are the sources of the vitality of apartheid? Why does it continue to exist despite practically universal condemnation? It seems that the adoption of a new Declaration and Programme and Action is a good occasion for all of us once again to ask this question of ourselves, and to give an honest and truthful answer. It is no secret that condemning apartheid in words does not always tally, in some countries and in certain business circles, with practical policy. Therein precisely lies one of the main reasons, if not the main reason, for Pretoria's defiant contempt for the views of the international community, as well as the absence of real progress in solving the problem of southern Africa, which has now become a destabilising factor on a global scale.

The basic position of the Soviet Union in respect of the conflict in southern Africa is wellknown. Our

policy is an open and honest one. We unreservedly condemn apartheid in the Republic of South Africa and call upon everyone to unite their efforts in order to achieve its unconditional liquidation. We consistently come out in favour of granting independence to Namibia as soon as possible in accordance with the decisions of the United Nations and we are solidly behind the patriotic forces in the Republic of South Africa and Namibia, headed by the ANC and SWAPO, and we give aid and support to the front-line States to repel aggression from Pretoria.

The tripartite ILO Conference in Harare and the consideration of the problem of apartheid at this session of the International Labour Conference fully correspond to the aims and tasks of the Organisation's Constitution and the Declaration of Philadelphia. Our task is to do our utmost actually to put into practice those decisions and recommendations which will be approved by this session and to act in the struggle against apartheid in a concerted and decisive manner.

As before, the Soviet Union will strictly and firmly support the front-line States, come out in defence of their sovereignty and territorial integrity and grant them all-round aid. A real expression of this aid is our co-operation with the AFRICA Fund. The USSR's total contribution to this Fund has reached more than US\$100 million.

In conclusion, we should like to emphasise the need to speed up the solution of the problem being considered here today. The realities of the world today require new political thinking, and the Soviet Union is urgently and actively calling for this. Mankind can no longer reconcile itself with apartheid. With our joint efforts, apartheid and the problems it gives rise to must be eliminated. This would then be a major step towards the creation of a system of international peace and security corresponding to all objective interests.

Interpretation from Arabic: Mr. DJEMAM (*representative of the International Confederation of Arab Trade Unions*) – I would like first of all, on behalf of the International Confederation of Arab Trade Unions, to extend to our brothers struggling for freedom in South Africa and Namibia our greetings and appreciation for their heroic struggle. We would also like to emphasise our support to them and to their struggle to obtain their legitimate and natural rights, recognised by the international community for all people and emphasised in the Universal Declaration of Human Rights whose anniversary we are now celebrating.

The Report of the Director-General of the ILO to this session shows that the situation in South Africa and Namibia has not changed since last year. In fact, it has become worse; the Black population is still subjected to the laws and oppression of the apartheid regime, and continues to be under the rule of Martial Law, which was extended by the Pretoria regime for another year. It is deeply regrettable to see, at the end of the twentieth century, that there are people who deny freedom to others who are different in colour from them. These people have become inhuman and have to be treated as such.

The existence of such a regime is a challenge to the moral principles of mankind. The Arab workers have studied the reports of the international organisations and have followed with great interest the proceedings

of the Harare Conference and the events that have taken place in South Africa and Namibia. We are concerned to see the workers in this region suffer the same fate as their brothers in Palestine and in the occupied Arab territories who endure oppression and terror, exile and expulsion and the denial of their legitimate rights. The whole world is a witness to this, which is perpetuated through the support of certain Powers that claim to be democratic and concerned for the progress of the human race. The present situation requires us to take immediate steps within the ILO, as it is deteriorating day by day and the oppressive laws are mercilessly enforced.

The racist regime continues its aggression against neighbouring countries. Governments and companies should impose an economic boycott on the regime. If such a boycott is put into force, it will lead to the fall of this odious regime, which could not survive without the assistance of a number of countries, and of imperialism and Zionism and without the assistance given to it by multinational corporations. The people of Namibia and South Africa are thus deprived of their legitimate rights as the racist regime is supported by those who believe that it is in their strategic and economic interests to do so, justifying their behaviour by pretending that they are helping to improve the situation of the Black people. Do they not know that the wage of a Black worker is no more than a tenth of the wage of a White worker? Are they not aware of the circumstances and conditions of life of the Black people? Do they not know about the practices and the oppression engaged in by the racist regime?

Experience has shown that there is no solution to this question other than to eliminate this racist regime by force. The peaceful solutions advocated by some have not led to concrete results. On the contrary, the regime is continuing its oppressive practices.

It is the duty of peace-loving people, together with the workers and the ILO, to extend all possible moral, material and technical assistance to the workers and trade unions in South Africa and Namibia in order to be able to face the situation, so that they will be able to assume their responsibilities once they obtain their freedom and independence. In fact, the ILO has an important role to play in awakening world opinion so as to bring pressure to bear on the countries that co-operate with this regime. The workers also have a vital role to play that will lead to radical changes in their positions and attitudes.

We reiterate once again that we have to establish social justice to enable all peoples to exercise their rights, to be able to live in dignity and their right to realise self-determination.

Long live the struggle of the people of Namibia and South Africa!

Miss RADIC (*Government adviser, Yugoslavia*) – The current 75th Session of the International Labour Conference is about to conclude an important task in updating the Declaration concerning the Policy of Apartheid in South Africa and the Programme of Action contained in its Annex.

By the adoption of these two documents and, in particular, by the adoption of the conclusions of the renamed ILO Conference Committee on Action against Apartheid at its present session, the International Labour Conference will round up the work

that has also been done by the Governing Body Committee on Discrimination and the Tripartite Conference on Action against Apartheid held in Harare last May. Thus, the International Labour Organisation will make a further contribution to the international struggle against Pretoria's policy of apartheid in South Africa and its illegal occupation of Namibia.

Ever since the problem of racism in South Africa was raised in the United Nations some 40 years ago, and following the illegal occupation of Namibia later on, the Government and people of Yugoslavia have given full political, moral and humanitarian support and assistance to the oppressed people and liberation movement fighters in those countries.

In the 1960s, a law was passed in Yugoslavia banning any kind of relations or co-operation with the racist Pretoria regime. In the United Nations, my country supports every action aiming at implementing the United Nations Plan for Namibia adopted by the Security Council, as well as actions aiming at the abolition of apartheid, including comprehensive and mandatory sanctions against the racist South Africa regime.

Yugoslavia will continue its policy of support for the just struggle of the freedom fighters of SWAPO, whose President, Mr. Sam Nujoma, addressed this Conference today. In his speech, he gave us a horrifying picture of the long sufferings of his people under the occupation of South Africa.

In conclusion, I wish to express our full support for the changes introduced in the Declaration concerning Action against Apartheid in South Africa and Namibia and the Programme of Action against Apartheid and, in particular, our support for the conclusions of the Conference Committee on Action against Apartheid at the present session.

We endorse the hopes that these documents will be adopted by consensus. Thus, the ILO would make a further contribution to the struggle against apartheid and the illegal occupation of Namibia and enrich the overall activities of the international community in marking the 40th anniversary of the adoption in 1948 of the Universal Declaration of Human Rights.

Interpretation from Chinese: Mr. LI (*Government delegate, China*) – This morning the Chinese delegation listened with great interest to the speech given by Mr. Sam Nujoma, the President of SWAPO. We wish to express our high regard and firm support of SWAPO in its just struggle.

The Chinese delegation has examined the report submitted by the Committee on Apartheid. We wish to thank the Chairman and all the members of the Committee for the great amount of work they have done and we agree with the report and conclusions submitted by the Committee.

The Declaration concerning Action against Apartheid in South Africa and Namibia, submitted by the Committee to the Conference for examination and deliberation, is a very important document.

Having revised and updated the Declaration of 1981, this document emphasises the need to eliminate apartheid in Namibia, the need to strengthen support for the South African people and the front-line States, and the need to impose comprehensive mandatory sanctions on the South African racist regime.

In its appendix the report formulates conclusions concerning the Programme of Action against Apartheid. These meet the needs of the present struggle against apartheid.

The Chinese delegation supports the Declaration, as amended.

In the past year or so, the situation in South Africa has further deteriorated. In defiance of the widespread condemnation by the international community, the South African authorities have wantonly intensified their suppression of the resistance by the South African people.

Since the beginning of this year, the South African authorities have adopted a series of repressive measures, restricting and banning the political activities of 17 anti-apartheid organisations and COSATU, assassinating their activists and representatives of ANC abroad. They continue their military attacks and economic retaliation against the neighbouring countries. They also prohibit the international community from providing material assistance to the anti-apartheid organisations.

Undoubtedly, these acts have brutally trampled upon the basic human rights of the Blacks in South Africa and to the situation in southern Africa and to the peace and stability of the world; these acts cannot be tolerated by the international community.

The Chinese Government and people have always strongly condemned the perverse acts of the South African authorities, and have firmly supported the South African and Namibian people in their just struggle.

I wish to reaffirm here that the Chinese Government will not have any contact with the South Africa's racist regime.

Last May, I had the honour to participate, as a Government representative of China, in the Tripartite Conference on Action against Apartheid, held in Harare. That was a successful meeting.

Having been to a front-line State myself, I felt all the more strongly the profound miseries suffered by the South African Black people and the grave threat posed to the front-line countries by the South African authorities.

Today, as we commemorate the 40th anniversary of the Universal Declaration of Human Rights, it is time for every person and every country to reflect seriously on the untold exploitation, suppression, humiliation and suffering of Black people in South Africa and Namibia. Shouldn't we do more to help them free themselves from this barbarous and inhumane system?

I hope that the ILO and the whole international community, especially those countries which have strong influence over South Africa, will be more extensively mobilised to turn the words of the Declaration into effective actions, thus forcing the South African authorities to abandon their evil policy of apartheid and end their illegal occupation of Namibia, so that the principles and objectives embodied in the Universal Declaration of Human Rights will be truly realised in South Africa and Namibia at an early date.

(Mr. Tsujino takes the Chair).

Interpretation from Russian: Mr. FRANDIOUK (*Government adviser, Ukrainian SSR*) – The special Report of the Director-General on the Application

of the Declaration concerning the Policy of Apartheid in South Africa, and the discussion on this question at the present session of the International Labour Conference, once again focuses world attention on events in southern Africa, and the unceasing evil deeds of the apartheid regime of Pretoria.

New instances of terror against the indigenous population of South Africa, new acts of aggression of the South African racists against the front-line States and other illegal actions by the South African authorities, including those on the territory of occupied Namibia, are widely documented in the Report.

One of the latest instances of the flagrant disregard in Pretoria of the South African people's aspirations towards freedom and basic human rights is their repression of the progressive trade union movement and their ban on a political activities by a range of mass democratic organisations, including the Congress of South African Trade Unions (COSATU).

The authorities in South Africa have once again demonstrated their contempt for the United Nations Charter, the International Covenants on Human Rights and the ILO Freedom of Association and protection of the Right to Organise Convention, 1948 (No. 87).

The racism in South Africa has created an explosive situation in the southern part of the African continent, which presents a true threat to international peace and security.

The international community is realising more and more that the main source nourishing this dangerous focus of tension is the direct support given to the apartheid regime by a number of Western States, their transnational companies and major international banks and financial institutions.

We feel that, in the present circumstances, only firm and concerted action by all States in the struggle against apartheid could make a start to the task of achieving a political settlement in southern Africa on the basis of a balance of interest among all the countries caught up in this regional conflict. The basis for such activities should be the urgent implementation of the relevant decisions of the United Nations and the Security Council, the granting of independence to Namibia, strict observance of the arms embargo and absolute refusal to co-operate with South Africa in the design and manufacture of nuclear arms or any other weapons of mass destruction.

With its great international prestige and importance, the International Labour Organisation makes its own contribution to activating international efforts to curb apartheid. In view of this, we should like to take note of the real progress in ILO activity in the struggle against apartheid and in providing assistance to the front-line States in southern Africa. At the same time, it cannot be ignored that the effectiveness of the decisions adopted by the ILO and the activities of this Organisation to combat the policy of apartheid in South Africa is unfortunately undermined by the fact that some member countries of the ILO and certain employer circles ignore these decisions. This is obvious from the replies they have given to the ILO's requests on these matters.

The Ukrainian SSR, following its basic policy of totally rejecting all forms and manifestations of colonialism, racism and racial discrimination, fully and steadily supports the earliest possible abolition of apartheid in South Africa.

The Ukraine is taking an active part in United Nations activities in this direction, particularly in the work of the United Nations Special Committee against Apartheid and in the intergovernmental group for the monitoring of deliveries and transport of oil and oil products to South Africa. The Ukrainian SSR supports all decisions and recommendations of the United Nations and other international organisations, including the ILO, which condemn apartheid in South Africa and are aimed at its abolition, boycott and isolation.

We are in favour of taking the necessary steps to help execute United Nations action against apartheid and of the introduction of comprehensive mandatory sanctions on the basis of Chapter VII of the United Nations Charter. We support the decision of the recent Harare Conference and hope that our Conference will make a considerable contribution to further promoting international efforts against apartheid in South Africa. We feel that the adoption by this Conference of the updated Declaration and Programme of Action of the ILO will contribute to these aims.

Interpretation from German: Mr. HILGER (Government adviser, Federal Republic of Germany) – Speaking on behalf of the Twelve member States of the European Community, I would like to present our views on the work and the conclusions of the Committee on Apartheid of this Conference. The consideration of the Committee's work and conclusions take place this year against the sombre background of the situation in South Africa, which has deteriorated since we discussed this matter at our Conference last year.

Before commenting on the recommendations of the Committee and the Special Report of the Director-General, I should like at the outset to reiterate briefly the position of the Twelve. Let me first of all recall the position of the Twelve with respect to the policy of racial discrimination conducted by the Government of the Republic of South Africa as it has been explained time and again in numerous United Nations and other forums. Apartheid constitutes a flagrant violation of the fundamental human rights laid down in the United Nations Charter and the Universal Declaration of Human Rights to which the Twelve attach the highest importance. Our basic position is clear: the system of apartheid, including the "homelands" policy, must be completely dismantled to create a non-racial democratic society through the full and free exercise of adult universal suffrage by all the people in a united unfragmented South Africa with freedom and justice for all.

The Twelve share the grave and increasing concern of the whole international community over the lack of significant progress towards the abolition of apartheid in South Africa. The disturbing events of the past year have brought no comfort to those who hope to see this immoral and unacceptable system which breeds hatred and violence dismantled. Massive repression has continued unabated, human rights have been violated and censorship has been tightened and strengthened. The extension of the state of emergency continues to deprive many thousands of their freedom and has worsened prospects for peaceful change, stifling the voices of opposition. The prohibition by the South African Government in February 1988 of 17 South African organisations and COSATU, peacefully opposed to apartheid, from

engaging in political activities is a further manifestation of the political suppression which has been condemned by the Twelve. This prohibition can only exacerbate further the tensions within South Africa and lead inevitably to further confrontation and polarisation. The Twelve have viewed the intensified curtailment of press freedom under the state of emergency with serious concern and have again urged the South African Government to lift its restrictions on the press without delay.

As we have repeatedly made clear, in the Twelve's eyes the apartheid system is totally unacceptable and indefensible. We are continuing to work actively for its complete and peaceful dismantlement. The Twelve are convinced that only broad-based negotiations, in which true representatives of the various components of the South African population are involved, can bring about a lasting settlement. The aim of these negotiations should be the emergence of a free, democratic, non-racial and united South Africa which takes into account the multiple facets of its society. To allow this to happen, the South African Government must take steps necessary to allow national dialogue to begin. These steps include the unconditional release of Nelson Mandela and all political prisoners, the lifting of the ban on the African National Congress, the Pan-Africanist Congress of Azania and other political parties, and the lifting of the state of emergency. We have left the South African authorities in no doubt as to the urgency of this task: the longer it is delayed, the more difficult it will become.

The Twelve and the Commission of the European Communities follow a policy designed to encourage non-violent change within South Africa and to lead to the total abolition of apartheid through peaceful means. This policy has been reflected in the implementation of programmes of positive measures aimed at assisting that part of the population disadvantaged by the apartheid system to better develop their potential. The Community's special programme in particular has concentrated mainly on the education and training sector, as well as on humanitarian and social assistance and legal assistance, particularly for those detained without charge.

The member States of the European Community continue to give active support to the non-violent opponents of apartheid through assistance provided to organisations in South Africa.

Important beneficiaries of the Twelve's programme directed at the promotion of peaceful change within South Africa are the trade unions. The Twelve firmly believe that the trade unions in that country, particularly the Black trade union movement, play an important role in the process of peaceful change in South Africa. The Twelve are of the opinion that in the past few years improvements in the position of South Africa's Black population have taken place in the field of labour relations. The Twelve are encouraging these developments through support to the Black trade union movement.

The Twelve therefore regret all the more the recent moves by the South African authorities aimed at curtailing the political activities of the trade unions.

The Twelve condemn all sorts of aggression and destabilisation committed by the South African Government against its neighbours in the region and urge that all regional problems should be settled by peaceful means.

The Twelve provide important assistance to these countries, both bilaterally and through the Southern Africa Development Co-operation Conference (SADCC). The Twelve recognise the important role that the ILO plays in providing assistance in this respect.

It is with grave concern, therefore, that the Twelve and the Commission of the European Communities view the intention of the South African Government to impose wide-ranging restrictive condition on organisations and individuals in connection with external funding.

The enactment of the Promotion of Orderly Internal Politics Bill would endanger the access of underprivileged groups in South Africa to community support for humanitarian and social assistance programmes. The adoption and implementation of the bill would, therefore, impose a severe strain on our relations with the Republic of South Africa.

The Twelve have noted some encouraging developments in the trade union movement in recent years and would be concerned at any deterioration as a result of new legislative measures in that area.

The Twelve and the Commission of the European Communities call upon the South African Government to desist from its policy of isolating the few remaining organisations and voices seeking dialogue and peaceful change within the country. The Twelve has made approaches to the South African Government to this effect.

The EC Code of Conduct for companies with subsidiaries, branches of representation in South Africa was revised in 1985, strengthened and updated and brought more in line with the changes in the social and labour fields in South Africa since its original inception in 1977.

The seventh comprehensive report on the application of the Code of Conduct by companies registered within the Community and which have subsidiaries in South Africa, covers the period from 1 July 1985 till 30 June 1986 and gives an analysis of the replies received from 265 companies. These companies had a total of 136,000 employees, among them 105,000 Black employees.

To sum up the findings of this Report, the Twelve stated the following: the number of companies that maintain relations with trade unions composed of Black workers has increased; the companies use unified schedules of payment for all employees of race; more than 95 per cent of the Black workers receive wages which are on or above the level recommended by the Code of Conduct; many companies have specific programmes for the training and advancement of Black employees and offer a whole range of voluntary social benefits.

The Twelve wish to underline once more that the Code of Conduct is an important instrument of their policy aimed at a complete abolition of discriminatory practices and of the apartheid system as a whole. They want to encourage the European companies to continue their efforts to improve the social and economic conditions of the Black workers. At the same time, the Twelve urge the South African Government to undertake specific steps to bring about the complete abolition of any racial segregation within the labour market, to repel all discriminatory laws and regulations and to set free all those, especially the trade unionists, that are detained without charge or trial.

The Twelve are convinced that international pressure is necessary and important in order to induce the South African Government to end its policy of apartheid. In addition to the positive measures referred to earlier, they have continued to implement significant and concrete measures designed to impress on the South African Government the urgent and inescapable need for fundamental reform. These measures are designed to increase the pressure on the South African Government to move towards the creation of a society free of racial discrimination. As the Twelve continue to monitor closely developments in South Africa, this series of measures, which have been outlined in the special reports of the Director-General, is kept under close review.

Turning to the Special Report of the Director General on the Application of the Declaration concerning the Policy of Apartheid, the Twelve appreciate its balanced account of, on the one hand, developments in labour and social matters of South Africa in Namibia; and on the other hand, of the action against apartheid taken by Governments, Employers' and Workers' organisations in this respect.

With respect to the report and the conclusions of the Committee on Apartheid, the Twelve wish to make the following remarks. The Report contains many thoughts which the Twelve can share or are ready to consider. However, as was also the case last year, a number of the conclusions of the Committee on Apartheid this year go beyond the mandate of the ILO. Whenever actions are proposed, it is vital to respect the competence of the United Nations and of the different international organisations and their respective organs. In this respect, the Twelve would like to reiterate that comprehensive and binding sanctions, under Chapter VII of the United Nations Charter, can only be decided upon by the Security Council.

A number of conclusions propose measures with respect to specific activities within the "homelands" or with respect to representatives of "homelands". The Twelve reiterate that they do not recognise the so-called "homelands" as entities separate from the Republic of South Africa.

Some conclusions are imprecise in their formulation and others go against what is considered in our States to be due legal process, many fail to take into account the different constitutional provisions of the member States of the ILO, especially those concerning respective competence of national, regional and local authorities.

The Twelve are also of the view that actions taken on the basis of these conclusions should not lead to additional costs for the Organisation and that any expenditure should be within the limit of the present budget.

In the face of the recent developments within and around South Africa, and in view of the great concern shared by all of us that apartheid should be abolished and very soon, the Twelve would have preferred to arrive at conclusions born of a wider consensus. This would have made these conclusions more meaningful.

Interpretation from French: Mr. CAMARA (*Government delegate, Guinea*) – In the name of the Guinean delegation I should first of all like to join my voice to those who have congratulated Mr. Beyr-

euther on his brilliant election to the presidency of our Conference.

The question before us has always been a point to which my country has been particularly sensitive. The unjust and humiliating situation imposed on the Black workers and the Black populations in South Africa is a legitimate reason for wrath and revulsion on the part of all persons who cherish justice, dignity and peace. It is therefore not surprising that every year throughout the world this shameful system of apartheid is decried and severely condemned.

Our Conference has even set up a standing committee to follow the development of the situation of workers in southern Africa, and periodically the ILO convenes a special Conference in one of the front-line States. Nevertheless, this system continues to exist and has even recently celebrated the 40th anniversary of the ascension to power of the National Party of South Africa.

In this period of rather curious and troubling coincidences of anniversaries – on the positive side, those of the Universal Declaration of Human Rights and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and on the negative side, that of the institutionalisation of racism as a method of government – it seems to us that we are called upon to take up more energetic action against this dehumanising system, which must be destroyed because it cannot be reformed.

The most developed countries in this world which maintain the greatest number of commercial contacts with this regime, have a greater responsibility than the others. We can only hope that finally they will undertake vigorous action, as urged by all lovers of freedom, peace, justice and progress throughout the world, to abolish apartheid once and for all. It goes without saying that my delegation gives its wholehearted support to the unanimous adoption of our Conference is Declaration on Action against Apartheid in South Africa and in Namibia.

Mr. WILLIAMS (*Government delegate, Nigeria*) – My delegation earlier expressed its sentiments on the personal merit of Mr. Beyreuther and on his undoubted ability to direct the affairs of this Conference to a successful conclusion. May I again pledge the very full support and co-operation of my delegation to him in the discharge of his difficult assignment.

I wish to start this address by expressing our gratitude to the Chairman and members of the Committee on Apartheid for the excellent work they have done. I should also like to express our appreciation to the Director-General of the ILO for producing an excellent report on apartheid for the Conference.

My delegation has noted with satisfaction the conclusions of the Committee on Apartheid. We are particularly happy to note the spirit of co-operation exhibited by the members of the tripartite Committee and the unanimous voice with which all participants spoke against apartheid. However, my delegation would have wished to see the conclusions and the annex – that is the Programme of Action against Apartheid – adopted by the Committee without resort to a vote.

Today is the 12th anniversary of the Soweto uprising when young men and women decided to lead a spontaneous revolt against the unjust system of apartheid. We salute those heroes and heroines who

laid down their lives in defence of the freedom of the Black population of South Africa. However, it is regrettable that 12 years after Soweto the situation in South Africa has yet to change for the better. The whole world has continued to witness callous brutality, oppression and the killing of defenceless Blacks in South Africa by the agents of the racist regime. The Black population of South Africa is still subjected to hardship and all forms of humiliation. Black people are constantly harassed, tortured and oppressed. They live under permanent siege and fear and are totally unsure of their future and that of their children.

The conditions of the Black workers in South Africa have worsened since the Whites-only elections to the House of Assembly in May 1987. Real political initiatives came to a standstill because the National Party which was returned to power did not introduce the fundamental changes which Botha had declared he wanted to bring about. Instead, there was continual siege as well as an all-pervading surveillance of the Black townships by the military forces, police forces and the national security management system.

South Africa continues to undermine the stability of neighbouring countries in southern Africa, aggravating the already grave economic and social problems.

In the area of industrial relations, Black workers are subjected to inhuman labour practices. The racist regime has on many occasions employed violence in quelling peaceful industrial actions by defenceless Black workers, and in the process many have been murdered in cold blood.

Working conditions for Black workers have not seen any significant improvement. They still earn low wages and are denied freedom of association. Black trade unionists are constantly arrested, detained and killed for demanding improved working conditions for their members.

In pursuance of its policy of total liberation of Africa, Nigeria has given material, financial and moral support to the liberation movements and Front-Line States. Needless to restate here that Nigeria believes that economic sanctions could bring down the apartheid regime of South Africa, and this is why we shall continue to give material and financial support to the oppressed people of South Africa and the Front-Line States. Nigeria has demonstrated this in many ways.

At the summit meeting of the Non-Aligned Movement held in Harare in September 1986, Nigeria proposed the establishment of the Africa fund. My delegation would like to appeal to all friendly countries, individuals and organisations to contribute generously to this Fund. The South Africa Relief Fund, established in Nigeria, has offered scholarships to Black South Africans and Namibians to study at Nigerian educational institutions during the 1986-87 academic year. As the Chairman of the United Nations Special Committee against Apartheid, Nigeria has been in the forefront, championing the cause of liberation for the Black majority in South Africa.

We should like to seize this opportunity to condemn the recent clamp-down on liberation movements in South Africa and Namibia by the racist regime and the assassination of ANC representatives in many parts of the world by agents of the South African Government. We abhor in particular the cold-blooded murder of Dulcie September, the ANC

representative in Paris, on 29 March 1988 by South African agents, a cowardly and brutal action of a regime whose days are numbered. We also unequivocally condemn the recently-announced proposals for Black participation by racist President Botha. The proposals are cosmetic and irrelevant to the South African situation, and the reforms, which fail to address the fundamental issues in South Africa such as the end of the state of emergency, the release of political detainees and an end to the apartheid policies, will be unacceptable.

Nigeria is totally committed to the freedom of Blacks in South Africa and we will support any measure that is designed to put an end to the oppressive and criminal system that degrades the Black race. We support any move that will completely isolate the racist regime within the international community, because the policy of apartheid is inhuman. Nigeria supports the imposition of economic and mandatory sanctions against South Africa as a way of bringing about the much-needed change in the racist enclave. We implore all progressive nations of the world to implement all ILO and United Nations resolutions on apartheid. We urge those Western countries that support the eradication of apartheid to do so both in words and in action. My delegation believes that the imposition of economic sanctions against South Africa is a credible policy option which can only be found useful when faithfully and properly applied. We believe that the South African Government will stop challenging world opinion when its few but powerful friends among the Western Powers are generally committed to the eradication of the evil policy of apartheid by imposing stringent economic sanctions against it.

I wish to conclude this address by reminding the apartheid regime of South Africa that oppressive powers like that of Botha have crumbled and the oppressed people have freed themselves from the yoke of the oppressors; where there is a will there is a way.

Africa is united in her determination to rid the continent of all oppressors. There were only 22 independent African countries when the OAU was founded in 1963, but today, 50 member States are independent. Namibia and South Africa will certainly be independent – it is only a question of time.

Interpretation from Arabic: Mr. TIZMAAGHZ (Government delegate, Islamic Republic of Iran) – The struggle against racial discrimination is one of the things that were decided on during the early days of the victory of the Islamic Revolution, in accordance with what the Koran has to say: "Men and women you were created as peoples and tribes so that you could make acquaintance amongst yourselves, and the best of you will be the most pious in God's eyes".

We also read in the Koran that men are equal and God is one, that an Arab is not better than a Persian and a White man is not better than a Black one. All men are equal, and as regards basic liberties, the Koran says: "Do not make another man your slave because God has created you all free."

All these principles have been adopted and applied in the Constitution of the Islamic Republic of Iran. The Islamic Republic of Iran, furthermore, has broken off political, economic, military, cultural, commercial sporting and diplomatic relations with

the authorities of South Africa and has prohibited the export of oil to that country and to the Zionist entity. And we appeal to all other countries and governments to do the same.

The illegal occupation of Namibia, the breach of human rights and destabilisation in that country and in the front-line States is being pursued for various reasons, including support of colonialism and imperialism, by the Pretoria authorities and the racist regime of that country. We appeal to all countries represented here to condemn and boycott that country.

We are asked today to take action to combat the policy of apartheid in South Africa and the Arab occupied territories in Palestine, and the only means of doing this is to pursue and support an armed struggle materially and otherwise, to support the front-line States, to join together to eliminate racial discrimination and to put an end to the occupation of Namibia by the South African Government, and to support the results of the Harare Conference.

The Islamic Republic of Iran is ready to support any co-operation designed to ensure objective co-operation with the workers of South Africa and the front-line States. We insist on the need to set up a special fund in which everybody would co-operate.

Mr. MEGYESI (*Government adviser, Hungary*) – Forty years have passed since the Universal Declaration of Human Rights stated that “all human beings are born free and equal in... rights, ... without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion...”. Looking at the past, one cannot but note with regret that, despite significant changes in numerous spheres of life, there is a great deal yet to be done for us to be able to say that the ideal formulated in the Universal Declaration has universally materialised on earth.

I think it will suffice to give but a few examples in support of my statement.

Has the full equality of sexes become a reality? For all the efforts exerted, in which the ILO has also taken an active part, women are still at a disadvantage compared to men in several fields of life as regards their career prospects as well as material appreciation. As is pointed out in, among other things, the latest ILO study, women doing the same jobs earn 20 to 40 per cent less than men in many workplaces.

Has equality been attained without distinction on grounds of language? The situation of nationalities or national minorities is still not satisfactory everywhere. Their inalienable rights, such as the right to use their mother tongue or the right to cultivate their cultural traditions, which pertain to them just as to any other people or ethnic group, are being violated.

I could also refer to another elementary right reaffirmed by one of the ILO Conventions that equal conditions must be secured for access to employment.

In this forum, too, the Government of the Hungarian People's Republic speaks out for the assurance of equality for nationalities, and for the protection of their collective and individual rights. In our policy concerning nationalities, we are doing all we can to translate the principles enunciated into practical terms.

For nearly a quarter of a century, the International Labour Conference has been addressing one of the

gravest violations of human rights, apartheid, which is based on racial discrimination.

We must face the sad fact that the struggle against racial discrimination is as important today as it was when the ILO adopted its Declaration concerning the Policy of Apartheid in South Africa. In this respect the most important task still remains to do away with apartheid as soon as possible, as a most inhuman form of massive and grave violations of human rights. The Government of the Hungarian People's Republic most resolutely condemns the apartheid regime in South Africa, which has institutionalised on a racial basis the plunder of natural wealth and the exploitation of human resources in the southern part of Africa. It equally condemns the apartheid regime's destabilisation policy and armed aggressions against neighbouring countries.

As a founding member of the United Nations Special Committee against Apartheid, Hungary has taken an active part in United Nations efforts to combat apartheid, racial discrimination, and discrimination of any kind in general.

In keeping with its foreign policy principles, Hungary maintains no political, economic or other relations with the racist regime of South Africa.

The Government of the Hungarian People's Republic fully support all resolutions condemning the apartheid policy of South Africa and implements them to the full.

The past period has given unquestionable proof of the impossibility of reforming the apartheid regime. The policy of “constructive engagement” has failed. We are convinced that mandatory and comprehensive sanctions are the only means of compelling the racist Government of South Africa to change its policy, to start a dialogue with the Black majority and to introduce a democratic system.

The foregoing is ample evidence for us to see the extent to which the ideal of human equality is under attack in our days. But should this cause us to be discouraged and resigned? On the contrary, we must redouble our efforts to ensure that human equality on our globe is attained in every respect.

This is why the Government of the Hungarian People's Republic attaches great importance to the ILO Declaration concerning the Policy of Apartheid and lends support to its updating and amplification.

I should like to take this opportunity to express our thanks for the valuable work of the Committee on Apartheid, and I propose that the participants in this Conference accept the Committee's Report.

Interpretation from Farsi: Mr. SALIMIAN (*Workers' adviser, Islamic Republic of Iran*) – In the name of Allah, the Merciful, the Compassionate! “How should we not fight for the cause of Allah and of the weak, among men and women and the children who are crying. Our Lord, bring us forth from out of this town if which the people are oppressors. O give us through thy presence, some protecting friend; give us through thy presence, some protector”.

I wish to start by extending the greetings of the heroic workers of my country to our brothers who are suffering from apartheid; in particular, the great martyrs who have sacrificed their lives for the cause of the struggle against apartheid.

We propose that the report of the Committee on Apartheid be adopted by consensus by the Plenary. Although the great Iranian people are involved is an

unwanted war imposed upon them and are not able to fight directly against the apartheid regime, as they wish to do according to their divine and humane duty, they are filled with a desire to give more tangible meaning to the verse I quoted at the beginning of my speech from the glorious Koran; they do wholeheartedly hope for the victory of the brave combatants who are fighting this evil of the twentieth century. I sincerely declare on behalf of the working men and women whom I am representing here that we hope, in the very near future, to be able to fight alongside them in a united front against the apartheid regime and to overthrow it in a fully armed struggle. The world should be told very clearly that the apartheid regime cannot be guided to the right path by preachings. This bloodthirsty regime ruling over South Africa does not seem to intend setting aside its cruelties, even in the face of resolutions, statements or even general universal condemnation. As a matter of fact, the capitalists ruling over South Africa see nothing other than the gold mines which belong to the oppressed people of that country; indeed, they take no criticism of their ways seriously.

Apartheid is based on force and Mr. P. W. Botha and his apprentices see the only way to survival through the application of force and leave no crime uncommitted towards that end. If this were not the case, it would have been unnecessary for them to occupy militarily the neighbouring countries in the face of the support of the front-line States for the oppressed people of South Africa. Unfortunately, they have waged shamelessly open military aggressions against the freedom seekers. The question still remains as to why the great powers of the world, who break through the borders of other countries, are now standing silent in the face of all these aggressions. They are surviving only by condemning without any tangible results the justified acts of the liberation seekers; they are breaking through the borders of other countries from a great distance, on the pretext of defending democracy. They push into those countries with all their military machinery, with their war machines, and kill thousands of people with chemical bombs as in Halabja; they massacre all the freedom-seeking people, children, women, defenceless people who are defending their rights and struggling for the liberation of Palestine; they falsely defend human rights and justify their silence by stating that any action against apartheid is an interference in the internal affairs of the South African regime. Nevertheless, since we cannot remain silent in the face of any obvious breach of human rights, particularly the breach of the rights of the Black majority in South Africa under the apartheid regime, what can be done?

As a positive step forward we have proposed that the main supporters of the apartheid regimes, namely the great Satan, America, and the veteran colonialist power, Great Britain, should have their membership suspended.

I should, in conclusion, emphasise our demand, which was also reflected in the Committee on Apartheid, that well-planned action should be taken to assist the struggles of the liberation-seeking Black majority in South Africa. Whatever measures are necessary for the furtherance of the cause of the liberation-seeking people of South Africa should be taken. As a first step, there should be an appendix to the report of the Committee listing governments,

trade unions and employers' associations which have taken some tangible action instead of just pronouncing empty slogans.

In the future, only those people who can make a firm commitment should take the floor and have the right to address the Conference and the Committee on Apartheid.

The victory of the freedom-seeking people of South Africa is assured and Allah has determined that the oppressed shall become the rulers of the world.

Peace be upon us and the true followers of Allah!

Interpretation from French: Mr. GEORGET (*Employers' delegate, Niger*) – I am speaking on behalf of my colleagues of the Executive Committee of the Pan-African Confederation of Employers, somewhat belatedly I admit and I apologise to the interpreters for not having prepared a statement. But when the time comes to talk about apartheid I think that as a good African I don't exactly have to have a written speech before me to know what to say. As they say in French, "when one understands something clearly, the words to express it come easily".

Before starting, I would like to congratulate the President and other officers of the Conference on their election to these positions of weighty responsibility.

Allow me also to congratulate the officers of the Committee on Apartheid, directed by an excellent man whose warmth and ability are very well known to us. I have had the luck to visit his country; he welcomed us warmly in Harare. I am speaking of course of our brother and friend, the Minister of Labour of Zimbabwe, Dr. Nkomo. I would also like to pay tribute to his two Vice-Chairmen and the Reporter who asked us this morning to say a few words for the record.

* As regards the analysis of this report, I cannot but support very sincerely what the Employers' spokesman of the Committee, our distinguished brother and friend, Mr. Nkomo, who did an excellent job, said so firmly and carefully concerning the position of the Employers, even if some reservations were expressed in our group which we, of course, took into consideration. However, we certainly do not think that those who expressed reservations in any way condone apartheid since we all know them very well. The Committee, I think, worked in a most excellent fashion. I have never seen a calmer or more measured Committee on Apartheid, whose excellent work may be taken into consideration by all governments and workers' and employers' organisations, and recommended to friendly countries as a resolution which is consistent with the Constitution or our Organisation.

And it is this point I wish to discuss, since racism and the violation of the rights to live and exist and have one's dignity as a man, are prohibited by the Charter of our Organisation, which seeks to defend man and his integrity. I hope this interpretation will be better understood, at least in its application in the field, and I hope it will help us to eliminate apartheid. As President Sam Nujoma said, and as our late President said, all those who live here on this planet, Black and White, must live in peace to build their future.

After all, that is the very aim of our struggle against apartheid. We haven't come here to say "go

away"; we have come here to say "Work together. Build peace together. Forget all resentment." As Sam Nujoma told us, "Africa is built on forgiveness." I can't imagine that anyone here would say that they support apartheid; no one supports injustice; no one will convince me that he really feels that he can defend apartheid. No one would dare. I believe in reason. I believe we have to help each other to live in peace. I believe we have to do everything we can to implement the updated resolution drawn up in Harare, in an atmosphere of peace and mutual understanding with a resolute determination to uproot apartheid. This was the spirit that reigned in the Committee on Apartheid, reflecting the will of its members.

I called upon the Conference to adopt the report by consensus.

I appeal to all delegates here – government, employers and workers – to support the report without reservation. What it says I need not repeat.

Apartheid is on its way out. Whether we like it or not, it will disappear. But we hope that those who will be helping us to overcome apartheid, will do so in the interest of this vast country which needs peace, which needs to build.

Africa needs peace, not fighting.

Let us build peace. This hall is a hall of peace, a hall in which we must build peace and solidarity, and remember that all men are equal. That is the message of the African Employers – solidarity, equality, complementarity and peace for our continent, which so desperately needs it to develop economically and socially to the benefit of all who live on earth.

Mr. AHMED (*Workers' delegate, Pakistan*) – In the Name of God, the Merciful, the Compassionate! I take this opportunity to associate myself with earlier speakers who have demonstrated their full support to the cause of the struggling peoples of Africa and Namibia against the racist regime of South Africa.

Apartheid is a crime against mankind and our Organisation, the International Labour Organisation, by its Constitution and the Declaration of Philadelphia has upheld the right to develop in full freedom and economic security of all human beings, irrespective of race, colour or creed.

We are celebrating the 40th anniversary of the United Nations Declaration of Human Rights which is also stands for these principles, and all religions, including Islam, and reform in all ages has upheld the principle of the quality of man and of non-discrimination on the basis of race, colour and creed.

The Holy Prophet said that no man can claim superiority wholly on the basis of colour and creed: only by virtue of his noble acts is one man superior to another. But it is sad to find that even in this age, the crime is being committed in South Africa.

We, in the Workers' group, have always supported the just cause of the struggling peoples of South Africa and Namibia. And I think our recent Conference which was held in Harare also demonstrated solidarity with those struggling people. Our group at that Conference was led by Mr. Muhr, representing the Workers' group, and we appreciate the work done at that Conference as well as the recent work done by the distinguished members of the Committee on Apartheid under the chairmanship of Mr. Nkomo, assisted by Mr. Hernandez, the Employers'

Vice-Chairman and the Workers' Vice-Chairman, Mr. Mercier.

This work is reflected in *Provisional Record* No. 19. We in Pakistan, have no relations with the racist regime of South Africa and we have continually supported the just cause of the struggling peoples of South Africa and Namibia. On this occasion, we express our continued solidarity and condemn the atrocities which are being committed in South Africa, particularly against the struggling people and workers, by virtue of various discriminatory acts, including the recent legislation which has been imposed in violation of trade union rights.

And we fully share the views of the Workers' group expressed in this report and again congratulate the Chairman and other members. We urge the adoption of the report.

Mr. KUSUMOTO (*Government adviser, Japan*) – The Government and the people of Japan have consistently maintained that the South African Government's policy of apartheid violates the principles of racial equality and respect for fundamental human rights and freedom and that such a policy therefore should be abolished once and for all.

In this spirit, we have taken very strict measures against South Africa. First of all, Japan is the only country among the industrialised democracies that has no diplomatic relations with South Africa, nor has Japan accorded any recognition to the so-called independent homelands. In an effort to limit contacts between the peoples of the two countries, Japan has imposed restrictions on sports, cultural and educational exchanges, it has suspended the issuance of tourist visas to South African nationals and has urged the Japanese people to refrain voluntarily from visiting South Africa.

Japan refuses to engage in military or nuclear co-operation of any kind with South Africa. In the field of economic and trade relations, Japan has banned all direct investment in South Africa since the end of the 1960s. It has restricted commercial loans and urged all those concerned to co-operate in halting the import of krugerrands and other gold coins.

Its trade restrictions vis-à-vis South Africa also include prohibition on iron and steel imports, on arms exports and on the export of computers to South African institutions that impose apartheid.

It has suspended air links with that country and prohibits its government officials from using international flights of South African Airways. Moreover, recognising the need for concerted action, the Japanese Government has appealed to the Japanese business community to ensure that their commercial activities will not, in any way, undermine or weaken the effectiveness of sanctions or similar punitive measures taken by other countries.

The Japanese business community has heeded this appeal.

On the other hand, we consider it very important to give assistance to the victims of South Africa's policy of apartheid while taking the various restrictive measures which I have just decried. From this viewpoint, we have been making voluntary contributions to such schemes as the United Nations Educational and Training Programme for southern Africa, the United Nations Trust Fund for South Africa and the United Nations Trust Fund for Publicity Against Apartheid.

In addition, we provided last year direct assistance of US \$400,000 for the benefit of Black people who are victims of apartheid in South Africa. We intend to expand such assistance this year.

It should not be forgotten that southern African countries are being affected by the situation in South Africa and are facing various difficulties. We have a high regard for the persistent efforts made by southern African countries to uphold their economic independence from South Africa and promote their own development.

Last year a high-level government mission was sent to Tanzania, Zimbabwe, Zambia and Mozambique to discuss economic co-operation and study their various needs. We have been acting upon their request that the mission received and have already extended offers of grant assistance for rehabilitation and development projects in those countries.

We also intend to increase further our economic co-operation with them.

Japan attaches great importance to promoting political dialogue with the regional leaders, including the Black leaders of southern Africa. Last year we had the pleasure of welcoming such important visitors as Doctor Oliver Tambo, President of the ANC, and Prime Minister Musokotwane of Zambia. Similar important dialogues are continuing this year in my country with President Chissano of Mozambique and Vice-President Peter Mmusi of Botswana, who is also President of the Council of Ministers of the Southern African Development Co-ordination Conference.

We are very much concerned about the continuing unrest and disturbances in South Africa and deeply regret the recent decision taken by the South African Government to extend, once again, the state of emergency. We strongly demand that South Africa revoke the state of emergency immediately, lift the existing ban on anti-apartheid organisations and release political prisoners, thus permitting the peaceful settlement of the South African issue through dialogue as soon as possible.

We also demand that South Africa take concrete and fundamental measures to abolish apartheid and present to the international community a credible timetable for the achievement of that goal.

I would like to take this opportunity to touch upon the report of the Committee on Apartheid. This year the report intends to adopt a proposed Declaration concerning Action against Apartheid in South Africa and Namibia which was adopted at the tripartite conference held in Harare from 3 to 6 May 1988. My delegation regrets to state that certain articles in the Programme of Action annexed to the proposed Declaration, such as I(a) and II, prevent us from fully supporting the proposed Declaration. In our view, such measures fall outside the scope of the mandate of the ILO and should be taken up at other appropriate UN forums.

The international community must be relentless in exerting suitable political and economic pressure on South Africa until it recognises that apartheid is totally inadmissible and that it must be eradicated. Japan, for its part, will continue to explore all possible avenues toward this end.

Interpretation from Spanish: Mr. HEREDIA PEREZ (Government adviser, Cuba) – Now that we are celebrating the 40th anniversary of the Universal

Declaration of Human Rights, the Director-General in his Report has provided us with a valuable study of this topic to which this Conference has devoted special attention. Paradoxically, however, at this time of commemoration, this forum has to contend with the hideous violation of human rights and fundamental freedoms which is the crime of apartheid.

Deplorably, once again, we meet to note with sadness and horror that in South Africa and Namibia there is still a social system that enshrines and institutionalises a disgraceful inequality which involves the unleashing of a cruel repression against the immense majority of the population. We are also aware of the present struggle to once again to prevent the lives of valiant fighters from being cut short – I am thinking in this case of the Sharpeville Six.

Today, the Government delegation of Cuba would like to voice once again its most energetic rejection of the regime of apartheid and condemn its policy of violating human rights in southern Africa.

My country also wishes to express once again its support for the independence of Namibia, whose people continue to be denied this legitimate right by the Pretoria regime.

The Cuban Government delegation would also like to state its solidarity with the Front-line States which continue to be the object of countless aggressions, even military aggression, perpetuated by South Africans themselves as well as by their agents. It is known that Pretoria continues to use mercenaries against the legitimate governments of those countries and tries to destabilise them politically, economically and militarily.

Cuba also supports the result of the Tripartite Conference on Action against Apartheid recently held in Harare. It endorses most firmly the work of the Committee on Apartheid including the proposals contained in the Report which is before you, proposals which imply strengthening the ILO Declaration concerning the Policy of Apartheid in South Africa. Along the same lines, the Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa, which is presented to this Conference, also deserves our appreciation.

As we indicated earlier to the Committee on Apartheid, it is evident that the situation of the Black population, and particularly that of the workers in South Africa, is worsening day by day. There are innumerable examples of this. At the same time, resistance is hardening to the oppression practised by South Africans, against those who suffer from fascist repression, who are murdered, tortured and subjected to other police measures. Despite the repression, however, tens of thousands of men, women and children continue to protest and it has not been possible to stifle the struggle of the African population which, led by SWAPO and ANC, are well on their way to freedom.

On this occasion, Cuba wishes to reiterate its unshakeable solidarity with national liberation movements that are tirelessly struggling against apartheid, and calls upon the international community to condemn aggressions against the Front-line States.

My delegation condemns the military, economic and diplomatic support provided to the racists by their allies. This is the corner-stone of the hateful system of racial segregation which, in South Africa and Namibia, oppresses millions of human beings.

In conclusion, the Government delegation of Cuba wishes once again to reaffirm the principles of resolution 435 of the United Nations Security Council, and voices its support both for the struggle against apartheid in South Africa and for the independence of the valiant people of Namibia.

Mr. FREEMAN (*Government delegate, United States*) – My delegation believes apartheid to be the rootcause of economic misery and political instability in southern Africa.

Helping to dismantle apartheid and assisting those South Africans of all races who are working to create a non-racial democratic society in South Africa constitutes the number one United States foreign policy objective in the African continent, along with ridding the south-western region of Africa of foreign military forces, securing Namibian independence and achieving peace and stability within Angola.

The United States takes a backseat to no nation represented in this hall in pursuing a foreign policy aimed at achieving these objectives.

The United States is also implementing legislation which imposes, we believe, the toughest sanctions against South Africa in the world. Even tougher sanctions are currently under consideration by the United States Congress in reaction to the latest developments in South Africa. These sanctions are intended to send a message to the supporters of the status quo in South Africa that, failing to demonstrate sustained progress in dismantling apartheid and in establishing a fully participatory democratic system for the benefit of all, it is they and not us who are cutting themselves off from the civilised world.

However, the United States cannot concur in a call by this body for comprehensive and mandatory sanctions, the severance of all diplomatic relations and other similar measures contained in the proposed Declaration and the annexed Programme of Action. Such provisions run counter to United States policy to impinge on the national sovereignty of other countries and exceed the mandate of the ILO.

Some of the operative paragraphs of the draft document are within the mandate of the ILO and we can endorse them. Others we can concur with in principle, but must object because they exceed the ILO's mandate, and still others, such as those I have just mentioned, we oppose both on policy grounds and because they fall outside the legitimate purview of this Organisation.

Sending a message to the South African Government is one thing, but we seriously doubt that apartheid can be defeated by isolating South Africa from the outside world or by heaping more economic hardship on all of southern Africa.

Apartheid, in our political judgement, will be defeated only when its victims gain the economic and concomitant political power to liberate themselves. What few positive changes that have occurred in South Africa in recent years, such as the abolition of the pass laws and job reservation, have come about largely when Blacks have gained enough economic power to make such discriminatory laws unenforceable.

This is what we find so promising about the emergence of the Black trade union movement inside South Africa. More Black power means more power to break down the structure of apartheid. Indiscriminate sanctions mean less Black economic power.

Accordingly, the emphasis in the United States anti-apartheid policy will continue to be on positive measures designed to advance Black economic empowerment, to strengthen apartheid's victims to wage a legal and moral struggle for their solution and to encourage and facilitate dialogue among South Africans of all races who are courageous enough to work together to throw off the shackles of fear and mistrust that are the chief underpinnings of apartheid.

Our position is spelled out in greater detail in the report of the Committee where we made very clear our non-concurrence with some of the key provisions of the Declaration and Programme of Action. But we think it would be a mistake in this plenary to overemphasise the points that divide us. While there may be differences reflected here over tactics, the message that should emanate from this hall today is that the civilised world is united in its determination to see an end to the system of apartheid. In that interest, I will let pass without comment some unfounded and distorted statements that were heard earlier from this tribune during the course of its discussion. However, let me just say that in addition to being extraneous to the topic of this sitting, we find offensive the effort of some delegates to turn the word "racism" on its head and to nullify its meaning by applying it to a political conflict at an other part of the world between two peoples of the same race. And to answer on a positive note, regarding concrete positive measures which the ILO could take that are within its mandate, we have been pleased to learn that the Black trade union movement inside South Africa has recently forwarded a complaint to the ILO which presents this Organisation with a unique opportunity to bring its supervisory machinery into play in the South African case. This potentially is an extremely promising development which would have the full support of the United States.

(*Mr. Beyreuther takes the Chair.*)

Mr. TEFERI (*Workers' adviser, Ethiopia*) – May I congratulate the President on his election to the presidency of this 75th Session of the International Labour Conference. I am fully confident that his experience and competence will bring this session to a successful conclusion.

May I also congratulate the Director-General of the ILO for his well-assessed and detailed Special Report on the Application of the Declaration concerning the Policy of Apartheid in South Africa presented to this session. The Report has fully enabled us to update our knowledge of the situation in South Africa and the atrocities of the intransigent Pretoria regime against the Black population of South Africa and Namibia, as well as the neighbouring countries, have been increasingly worsening. The South African racist regime, defiant of international pressure and world public opinion, has completely refused to bring about any fundamental political change in its racist policy. It continues to strengthen its repressive measures against the people and to threaten the stability of neighbouring countries.

As clearly indicated in the Special Report of the Director-General, the continuing state of emergency sanctioned by the harsh security laws and the resulting wave of brutal military and police repression, as well as the hunting surveillance exercised by the

national security, have further exacerbated the political and economic crisis of South Africa.

The massive detentions without charge or trial, tortures and brutal killings inflicted upon the Black population, have aggravated the situation.

In the ever-worsening tragic situation in southern Africa, trade unions and workers' organisations have stood at the forefront of the struggle for freedom. They have also become the primary targets of the outrageous acts of the racist Pretoria regime. The right of association and collective bargaining have been drastically curtailed; child labour, low wages and job insecurities are normal phenomena. Migrant workers also suffer from severe exploitation and harassments.

In the circumstances of the increasingly widening popular unrest and courageous struggle of the Black population of South Africa and Namibia, the past year has been marked with the consolidation and growth of the trade union movements. They have become strong forces challenging the racist Government on issues of vital importance to workers and the Black population. They have been strongly pressing the regime to give immediate solutions to the deteriorating living conditions of the Black population, growing unemployment and increasing trade union repression.

The past year is also marked by increased violence by the Government against workers and their organisations. The various restrictions imposed on the activities of trade unions, police harassments of strikers, massive detentions of trade union officials and their members, as well as bombing of trade union offices, has further impeded trade union activities and has aggravated gravely and reprehended the working and living conditions of Black workers. Hence, this is the crucial moment when they need our unreserved support and assistance.

We, the workers of Ethiopia, hail the courageous struggle of the workers and people of South Africa and Namibia to attain complete independence and freedom.

As we have repeatedly expressed and demonstrated by action on various occasions, the Ethiopian workers strongly support the just and courageous struggle of South African and Namibian people. The Ethiopian trade union has taken positive steps in this direction, as is indicated in our report to the Director-General of the ILO.

The Ethiopian trade union is not only sensitising public opinion and its members against apartheid but the members have pledged to give financial support to the liberation movements.

Allow me to commend the International Labour Organisation for the effective action taken against apartheid in the past year. The decision made to include an agenda item on the 75th Session of the International Labour Conference to update the Declaration concerning the Policy of Apartheid in South Africa and the convening of a Tripartite Conference on Action against Apartheid in Harare last May is highly appreciated and is a significant contribution of the ILO to its constituent Members to encourage the patriotic struggle of the people of South Africa and Namibia.

We urge the International Labour Organisation further to enhance its efforts to promote the united action of member States and to strengthen its activities of technical co-operation to assist the national

and trade union movements. The continuing efforts of the ILO to help abolish this blot against humanity must be applauded and more rigorous efforts must be made towards this direction.

The South African regime would have been more easily eliminated had the international community firmly decided to fight it and had some governments ceased to provide it with military, economic and political support.

We therefore call upon those governments which have direct or indirect economic relations with South Africa to take effective measures towards comprehensive mandatory sanctions, and strongly demand the racist Pretoria regime to end its barbaric atrocities against the indigenous population of South Africa and Namibia, to lift the repressive state of emergency and release political prisoners.

Allow me finally to commend the report of the Committee on Apartheid and request its unanimous adoption by the Conference.

Mr. TSAGAAN (*Workers' delegate, Mongolia*) – My delegation fully shares the concern of the majority of the participants at this Session about the situation prevailing in South Africa today, where the racist regime continues to ignore international public opinion and the relevant decisions of the United Nations and other international organisations, including the International Labour Organisation.

The racial discrimination against the majority of the population, restrictions and attacks on trade union movements, the illegal occupation of Namibia and acts of aggression against the neighbouring countries are flagrant violations of common recognised rules of international law and an open challenge to the international community.

Mongolian workers in trade unions support all the efforts of the international community to reinforce the action against apartheid. In this connection, we attach significant importance to the proposed Declaration concerning Action against Apartheid in South Africa and Namibia, as well as the Programme of Action against Apartheid, approved by the Tripartite Conference in Harare last May.

The elimination of apartheid is essential for the maintenance of lasting peace based on social justice in South Africa.

Mongolian trade unions and workers strongly condemn the economic and military assistance provided to the racist regime by certain western countries and by the transnational corporations.

Trade unions and other public organisations of my country are taking various measures to express solidarity and support the just struggle of the trade unions and peoples of South Africa.

Every year, meetings, public gatherings and exhibitions are held throughout the country to commemorate international days, such as the International Day of Solidarity with the Struggling People of South Africa, Human Rights Day, and the International Day of Trade Union Action for Peace. The mass media in our country give wide publicity or arrange special programmes devoted to unmasking the criminal policy of apartheid and shedding light on the international community's efforts to eradicate apartheid.

I would like to take this opportunity, on behalf of the working people in the trade unions of the Mongolian People's Republic, to express once again our

full solidarity with the heroic struggle of the people of South Africa and Front-line States against the aggression of the Pretoria regime.

We hope that the International Labour Organisation will make its contribution to the efforts of the international community to isolate the racist regime of South Africa.

We are in favour of the immediate imposition of comprehensive and mandatory sanctions against South Africa, in accordance with chapter VII of the United Nations Charter.

Interpretation from French: Mr. HUG (*Government delegate, Switzerland*) – The delegation of Switzerland does not wish to oppose, should this procedure be followed, an adoption without vote of the Declaration concerning Action against Apartheid in South Africa and Namibia. Nevertheless, I would like to state that the Declaration and the Programme of Action contains certain recommendations to which it is impossible for us to subscribe, which, moreover, are not within the field of competence of the ILO.

The text calls for very clear reservations on our part and if there were to be a vote we would have to oppose.

Having said this, I would like to recall and firmly to underline the fact that Switzerland has, for a long time now, condemned the policy of apartheid. Recent developments have only reawakened our concern and once again show us, if it is still necessary, that this policy can only prolong and aggravate the crisis in South Africa. It is not therefore tolerable. That is why I would like to state here that if we disagree as regards the means to be used, we nevertheless share the objective contained in the Declaration which is to bring an end to the regime of apartheid. Our policy wishes to be a policy which favours an approach stressing positive actions in favour of the disadvantaged classes of the South African population, and aid to the States of the region within the framework of the Southern African Development Co-ordination Conference. We would also like this policy to be one which encourages dialogue between the parties concerned – a dialogue whose urgency cannot be concealed. We therefore ask the Government of South Africa to give us, through the decisions it takes and by practical measures, reason to believe that our policy still has its *raison d'être*.

Mr. HEWITT (*Government adviser, United Kingdom*) – Many delegates here today are aware of the position my Government took last year on the report and resolution of the Conference's Committee on Apartheid. Our position has not changed. We reject many aspects, both of the Committee on Apartheid's report and the Declaration and Programme of Action against Apartheid attached to the Declaration. Many elements of the Committee's report and the attached documents exceed the mandate of the International Labour Organisation. Many of the measures recommended in the report would only serve to make the situation in South Africa worse and would do nothing to hasten the end of apartheid by peaceful means. Practical measures, not empty gestures, are needed.

We share the view of the international community that the system of apartheid that prevails in South Africa is totally abhorrent. We endorse fully the

views expressed by the European Community as set out in the statement made on behalf of the European Community earlier this afternoon.

Apartheid is a repulsive and detestable system and it must go. There has to be a fundamental change in South Africa, but it must come about through positive measures to improve the social and economic conditions for the Black workers in that country.

In this respect, the European Community's Code of Conduct to which the Twelve referred in their statement is an important instrument aimed at the abolition of discriminatory practices and of the apartheid system as a whole.

We reject the Committee's decision to include Namibia within the terms of the Declaration and the Programme of Action. The issue of independence for Namibia is a separate issue and requires a different response. Security Council resolution 435 is a cornerstone of the United Kingdom Government's policy on that question.

Given the lengthy debate which has already taken place both in the Committee on Apartheid and in this plenary session, we have no wish to delay matters further by calling for a vote today. I should like to emphasise, however, that our decision not to call for a vote should not and cannot be interpreted as a change of British policy on this critical issue.

Finally, in view of what I am saying, I would ask that this statement be recorded in full in the record of this meeting.

Interpretation from German: The PRESIDENT – I have no further speakers. The conference has had a thorough discussion of the report of the Committee on Apartheid. Can I assume therefore that the Conference adopts this report and the conclusions therein, the Declaration concerning Action against Apartheid in South Africa and Namibia and the Programme of Action against Apartheid by consensus, with the reservations expressed by certain delegates.

(The report is adopted.)

Interpretation from German: The PRESIDENT – I have a request for the floor from Mr. Yankey, Workers' delegate, Ghana, to make a statement on behalf of the Workers' group.

Mr. YANKEY (*Workers' delegate, Ghana*) – On behalf of the Workers' group, I would like to propose that the Conference send the following message to President Botha of South Africa:

The Conference of the ILO, at its 75th Session, sends this urgent appeal to you concerning the Sharpeville Six. On behalf of the governments, employers and workers of the world, we call for clemency to spare these six young lives. Such a measure could be a spark of hope at a time when hope is desperately needed. It cannot be in any one's interest to add to the tragedy and suffering of mankind by these executions, nor is there any possibility that clemency could be misinterpreted. We make this urgent appeal to you in the name of mankind.

This is a proposal from the Workers' group and is a message that we wish the Conference to adopt and deliver to President Botha of South Africa.

Interpretation from German: The PRESIDENT – Thank you, Mr. Yankey, for having presented this text to us on behalf of the Workers' group. May I take it that the Conference agrees with the text of the

telegram which has been read out to you? If there are no objections, therefore, the 75th Session of the International Labour Conference will send this message, signed by the Director-General, to President Botha.

(It is so decided).

Interpretation from German: The PRESIDENT – Before adjourning the Conference, I would like to thank Mr. Nkomo, Chairman of the Committee, Mr. Hernandez, Employers' Vice-Chairman, Mr. Mercier, Workers' Vice-Chairman, Mr. Vollebaek, Reporter, and all the members of the Committee for the very intensive work which they have done in preparing the report for today's sittings.

(The Conference adjourned at 7.30 p.m.)

Credentials

Third report of the Credentials Committee

Objections concerning the nomination of the Workers' delegation of Chile

1. The Committee had before it objections to the nomination of the Workers' delegation of Chile submitted by the International Confederation of Free Trade Unions (ICFTU), the World Federation of Trade Unions (WFTU) as well as by a group of organisations affiliated to the "Comando Nacional de los Trabajadores" (CNT) and by the President of the "Confederación Marítima de Chile" (COMACH).

2. The objecting organisations maintained that the Workers' delegation of Chile had not been nominated in conformity with the provisions of the ILO's Constitution. These arguments related, essentially, to the persistent absence of freedom of association in Chile and to the fact that the most representative workers' organisations in the country, which were the Comando Nacional de Trabajadores (CNT) and the Confederación Democrática de Trabajadores (CDT), had not been consulted. The organisations affiliated to the CNT stated that they had unanimously decided to reject the official delegation and the President of COMACH indicated that Mr. E. Madariaga, appointed as Workers' adviser of Chile, did not represent that organisation.

3. In a written communication to the Committee, Mr. Arthur Errázuriz, Under-Secretary of Labour and Government delegate of Chile to the Conference, reiterated the position taken by the Government in 1986, namely, that the objections should be declared irreceivable since the Conference had pronounced itself in 1985 on a similar proposal for invalidation, that the Committee had no competence in questions of freedom of association and that the nomination of the Workers' delegation had been made in strict conformity with the constitutional provisions of the ILO, since consultations were held with the 31 most representative workers' organisations of the country including the "Confederación de Trabajadores de Cobre" (CTC) and the "Confederación de Empleados Particulares de Chile" (CEPCH) as well as Mr. E. Ríos Arias, President of the CDT. The communication added that the CTC, the CEPCH and Mr. Ríos Arias had rejected the Government's invitation to propose candidates to represent the workers of Chile and that it should have been absurd in these circumstances to demand that Chile include in the delegation workers who had rejected the possibility of participating in it. In this

regard, the communication referred to the statement in a press report of the Secretary-General of the CNT to the effect that if an opposition figure was present at the Conference as a member of the Workers' delegation, it would amount to support of the Government and indicated that Mr. Elías Madariaga had been expelled from the CDT despite his opposition to the Government, for having accepted to be included in the Workers' delegation. Attached to the communication was a notarised certificate which set out the consultations which had taken place with the trade union organisations as well as copies of correspondence and press articles to which the Government communication referred.

4. The Committee also received a communication signed by the Workers' delegate of Chile and six of his advisers stating that while it was legitimate for any organisation to exercise its constitutional right to object to the credentials of an accredited delegation to the ILO Conference, it did not consider it acceptable for an objecting organisation, the WFTU, to employ offensive language with reference to the Workers' delegation of Chile. It added that the entities referred to by the WFTU as the most representative were de facto organisations which did not take advantage of the possibilities of association granted to them under national legislation because they did not want to reveal their limited representative character. On the contrary, the entire Workers' delegation of Chile were all highly representative leaders and enjoyed the majority support of their respective trade unions.

5. The Committee recalled that in 1986 it had considered that the objections contained new facts and allegations relating essentially to the manner in which the consultations had been held and had thus declared the objections receivable even though a proposal for invalidation had been rejected by the Conference in 1985 for lack of quorum. It pointed out that in 1986 and 1987, the reports of the Committee having been unanimous, the decisions contained therein were final and did not give rise to any decisions of the Conference which would make the objection irreceivable for subsequent years.

6. The Committee noted, as it did last year, that although consultations were directed at a series of organisations which, according to the Government, jointly were largely representative, the nomination of the persons included in the delegation had not been made with the agreement of the most representative organisations. The documentation supplied both by the objecting organisations and by the Government

indicated that the executive organs of the CNT and the CDT had ordered the leaders of their affiliated organisations not to take part in the Workers' delegation to the Conference. Such boycott by persons who were leaders both of legally constituted organisations such as the CTC and the CEPCH and of de facto organisations like the CNT and the CDT had already taken place in 1987. On that occasion, the Committee had reiterated the position it had taken in previous years that, given the unsatisfactory trade union situation in Chile, it was difficult for consultations to be held in an atmosphere of freedom which should ensure that the Constitution was respected in both letter and spirit.

7. The Committee considered the position adopted by the leaders of the CNT and the CDT understandable since these organisations were not recognised and consulted as such by the Government. In this connection, it recalled the constitutional obligation of the Government to respect the tripartite structure of the International Labour Conference and the constitutional provision requiring that the Workers' delegation be nominated in agreement with the most representative organisations. This constitutional provision was intended to allow these organisations to manifest themselves in the Conference with a voice, independent and separate from the Government and was particularly relevant in those cases in which the organisations maintained positions contrary to that of the Government in matters dealt with by the ILO, including freedom of association. In this respect, the Committee pointed out that to propose candidates as delegates of advisers to a delegation should not be considered as an act of adhesion to a Government but instead could allow the leaders of these organisations to be heard at the Conference.

8. Given the decision of the Conference in 1985 not to invalidate the credentials of the Workers' delegation of Chile, none of the members of the Committee suggested that invalidation should be proposed. However, the Committee expressed its concern at the gravity of the trade union situation in Chile as reflected in the 254th and 256th report of the Committee on Freedom of Association (Case No. 1309) and urged that the Government re-examine its consultation procedures with a view to ensuring that the nominations were made in agreement with the most representative workers' organisations.

Objection concerning the nomination of the Workers' delegation of Greece

9. The Committee had before it an objection to the nomination of the Workers' delegation of Greece contained in two telegrams dated 25 May and 10 June 1988 respectively, sent on behalf of 47 federations and trade union centres claiming to belong to the General Confederation of Labour (GSEE).

10. The objecting organisations stated that since 1985, when the Government had dissolved the GSEE executive and replaced it by an executive favourable to it, the representation of the Greek workers to the Conference by such executive was unacceptable. Through acts of interference in 1986 and 1987, the Government had frustrated all attempts to put an end to the existing irregular situation.

11. The Committee pointed out that in 1987 in examining a similar objection, it had noted that the objecting organisations had not included any data permitting the Committee to determine the representative character of the objecting organisations or to support their contention that the appointed Workers' delegation was not representative. The present communication, apart from certain allegations relating to freedom of association which fell within the competence of other ILO organs, contained no data either which would allow an assessment of the representative character of the objecting organisations.

12. In these circumstances, the Committee decided, as it did last year, not to accept the objection and again reminded Governments of the need to seek to consult all representative workers' organisations with a view to securing the widest possible agreement on the composition of the Workers' delegation to the Conference.

Objection concerning the nomination of the Workers' delegation of Nicaragua

13. The Committee had before it an objection to the Workers' delegation of Nicaragua from the "Confederación de Unificación Sindical" (CUS), the "Central de Acción y Unidad Sindical" (CAUS), the "Confederación General del Trabajo" (CGT independiente), the "Central de Trabajadores de Nicaragua" (CTN autónoma), organisations affiliated to the "Congreso Permanente de los Trabajadores" (CPT), supported by the World Confederation of Labour (WCL).

14. The objecting organisations maintained that the Government unilaterally appointed a workers' representative without consulting the CPT as required under article 3, paragraph 5, of the ILO's Constitution and that the official trade unions in Nicaragua did not defend or represent the workers but rather took part in repressive actions against the independent trade union movements. In a telegram subsequently received, the Secretaries-General of the "CGT independiente" and the CAUS stated that they were prevented from attending the Conference due to the unnecessary delays in the obtention of a passport.

15. The Committee noted that the objection of the CPT did not contain any data on the representative character of the four organisations comprising it in support of its statement that it should have been consulted with respect to the nomination of the workers' delegation of Nicaragua. On the other hand, and without examining other questions which fell within the competence of other ILO organs, the Committee had no information tending to prove that the organisations to which the Workers' delegate and the advisers belonged had lost the representative character which they had in the past years. The Committee decided therefore not to accept the objection but expressed the hope that the nomination of the Workers' delegation would be made with agreement of all the most representative organisations of Nicaragua.

Objection concerning the nomination of the Workers' delegate of the Philippines

16. The Committee had before it an objection from the Labor Advisory Consultative Council

(LACC) to the nomination of Mr. Ernesto F. Herrera as titular Workers' delegate of the Philippines. The objection was signed by Mr. Gregorio del Prado, as Chairman of the LACC for the month of May, 1988 and by Mr. Roberto T. Ortaliz, Council Member of the LACC.

17. The authors of the objection stated that the LACC was composed of four major labour centres, the Kilusang Mayo Uno Labor Center (KMU), the Federation of Free Workers (FFW-WCL), the Philippines Affiliates of the World Federation of Trade Unions (WFTU) and the Lakas Manggagawa Labor Center (LMLC), and was the most representative workers' organisation of the Philippines at the 73rd and 74th (Maritime) Sessions of the Conference. For the present session of the Conference, the LACC has proposed Mr. Crispin Beltran, President of the KMU, as the Workers' delegate of the Philippines. That proposal had not been accepted by the Government which nominated as Workers' delegate, Senator F. Herrera, Secretary-General of the Trade Union Congress of the Philippines (TUCP). Mr. Herrera was a member of the Senate of the Philippines, his work was mainly in the legislative branch and he did not represent the workers. This nomination having been made without consulting and without the agreement of the LACC, was not in compliance with article 3, paragraph 5, of the ILO Constitution.

18. In a written communication to the Committee, Mr. Franklin M. Drilon, Secretary of Labor and Employment of the Philippines, described the consultation process which had been carried out prior to the nomination of Mr. Herrera as Workers' delegate. In particular, Mr. Drilon had himself met with the leaders of the LACC on 17 May to discuss their recommendations. The claim by LACC to be the most representative workers' organisation was not supported by any verifiable records held by the Government. Moreover, the LACC was not a duly registered labour centre. While the Government has attempted in 1987 to update union membership figures, it had not been able to complete the exercise due to the failure of the labour federations to provide sufficient data.

19. The communication also indicated that Mr. Herrera, Secretary-General of the TUCP, was a true representative of the Philippine workers, notwithstanding his membership of the Senate; Senator Herrera was an elected parliamentarian and not a representative of the administration. The communication concluded by stating that four representatives of the objecting organisation were advisers to the Workers' delegation of the Philippines. One of them, Mr. del Prado, on the same day that he signed the objection as Chairman of the LACC for May, wrote separately as Chairman of the LMLC to Mr. Herrera accepting with deepest gratitude to be an adviser in the delegation headed by him.

20. In an oral statement before the Committee, Mrs. M. N. Confesor and Mrs. V. S. Bataclan, Government advisers to the Philippines delegation, reiterated that the consultation process with the LACC and the TUCP had taken place in the normal way. The Government had nominated four persons from each of the two organisations, with Mr. Herrera as delegate. There was no way of verifying which of the

two organisations was more representative since the Government's attempts in 1987 to carry out a membership audit had failed through lack of returns from the unions. While the TUCP was a registered workers' organisation, made up of various federations, the LACC, which was more of a consultative body of federations and independent unions, was unregistered. Moreover, the dynamics of workers' organisations in the Philippines were such that in 1987 and 1988 developments and changes were taking place very quickly and it was not always easy to keep abreast of them. The KMU, the section of LACC from whom the objection came, was consulted as one of the constituents of LACC about the composition of the Philippine Workers' delegation and in fact one of its members, Mr. Malonzo, was included in the delegation. It was true, however, that the leading candidate of LACC, also a member of KMU, Mr. Beltran, had not been offered a place in the Workers' delegation.

21. In oral statements before the Committee, three representatives of the objecting organisation, Mr. Beltran, Mr. Arellano and Mr. de la Cruz, claimed the LACC was indeed the most representative workers' organisation in the Philippines, covering some 75-80% of organised labour. Mr. Beltran, proposed as Workers' delegate by the LACC, had not even been appointed as an adviser. Moreover, the fact that the Workers' delegate was a Senator effectively made the Philippines delegation a bipartite rather than a tripartite one.

22. In reply to questions from the Committee, the representatives of the objecting organisation indicated that the letter of 27 May from Mr. del Prado, one of the signatories of the objection, expressing pleasure at being appointed an adviser to Mr. Herrera, had to be seen simply as a personal letter written in his capacity as head of the LMLC. The fact that LACC was not a registered organisation was not important since the obligation to register applied only to individual unions and federations. In fact, TUCP's registration was not a formal registration in this sense but rather a notice of its existence. Moreover, some years ago TUCP had been a part of LACC but that neither the LACC nor the TUCP had the right to engage in collective bargaining. In their opinion no real consultations had taken place and the nomination had ignored the terms of a "gentlemen's agreement" between the various parties which had been in existence for the last two years.

23. The Committee noted that the absence of membership data did not permit it to take a position on which organisation was the most representative and that this absence was partly due to the fact that these organisations did not co-operate sufficiently with the labour administration on the matter. In 1986, in the absence of such data, the Committee had not been able to conclude that the objecting organisation (TUCP) which had nominated the titular delegate in the previous years had lost its representative character. This year, for the same reasons, the Committee was not able to conclude either that the LACC had lost the representative character it had in 1986 and 1987. The Committee noted, however, that the Government had conducted consultations and had nominated four persons from the LACC as advisers although, surprisingly, it had not included in

the delegation Mr. Beltran who had been the leading candidate of the LACC.

24. In these circumstances, the Committee decided not to uphold the objection. At the same time, it expressed the hope that, in the future, the Government would provide data which would permit it to assess the representative character of the workers' organisations.

Late objection

25. The Committee received on 10 June 1988 a telegram from Mr. Orangzaib Durrani, President of an organisation whose name was illegible, objecting to the credentials of Mr. Rehmatullah Chaudhry, Workers' adviser of Pakistan.

26. As the name of the Workers' adviser appeared in the list of delegations published on 1 June 1988,

this objection was lodged after the expiry of the time limit of 72 hours prescribed in article 26, paragraph 4(a), of the Standing Orders of the Conference and, as such, was not receivable.

27. The Credentials Committee submits the present report to the Conference in order that the Conference may take note of it.

Geneva, 16 June 1988

(Signed) T. NAKAMURA,
Chairman

E. HOFF

J. SVENNINGSEN

CORRIGENDUM

Provisional Record No. 24

Page 24/8, second column, fourth line: for "may be needed" read "may not be needed".

Page 24/15, first column: the first sentence should read "We should like to point out that the contributions paid also comprise funds for financing the ILO's activities in favour of enterprises."

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Fifth Item on the Agenda: Employment Promotion and Social Security

Report of the Committee on Employment and Social Security

1. The Committee on Employment and Social Security was set up by the International Labour Conference at its third sitting on 2 June 1988. It was originally composed of 184 members (71 Government members, 52 Employers' members and 61 Workers' members). To achieve equality of voting strength, each Government member was allotted 3,172 votes, each Employers' member 4,331 votes and each Workers' member 3,692 votes. The composition of the Committee was subsequently modified seven... times¹ during the session and the number of votes attributed to each member was adjusted accordingly.

2. The Committee elected the following Officers:

Chairman: Mr. van den Berg (Government member, Netherlands);

Vice-Chairmen: Mr. Rey (Employers' member, Mauritius) and Mr. Seidman (Workers' member, United States);

Reporter: Mr. Schneuwly (Government member, Switzerland).

The representatives of the Secretary-General were Mr. Tamburi and Mr. Perrin.

3. The Committee set up a Drafting Committee composed of Mr. Fontaine (Government member, Canada), Mr. Burge (Employers' member, United States) and Mr. Lambert (Workers' member, France). It was further agreed that the members of the Drafting Committee would be accompanied by Mrs. Samuel (Government member, Cyprus), Mr. van Holm (Employers' member, Belgium) and Mr. Seidman (Workers' member, United States).

4. The Committee had before it two reports: Report V(1) and V(2A) and (2B), prepared by the International Labour Office and entitled *Employ-*

ment promotion and social security. The proposed Convention and proposed Recommendation submitted by the Office were contained in Report V(2B).

5. The Committee held 16 sittings.

General discussion

6. A representative of the Secretary-General noted that the proposed texts in Report V(2B) were based both on the replies received from governments summarised in Report V(2A) and on the discussions of the informal tripartite Working Party which met in November 1987, in accordance with the suggestion made by the Government member of Malta during the first discussion.

7. The Employers' members underlined the progress achieved since the previous year but stated that many problems still existed. They particularly recalled their strong desire for a Recommendation rather than a Convention. It was indispensable that the texts adopted reflected all necessary flexibility in accordance with article 19, paragraph 3, of the Constitution. In this respect existing international standards contained numerous precedents. The proposed texts, in particular Articles 5 and 11, already constituted an improvement in relation to those adopted last year, but Part VII which concerned new applicants for employment still appeared to be too ambitious.

8. The Workers' members recalled that according to the Director-General's Report "the realisation of the right to social security necessarily involves the progressive development of protection in accordance with available resources." Account should be taken in particular of different degrees of development without adopting double standards. Progress had been accomplished in this respect since the first discussion. It was hoped that the work of the Committee would result in a Convention and a Recommendation acceptable to the three groups.

9. The Government member of India stated that the insufficient resources of the developing countries did not enable them to finance employment promotion and unemployment benefits at the same time. In India there were social security schemes, but their scope was still limited and priority was given to employment promotion. The proposed Convention was too ambitious an objective for India and for developing countries in general. Rather than adopting a Convention, which might exclude developing countries, it would be preferable to adopt only a Recommendation.

¹ The modifications were as follows:

- (a) 3 June: 194 members (72 Government members with 3,685 votes each; 55 Employers' members with 4,824 votes each; and 67 Workers' members with 3,960 votes each);
- (b) 6 June: 178 members (74 Government members with 675 votes each; 54 Employers' members with 925 votes each; and 50 Workers' members with 999 votes each);
- (c) 7 June: 176 members (74 Government members with 216 votes each; 54 Employers' members with 296 votes each; and 48 Workers' members with 333 votes each);
- (d) 8 June: 167 members (75 Government members with 2,107 votes each; 49 Employers' members with 3,225 votes each; and 43 Workers' members with 3,675 votes each);
- (e) 10 June: 160 members (76 Government members with 36 votes each; 48 Employers' members with 57 votes each; and 36 Workers' members with 76 votes each);
- (f) 13 June: 157 members (76 Government members with 799 votes each; 47 Employers' members with 1,292 votes each; and 34 Workers' members with 1,786 votes each);
- (g) 15 June: 174 members (76 Government members with 184 votes each; 46 Employers' members with 304 votes each; and 32 Workers' members with 437 votes each).

10. The Government member of Brazil emphasised that Brazil was a country of contrasts, characterised by regional imbalances. The two objectives of employment promotion and unemployment protection should be compatible. Brazil's experience with unemployment benefits was very recent, as its legislation, which was at present undergoing revision, was only two years old. It was important to adopt a Convention supplemented by a Recommendation, subject to a re-examination of the levels established in the proposed Convention.

11. The Government member of the USSR felt that the proposed texts were acceptable. The setting up of the Working Party had been justified. The part of the proposed Convention concerning the promotion of productive and freely chosen employment was welcome. In the USSR a Decree on employment, adopted in January 1988, provided in particular for retraining to enable workers to adapt their skills to technological changes and thus avoid unemployment. It also allowed workers who have been laid off or who have refused a job offered in their undertaking to request the assistance of an employment service or to set up their own employment. In addition, undertakings were required to announce envisaged lay-offs to this service and to indicate the characteristics of the jobs concerned. New applicants for employment (the subject of Part VII) should not be excluded from the proposed Convention and the obligation of governments to provide medical care to the unemployed should be specified more clearly.

12. The Government member of the United States believed that the new instruments should reflect current economic realities, namely, diminished economic growth, high levels of unemployment, in particular long-term unemployment, and strains on national financial resources. It was important to adopt a Convention and Recommendation based on sound general principles which recognised differing national circumstances, including those of economically developed countries, respected the necessity of a balance between employment promotion and unemployment protection, and took account of the great diversity of possible approaches. It was necessary, in particular, to make a distinction between contributory unemployment insurance schemes and non-contributory unemployment assistance schemes. In the United States 16 million jobs had been created in the past 65 months, unemployment had dropped to 5.4 per cent and policies intended to foster growth and to lower inflation had succeeded. However, there were still a substantial number of long-term unemployed workers, some geographic areas of high unemployment and a high budget deficit, and there was continuing concern about productivity and the competitiveness of the economy.

13. The Government member of Turkey expressed the firm hope that the texts of the proposed Convention and Recommendation would lead to the adoption of satisfactory instruments which responded to modern requirements. In Turkey, since the end of 1987, the Government had adopted several essential projects. The management of the employment organisation was to become tripartite, and special measures for training and retraining as well as appropriate facilities for the elderly, the disabled and

women were to be provided. Courses for the entry into working life of youth were to be organised, more detailed information was to be supplied to a wider public with the use of modern information systems and part-time work was to be encouraged.

14. The Government member of Cyprus considered that the proposed texts were sufficiently flexible. Whilst there was still room for some more flexibility, care should be taken to avoid weakening the texts in the effort to make them even more flexible. The objective should be to adopt a Convention supplemented by a Recommendation which guaranteed genuine protection for the persons concerned.

15. The Government member of Japan felt that the texts of the instruments should be very flexible in order for them to be widely accepted and to take account of a diversity of employment situations, financial possibilities and the labour market. The content of the instruments should reflect their title as closely as possible. In Japan benefits were accorded with a view to guaranteeing an adequate standard of living for the unemployed while at the same time maintaining their possibilities of securing a new job.

16. The Government member of China stressed the need to revise the Unemployment Provision Convention, 1934 (No. 44), taking into consideration current realities, through the adoption of a revised Convention supplemented by a Recommendation. The creation of jobs and unemployment insurance were linked. In China, the provision of unemployment benefits was an incentive for the unemployed to register as applicants for employment.

17. The Government member of Canada was in favour of the proposed texts of the Convention and Recommendation. However, the Convention should be centred more on general principles and be sufficiently flexible to obtain a greater number of ratifications than Convention No. 44. Clear distinctions had to be established between different methods of protection.

18. The Government member of Australia expressed satisfaction that the proposed texts did not exclusively reflect a European model. An appropriate flexibility clause should nevertheless be introduced for the developed countries which were facing difficulties on certain particular points, but in which the system surpassed the requirements of the proposed texts on a number of points.

19. The Government member of Bulgaria emphasised that in this anniversary year of the adoption of international instruments on human rights, the Committee's responsibility to link the promotion of the right to work and the right to social protection was even greater. The proposed texts were satisfactory. Nevertheless, the provisions related to the promotion of productive employment should take account of the possibilities offered by co-operative forms of the organisation of production, especially in the Article on the scope of persons protected by the proposed Convention and in the light of the Occupational Health Services Convention, 1985 (No. 161). Concerning new applicants for employment, special priority should be given to those facing the greatest

difficulty in finding employment either because they had never worked or because they lacked skills. The socialist countries of Eastern Europe, while conscious of existing difficulties, supported the adoption of a Convention supplemented by a Recommendation which, in any case, was a desirable objective.

20. The Government member of Malta expressed satisfaction with the work accomplished by the tripartite Working Party.

21. The Government member of Tunisia stated that his Government encouraged undertakings to create jobs by allowing them exemptions from contributions. Early retirement was encouraged and assistance was provided to the unemployed. The proposed texts, however, established objectives difficult to attain. A Recommendation would be preferable.

22. The Government member of Kenya favoured the adoption of a Recommendation.

Consideration of the proposed Convention in Report V(2B)

PREAMBLE

23. The Workers' members submitted an amendment (D.6) to include in the fourth preambular paragraph the Labour Administration Convention, 1978, as the proposed Convention also contained provisions of an administrative nature. This amendment was adopted by consensus.

24. The Employers' members submitted an amendment (D.39) to modify the text of the eighth preambular paragraph. This amendment led to a number of subamendments from the Workers' members. Their proposal to replace the words "non-inflationary" by the words "in real terms", which were in the initial text, was withdrawn as the wording of the Employers' amendment corresponded to the terminology used in the report of the High-Level Meeting on Employment and Structural Adjustment referred to on page 36 of Part I of the Report of the Director-General. The Employers' members supported, on the other hand, the proposal of the Workers' members to insert the words "and freely chosen" between "all forms of productive" and "employment". They also accepted the Workers' members' proposal to replace the words "developmental activities" by "activities which promote employment". In addition, the Employers' members supported the Workers' members' proposal to delete the adjective "transitional" with respect to "employment assistance", given that in the proposed Convention it was the benefits which were of a transitional character. Finally, the Employers' members supported the proposal of the Workers' members to delete the word "genuinely" with respect to the involuntary nature of the causes of unemployment at the end of this preambular paragraph, as this was implicit in the definition of the contingencies covered in Article 10, and in the case of refusal of benefits in Article 20. The Employers' members' amendment, as subamended, was adopted by consensus.

25. The Preamble, as amended, was adopted.

PART I. GENERAL PROVISIONS

Article 1¹

26. The Government member of Turkey submitted a drafting amendment (D.13) to add the definitions of "full unemployment" and "partial unemployment" which were contained in the provisions of proposal Article 10. The Committee decided however that it was not appropriate to amend Article 1 as there were other cases where certain terms were defined in the body of the proposed Convention. The amendment was rejected.

27. Article 1 was adopted without change.

Article 2

28. An amendment submitted by the Employers' members concerning only the Spanish text was referred to the Drafting Committee.

29. The Committee then decided to give priority to the examination of an amendment submitted by the Government members of Denmark, France, Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Spain and the United Kingdom (States Members of the European Community) to replace Article 2 by another text in which the term "social security system" was replaced by "system of protection against unemployment". They noted that this change corresponded to the title of the proposed Convention. The Government member of the Federal Republic of Germany specified that the expression "full employment" corresponded to a general economic situation and not to full-time employment. The amendment was adopted by consensus.

30. A discussion followed on the possibility of examining an amendment (D.42) submitted by the Government member of Hungary, in view of the priority which had been given to amendment (D.1) deemed to be of a more far-reaching character. The Legal Adviser specified in this respect that the exclusion of this amendment (D.42) could only be on the basis of its wording or of the conditions of this adoption. As the Committee had not specified the conditions under which it had given priority to amendment (D.1), the Committee should vote on its decision. A representative of the Secretary-General noted that the first part of the amendment of the Government member of Hungary connected the two sentences in Article 2 by the word "and", replacing the words "to this end, it shall seek", in order to make a single sentence. This was of a purely formal nature. This first part of the amendment was rejected by 64,557 votes in favour, 74,211 against, with 6,264 abstentions. The second part of the amendment aimed at replacing the words "methods of providing unemployment benefit" by "conditions of providing unemployment benefit". The Government member of Austria noted that in the German translation there was a third expression which corresponded to the French term *mesures* which had been used. After the discussion on the significance of this amendment and on the possibility of using jointly the words "condi-

¹ The numbering of the Articles reproduces that of the proposed Convention in Report V (2B). It does not necessarily correspond in every case to the numbering of the Articles in the proposed Convention reproduced at the end of the Committee's report, which is based on the decisions of the Committee and, in some cases, of the Drafting Committee.

tions and methods" or "conditions or methods", it was agreed to leave the text unchanged. The amendment was thus rejected.

31. Article 2, as amended, was adopted.

Article 3

32. Article 3 was adopted without change.

Article 4

33. An amendment (D.43) was submitted by the Government member of Hungary, first to insert the word "temporarily" in paragraph 1 in order to limit the possibility of excluding Part VII, and second, to delete paragraph 2. The Employers' members were against this amendment, pointing out that the Office text was more flexible. The Workers' members stated that they would abstain on this amendment, although they were in favour of its substance, as they did not wish to see its adoption jeopardise that of the proposed Convention. The amendment was withdrawn.

34. Article 4 was adopted without change.

Article 5

35. The Government member of the United States submitted an amendment (D.17) to delete the phrase "Where it is justified by the level of development" as there were reasons other than the degree of development which would justify recourse to the exceptions provided for under this Article. The Employers' members supported this amendment, which would eliminate the problems of determining the level of development and of supervising the use of this provision. A representative of the Secretary-General pointed out that the Committee of Experts on the Application of Conventions and Recommendations would only be called upon to decide on the recourse had to such a clause when it examined the first report of the government concerned. The Government member of Cyprus supported the amendment, pointing out that all States might have difficulties in applying one or two provisions of the Convention and consequently would have an interest in availing themselves of such a flexibility clause. The Workers' members were against the amendment, pointing out that it would leave the door open to a general lowering of the level of protection provided for under the proposed Convention. They recalled the precedent set by Convention No. 102, adopted in 1952, Article 3 of which authorised certain exceptions for Members "whose economy and medical facilities are insufficiently developed". The Government member of Finland was also against the amendment. The Government member of Sweden and the Workers' member pointed out that the flexibility which certain industrialised countries might need did not call for genuine exceptions but rather an equivalence clause allowing less advantageous provisions on certain points than those provided for under the proposed Convention, balanced by a higher level of protection guaranteed on other points such as those provided for in amendments (D.54) and (D.82) submitted by the Government of Australia, aimed at inserting new Articles 23 bis and 24 bis. As the amendments of the Government of Australia had a bearing only on certain particular points, the Com-

mittee decided to refer to a Working Party the examination of the question of flexibility clauses in amendments (D.17), (D.54) and (D.82), as well as in another amendment (D.7) to Article 5 submitted by the Workers' members. In addition, the Government member of Italy pointed out that the examination of this amendment should be deferred until amendment (D.79) was examined. He had submitted this amendment as Article 28 bis in order to introduce a new flexibility clause, but it had not yet been distributed when the Working Party was set up.

36. The text of Article 5 as prepared by the Working Party was as follows:

"1. Each Member may avail itself, by a declaration accompanying its ratification, of at most two of the temporary exceptions provided for in Article 10, paragraph 3, Article 11, paragraph 3, Article 15, paragraph 2, Article 18, paragraph 2, Article 19, paragraph 4, [Article 22 bis, paragraph 2, Article 22 ter, paragraph 2,] and Article 23, paragraph 2. Such a declaration shall state the reasons which justify these exceptions.

2. Each Member where it is justified by the extent of protection of its social security system, may avail itself, by a declaration accompanying its ratification, of the temporary exceptions provided for in Article 10, paragraph 3, Article 11, paragraph 3, Article 15, paragraph 2, Article 18, paragraph 2, Article 19, paragraph 4, [Article 22 bis, paragraph 2, Article 22 ter, paragraph 2,] and Article 23, paragraph 2. Such a declaration shall state the reasons which justify these exceptions.

3. Each Member which has made a declaration under paragraph 1 or paragraph 2 shall include in its reports (followed by the text proposed by the Office in paragraph 2, without change).

4. Each Member which has made a declaration under paragraph 1 or paragraph 2 shall, as appropriate to the terms of such declaration and as circumstances permit (followed by the text proposed by the Office in paragraph 3, without change)."

37. The Workers' members, while recalling that they favoured making the provisions of the proposed Convention flexible, wondered what was meant by the expression "Each Member where it is justified by the extent of protection of its social security system" in paragraph 2, and how it could be verified. In addition, they regretted that the balance between the more favourable provisions than those provided by the proposed Convention and the exceptions to it which characterised the amendment of the Government member of Australia, had been lost sight of, since the exceptions which would be authorised for each Member in accordance with paragraph 1 would constitute a regression for the industrialised countries with respect to Convention No. 102. On the first point, the Chairman and a representative of the Secretary-General, confirming the interpretation of the Workers' members, indicated that the "extent of protection" of a social security system referred to several criteria such as the scope of persons protected and the level of protection, as well as the branches of social security covered. The Chairman explained that in accordance with the intent of the Working Party, and as understood by the representatives of the Governments of Australia and the United States, this flexibility clause was not meant for industrialised countries. A representative of the Secretary-General explained that it was the role of the Office, upon registration of a ratification and of the declaration that might accompany it, to verify in the light of the details given in the Report of this Committee, whether the condition under which recourse to paragraph 2 depends is fulfilled. The Government members of Australia, Sweden and the United States expressed their support for the text proposed by the Working Party. The Government member of Italy,

while accepting the proposal of the Working Party, was not entirely satisfied.

38. On the basis of a proposal made by the Government member of Cyprus, who was also in favour of this text, it was agreed to redraft the beginning of paragraph 2 as follows, in order to highlight the relationship between the two first paragraphs: "Notwithstanding the provisions of the preceding paragraph, each Member, etc."

39. While supporting the solution in paragraph 1 which enabled even the industrialised countries to avail themselves of exceptions, the Workers' members, although they would have preferred a more balanced solution, submitted a subamendment to replace the words "of at most two of the temporary exceptions" by "of one of the temporary exceptions". They wanted to limit the extent of the regression represented by this text. The Government members of Finland, Hungary, Norway and Sweden were in favour of this amendment. The Government members of the Federal Republic of Germany and the United States were, on the contrary, opposed as was the Government member of Switzerland, who pointed out the temporary nature of such exceptions and the variety of reasons by which they could be justified. The Government members of Australia and Cyprus, as well as the Workers' members, proposed to defer a decision until an examination had been made on whether or not Articles 22*bis* and 22*ter* would be maintained, as this might have an influence on the number of exceptions authorised. The Employers' members emphasised that, irrespective of the decision on Articles 22*bis* and 22*ter*, the exceptions envisaged were of a temporary nature. Following a first vote by show of hands, the subamendment of the Workers' members, which received 18,792 votes in favour, 0 votes against, with 21,392 abstentions, was rejected, the number of votes needed for a quorum, 19,181, not having been achieved. This result was confirmed following a record vote resulting in 19,008 votes in favour, 0 against, with 19,560 abstentions, the quorum again not having been achieved.

40. An amendment (D.41) introduced by the Employers' members, which concerned only the Spanish text, was referred to the Drafting Committee.

41. The text of Article 5 submitted by the Working Party was adopted as subamended.

Article 6

42. Four amendments were submitted on this Article, including three concerning paragraph 1. First, an amendment (D.30) was proposed by the Government members of Denmark, Finland, Norway and Sweden, to refer to those cases of non-discrimination provided for under Convention No. 111, thereby deleting a reference to age; second, an amendment (D.48) was submitted by the Government members of Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom (States Members of the European Community) to add "ethnic origin"; third, an amendment (D.27) was submitted by the Government member of Australia, the first part of which was to delete the reference to age. Two of the four

amendments related to paragraph 2: amendment D.27 and an amendment (D.50) submitted by the Government members of Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom (States Members of the European Community). The Government member of Finland, speaking on behalf of the Governments of the Nordic countries, pointed out that certain schemes did not provide coverage for workers who were over pensionable age. In addition, the Government member of Australia explained that, for those schemes where benefits were not proportionate to earnings, flat-rate benefits could be lower for young people than for adult workers, in order not to exceed the level of their earnings. These situations were not covered under paragraph 2 of the proposed text which is confined to allowing positive discrimination. The Employers' members and the Workers' members were opposed to deleting the mention of age in paragraph 1 and believed that paragraph 2 should be modified with a view to covering the situations mentioned by the Government members of Australia and of the Nordic countries. The Government member of Australia submitted a subamendment to amendment D.50, to refer to "special measures which are justified by the circumstances of identified groups or designed to meet the specific needs of categories of persons who have particular problems". This subamendment was supported by the Employers' members and the Workers' members. However, the latter noted that the circumstances of young people, mentioned by the Government member of Australia, could be covered under Part VII concerning new applicants for employment. The Government member of Australia pointed out that this was not necessarily the case. The Employers' members proposed in addition to mention health in paragraph 1. The Government member of the United States preferred a reference to disability. A combined text (D.135) prepared by a Working Party on the basis of these amendments, as subamended, was adopted unanimously, subject to replacing "state of health" by "disability" in paragraph 1 and to inserting the words "in particular disadvantaged groups" in paragraph 2.

43. Article 6, as amended, was adopted.

PART II. PROMOTION OF PRODUCTIVE EMPLOYMENT

Article 7

44. An amendment (D.8) submitted by the Workers' members specifying, by inserting a sentence taken from paragraph 2 of the proposed Recommendation, that the measures to be established should include employment services, vocational training and vocational guidance, was supported by the Employers' members and adopted by consensus.

45. Article 7, as amended, was adopted.

Article 8

46. An amendment (D.26) to include a reference to national priorities in paragraph 1, submitted by the Government member of Cyprus, was withdrawn.

47. Article 8 was adopted without change.

Article 9

48. An amendment (D.49) submitted by the Government members of Denmark, France, the Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom (States Members of the European Community) to limit the scope of this Article relative to the Convention and Recommendations which were cited to "previous national commitments", so as to avoid an indirect obligation to conform to these instruments on the part of Members who had not ratified them. The Government member of Cyprus and the Workers' members pointed out that this was not the intention of Article 9, which only established guidelines by referring Members to these instruments. As a result, the Employers' members opposed this amendment. A representative of the Secretary-General pointed out that two of the three instruments were in fact Recommendations which, in any event, were not binding. The amendment was withdrawn.

49. Article 9 was adopted without change.

PART III: CONTINGENCIES COVERED

Article 10

50. An amendment (D.25) submitted by the Government members of Denmark, Finland, Norway and Sweden to delete, so as to avoid overloading the text, the words "with due regard to the provisions of Article 21, paragraph 2" which referred to "suitable employment", was withdrawn following objections from the Workers' members.

51. An amendment (D.28) submitted by the Government member of Australia to transfer paragraph 2 to the proposed Recommendation was withdrawn.

52. In reply to a question from the Government member of Japan, a representative of the Secretary-General noted that nothing in the proposed text created a bar, in the event of partial unemployment as defined in paragraph 2, to reimbursing the employer for providing benefits directly to unemployed persons.

53. The Workers' members submitted an amendment (D.9) to include in paragraph 2(b) not only the suspension but also the reduction of earnings so as to encompass all contingencies. In reply to the objection raised by the Employers' members, the Workers' members assured them that there would be no risk of double payment of benefits where earnings were only reduced. The amendment was adopted by 221,235 votes in favour, 160,162 against, with 31,605 abstentions.

54. An amendment (D.46) submitted by the Workers' members to replace in the French version the expression *mise à pied*, which they believed had a purely disciplinary connotation, by *chômage technique*, was referred to the Drafting Committee.

55. The Workers' members submitted an amendment (D.47) to add a new subparagraph to paragraph 2 referring to the suspension of earnings due to "intermittent employment". In response to questions concerning the definition of this expression, the workers' members stated that it referred to discontinuous work while maintaining a continuous employ-

ment relationship. They accepted a subamendment proposed by the Government member of Australia to use the term "irregular", for a situation which certain workers might be forced to accept. The Government members of Finland and Norway supported this amendment and emphasised that the situation in the fishing industry would be encompassed. On the other hand, the Government members of Australia, Cyprus, France, the Federal Republic of Germany and Tunisia raised objections to this proposal as it corresponded to a wide diversity of situations including that of seasonal workers. The amendment, as subamended by the Government member of Australia, was rejected by 185,416 votes in favour, 200,165 votes against, with 27,391 abstentions.

56. An amendment (D.32) was submitted by the Government member of Canada to insert between paragraphs 2 and 3 a new paragraph, dealing with the case of unemployed persons who accepted part-time employment while continuing to seek full-time employment. This was to facilitate getting the unemployed to return to work. This amendment was supported by the Government members of Hungary, Norway and the United States, as well as by the Workers' members. It was, on the other hand, opposed by the Government members of Austria, Cyprus, the Federal Republic of Germany (speaking on behalf of the Government members of the European Community), Italy, Japan and the Employers' members. The Government member of Austria stressed that such a provision could lead to full-time work being replaced by part-time jobs. The Government member of Austria and the Employers' members stressed that this provision would be better placed in the proposed Recommendation, where it was already covered in Paragraph 10. The Government member of Canada stated that, in his country's experience, this solution aimed at promoting employment had not given rise to abuse. In reply to a request for clarification from the Government member of Australia, he pointed out that the second sentence was not intended to subordinate benefits to a means test, but instead to establish a maximum limit on the total earnings from new part-time employment and unemployment benefits. He accepted a subamendment from the Government member of Australia indicating that the methods of providing benefit should be such as to maintain an incentive to take up full-time work. Amendment (D.32) as subamended was adopted by 185,416 votes in favour, 14,749 against, with 214,914 abstentions.

57. Article 10, as amended, was adopted.

PART IV. PERSONS PROTECTED

Article 11

58. The Workers' members had submitted an amendment (D.10) to paragraph 1 to add specific mention of "the unemployed who have previously been employed who are seeking employment" to the denominator of the fractional percentage used to determine the minimum scope of persons protected of the proposed Convention. They recalled that in the text submitted by the Office the previous year for the first discussion, the required percentage referred to the "labour force", which was an expression

found inappropriate but which included in particular the unemployed. Their intention was to find more appropriate language without reducing the scope of the proposed Convention, which unfortunately was the effect of the text proposed for the second reading. The amendment was designed to eliminate this disadvantage. A representative of the Secretary-General explained that the proposed text did not include the unemployed in the denominator of the fraction any more than did Convention No. 102. It was important not to confuse the percentage of unemployed persons in receipt of unemployment benefits with the percentage of employees covered by an unemployment benefit scheme and exposed to the risk of unemployment, this latter percentage excluding, by definition, the unemployed. As several Government members, as well as the Employers' members, were in favour of retaining the text proposed by the Office, the amendment was withdrawn.

59. The Government member of Hungary submitted an amendment (D.45) to delete paragraph 2. He believed that if public employees became unemployed they would find themselves in an unfavourable situation, despite the employment guarantees from which they benefited. The amendment was rejected by 179,634 votes in favour, 220,696 against, with 0 abstentions.

60. The Workers' members submitted an amendment (D.11) to specify at the end of paragraph 2 that public employees whose employment was guaranteed could only be excluded from protection during the period of their employment. Their intention was to allow for periods of employment in the public service to be taken into consideration with respect to the qualifying period required for the entitlement to benefits in the case of unemployment occurring after the individuals concerned had left the public service, and had become employees. The Government members of the States Members of the European Community and the Government member of Cyprus stated that this amendment did not add anything of substance, which was also the view of a representative of the Secretary-General, as the exclusion authorised under this paragraph did not apply to individuals except when they were public employees. In consequence, the Workers' members withdrew their amendment.

61. The Government member of Japan had submitted an amendment (D.31) to extend the possibility of exempting public employees whose employment was not guaranteed, but who upon leaving employment received certain benefits at least equivalent to those given to other employees. He specified that these benefits were paid one time only. The Workers' members pointed out that these were severance payments which could therefore not be compared to wages or periodical unemployment benefits. The Employers' members were also opposed to the amendment as the public employees who were excluded were taken into consideration in any event in the denominator of the fraction used for the calculation of the total scope of protection. As a result, the amendment was considered to be rejected.

62. The Workers' members submitted an amendment (D.12) to extend the statistical reference serving for the calculation of the minimum scope of protection to industrial enterprises with at least 10

employees, instead of 20, for the benefit of developing countries which availed themselves of the flexibility clause under paragraph 3 (b). They believed that the scope proposed in the Office text was in fact, extremely limited for developing countries, where only a small percentage of employees were occupied in industry. The Employers' members pointed out that this enlargement would extend protection to workers in the informal sector, which would be a source of difficulties. The amendment was supported by the Government members of Brazil and the Islamic Republic of Iran. The Government members of Angola, Botswana, India and Tunisia, however, favoured retaining the Office text. Consequently, the Workers' members withdrew their amendment.

63. It was agreed that the text of paragraph 3 should be revised by the Drafting Committee, taking into account the amendments which had been made to Article 5.

64. Article 11 was adopted without change.

PART V. METHODS OF PROTECTION

Article 12

65. The Government members of Denmark, France, the Federal Republic of Germany, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom (States Members of the European Community) submitted an amendment (D. 51) to delete at the beginning of paragraph 1, the words "unless it is otherwise provided in this Convention". They pointed out that this restriction appeared superfluous. The Workers' members opposed this amendment. A representative of the Secretary-General stated that the part of the sentence under discussion referred in particular to Article 16, which had provisions specific to contributory schemes. The Chairman emphasised that the clause, while purely formal, could be useful in providing clarity in the text. The amendment was withdrawn.

66. Article 12 was adopted without change.

PART VI. BENEFIT TO BE PROVIDED

Article 13

67. Article 13 was adopted without change.

Article 14

68. Article 14 was adopted without change.

Article 15

69. An amendment (D. 64) submitted by the Workers' members to replace in paragraph 1 of the French version the term *mise à pied* by *chômage technique*, was referred to the Drafting Committee.

70. An amendment (D. 14) submitted by the Government member of Brazil aimed at limiting in paragraph 1 the guarantee to provide benefits to a level corresponding to the minimum wage, the wage of an ordinary labourer or the minimum essential for basic living expenses, was not considered for lack of support.

71. The Workers' members submitted an amendment (D. 63) to make a distinction in paragraph 1 (b), where benefits were not based on contributions or previous earnings, between persons who had been previously employed who should receive benefits proportionate to their previous earnings or average earnings, and those who had not been previously employed who might receive flat-rate benefits such as proposed in the Office text. They pointed out that the proposed percentage of 50 per cent of the minimum wage or the wage of an ordinary labourer was very low when applied to industrialised countries. The Employers' members were against this amendment, as it was based on a new distinction which was not provided for in the Office text. The Government member of the United Kingdom indicated that this subparagraph also concerned his country where benefits were flat-rate. He emphasised that "persons who have not been previously employed" were new applicants for employment covered, not under this Article, but instead under Part VII. Consequently, the Workers' members supported a suggestion by the Government member of the United Kingdom to subamend their own amendment. They limited it to the addition of the words "whichever is the highest", to the end of subparagraph (b), which enumerated the different reference parameters. The Government members of the States Members of the European Community and the Government members of Finland, Norway, the United Republic of Tanzania and the Ukrainian SSR supported this proposal. However, the Employers' members opposed it, pointing out that its adoption would create an element of rigidity in the Convention. The amendment (D. 63), as subamended by its authors, was adopted by 238,091 votes in favour, 160,132 against, with 12,642 abstentions.

72. In reply to a question raised by the Government member of Cyprus relating to the reference period for the calculation of previous earnings mentioned in subparagraph (a), the Workers' members indicated that in their view the determination of this period was a matter for national legislation. The Chairman, in reply to a question from the Government member of Malta, also specified that it was up to national legislation to determine the minimum amount necessary for the basic living expenses referred to in subparagraph (b).

73. The Government members of France, Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom (States Members of the European Community), submitted an amendment (D.78) to insert a new paragraph 2 according to which, if the periodical payments were net of tax or contributions, the earnings to be taken into consideration for the calculation of benefits under paragraph 1 could be earnings net of taxes or contributions. This amendment was supported by the Government member of Austria. The Chairman questioned whether this new provision was necessary as the choice was normally left to governments if nothing was provided in the Convention. The Government member of the Federal Republic of Germany stressed that this provision was essential, recalling that similar amendments had been submitted for the corresponding paragraphs in the proposed Recommendation. The Employers' members stated

that they supported the amendment unless it was proved not to be indispensable.

74. The Government member of Australia proposed to subamend the amendment (D.78) submitted by a number of States Members of the European Community as follows: "If appropriate, the percentages specified in this Article may be reached by comparing net periodical payments after tax and contributions with net earnings after tax and contributions". The Government member of the Federal Republic of Germany noted that the recourse to this paragraph would be just an option for the countries concerned. He proposed to further subamend this text by adding "In this case the percentage should be 55 per cent". The addition of this phrase was approved by 183,309 votes in favour, 0 against, with 214,785 abstentions, but was not adopted as the quorum had not been attained. The amendment (D.78), as subamended by the Government member of Australia, was adopted by 212,807 votes in favour, 0 against, with 191,737 abstentions.

75. Article 15, as amended, was adopted.

Article 16

76. An amendment (D.18) submitted by the Government member of the United States to transfer this Article to the proposed Recommendation was withdrawn.

77. The Government members of France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom (States Members of the European Community) submitted an amendment (D.57) to add the words "to the extent that these conditions are not met by other benefits" to the end of the Article. The amendment was supported by the Government member of Switzerland, who indicated that in his country, after the expiration of entitlement to unemployment benefits, unemployment assistance or social assistance schemes might come into effect. The Workers' members proposed to subamend the amendment so that the last sentence would read "In any case, these benefits, in combination with any other benefits to which they may be entitled ..." (the rest of the sentence remained unchanged). This amendment, as subamended, was adopted by consensus.

78. Article 16, as amended, was adopted.

Article 17

79. An amendment (D.15) submitted by the Government member of Brazil to transfer this Article to the proposed Recommendation was not considered as it was not supported.

80. The Government member of Finland submitted an amendment (D.3) to replace the words "the length deemed necessary to prevent abuse" by "six months". It appeared from the discussion that this precision would be far too rigid. The amendment was therefore withdrawn.

81. Article 17 was adopted without change.

Article 18

82. Prior to the discussion of Articles 18 and 19, the Government member of Canada requested the

following clarifications concerning the lengths of both the period in which unemployment benefits were paid and the waiting period. First, he questioned whether cases could be considered to be in conformity with Article 18 where the waiting period of a "contributory scheme" was ten working days but where only those persons who were not able to provide for their basic living needs and those of their families were in receipt of a social assistance benefit. Second, he wished to know whether cases could be considered in conformity with Article 19 where the length of payment of benefits was less than 26 weeks but where it could be compensated by the payment of social assistance benefits where the financial circumstances of the unemployed persons prevented them from being able to meet their basic living needs as well as those of their families. A representative of the Secretary-General replied in the negative to these two questions, but stated that there was always the possibility of the exceptions provided for under Article 5.

83. Article 18 was the subject of a number of amendments. One (D.33), submitted by the Government member of Canada, was aimed at increasing the maximum duration of the waiting period to ten working days in both paragraph 1 and paragraph 2. Another (D.52), submitted by the Government member of Australia, was intended to increase the maximum duration established in paragraph 1 to seven days. Two amendments submitted by the United States (D.19) and Japan (D.59), respectively, were aimed at replacing the establishment of a maximum duration by a more flexible formula under which the duration could not exceed that necessary to prevent abuse. The Workers' members warned the Committee against amendments which could undermine the substance of the proposed Convention. A representative of the Secretary-General recalled that it was important not to lose sight of the exceptions provided for under Article 5, paragraph 1. The Government member of the Ukrainian SSR emphasised that it would be difficult to establish a period above that provided for under Convention No. 102, which was seven days. The Government member of Norway noted that the solutions provided in national legislations with regard to the waiting period were far less diverse than those for the qualifying period, and thus it should be easier to establish a precise standard in the Convention. The Committee came to an agreement to combine the amendments submitted by the Government members of Australia and Canada by establishing a maximum period of seven days as a general rule in paragraph 1, and a maximum period of ten days in paragraph 2. It was nevertheless agreed that the waiting period thus established consisted of calendar days and not working days. As a result, the amendments submitted by the Government members of the United States and Japan were withdrawn.

84. The Government members of France, the Federal Republic of Germany, Greece, Italy, Portugal, Spain and the United Kingdom (States Members of the European Community) withdrew their amendment (D.58) which alluded specifically to Article 12, paragraph 2, and Article 15.

85. The Government member of Australia proposed by an amendment (D.53) that, after paragraph

1, a new paragraph be inserted under which Members would endeavour to protect workers who were experiencing hardship during a waiting period. The Employers' members pointed out that it appeared contradictory to authorise a waiting period and then to impose an obligation during this period. In reply to a question raised by the Government member of the Federal Republic of Germany, the author of this amendment stated that his proposal was not aimed at abolishing or reducing the waiting period for workers experiencing hardship. As this amendment did not create precise and formal obligations, it was agreed to consider it for the proposed Recommendation. While not opposing this decision, the Workers' members would have preferred to have the amended text (D.53) in the Convention.

86. An amendment (D.29) proposed by the Government member of Switzerland to add to paragraph 3 "or temporary" after the word "seasonal" was withdrawn as a result of the decision taken on the waiting period in paragraph 1.

87. Article 18, as amended, was adopted.

Article 19

88. An amendment (D.65) submitted by the Workers' members to replace, in paragraph 1, the term *mise à pied* in the French version by *chômage technique*, was referred to the Drafting Committee.

89. The Government member of the United States submitted an amendment (D.20) to replace, in paragraph 3, the calculation of the duration of benefit payment on the basis of an average, by a general provision according to which the duration of benefit payment might vary with the duration of the qualifying period, where this was provided in national legislation. The Government member of the United States pointed out that the average duration of payment varied according to the economic situation. The Workers' members insisted on there being numerical standards with respect to the duration of benefit. In reply to a question from the Government member of Canada, a representative of the Secretary-General indicated that paragraph 3 referred to an arithmetical average between different maximum durations for qualifying periods provided under national legislations, and not to a weighted average based on the frequency of a given duration of unemployment, as had been the interpretation of the Government member of Austria. According to an example provided by the Government member of Canada, who pointed out that in his country there were two durations of payment, of 14 and 38 weeks respectively, the Committee noted that the arithmetical average of 26 weeks corresponded to the proposed standard. The amendment (D.20) was rejected by 137,428 votes in favour, 221,235 against, with 21,070 abstentions.

90. Article 19 was adopted unanimously without change.

Article 20

91. Part (a) of an amendment (D.56) introduced by the Government members of France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom (States Members of the European

Community) added the words "in particular" in the introductory section of the Article preceding the subparagraphs. The Workers' members firmly opposed this amendment which was, on the other hand, supported by the Employers' members. The Workers' members held the view that the provisions of Article 20 and especially subparagraph (d), should not be included in the proposed Convention and, moreover, that the adoption of the amendment (D.56) would allow national legislations total freedom of action. The Government member of Austria was also opposed to the amendment but subamended it in the form of a new subparagraph designed to prevent double payment of benefits. The authors of the amendment supported this proposal, as did the Workers' members, on the understanding that the list of cases enumerated under the various subparagraphs should be exhaustive. The Secretariat was therefore requested to submit to a Working Party, a proposal for a new subparagraph (g), based on these grounds, which would also take account of existing international instruments.

92. The Employers' members submitted an amendment (D.72) to delete the word "deliberately" in subparagraph (b). The Workers' members and a number of Government members opposed this amendment, pointing out that the determination of whether or not a worker deliberately contributed to his or her own dismissal was generally under the control, where appropriate, of the competent authorities and courts. As a result, the amendment was withdrawn.

93. The Employers' members also submitted an amendment (D.71) to delete the words "without just cause" in subparagraph (c). The Workers' members were against this amendment and recalled that a similar specification which corresponded to accepted practice appeared already in Convention No. 44. Several Government members also opposed this amendment. Consequently, the Employers' members withdrew their proposal.

94. The Government member of Canada proposed an amendment (D.34) to replace subparagraph (d) with the following text: "under prescribed conditions, when the person concerned has stopped work to take part in a labour dispute over issues which affect him or her directly, or when he or she has participated directly in the financing of this dispute." The Workers' members, while maintaining their opposition in principle to subparagraph (d), were against introducing the issue of financing a labour dispute, which would be contrary to workers' solidarity. They pointed out the difficulty of replacing it by another criterion, given the diversity of collective bargaining methods, and suggested overcoming the difficulty by having recourse to the phrase "under prescribed conditions" at the beginning of subparagraph (d). A representative of the Secretary-General recalled, at the request of the Government member of Canada, that the term "prescribed" was legally defined in Article 1. In response to a question from the Government member of Australia, he specified that the expression "has stopped work" was limited to strikers and could not apply to workers laid off as a result of a strike. The Government member of Finland proposed to subamend this text by adding "where he or she is prevented from

working". This addition was accepted by the Workers' members and a number of Government members. The Government member of the Federal Republic of Germany would have preferred basing the discussion on Alternative A, restricting its scope through the addition of the words "during a labour dispute". As a result, the Committee decided by 3,531 votes in favour, 2,880 against, with 288 abstentions, to refer this question to a Working Party to which the Secretariat was requested to submit a combined text based on the amendment (D.34), subamended by the Workers' members and by the Government member of Finland, taking into account the suggestion made by the Government member of the Federal Republic of Germany as well as his proposal to subamend Alternative A.

95. The Working Party proposed the following text to the Committee: "(d) during a labour dispute, when the person concerned has lost his or her employment as a direct result of a stoppage of work due to this labour dispute;". The Workers' members were in favour of the adoption of this proposal subject to specifying, in the beginning, "during the period of a labour dispute" and to replacing the words "when the person concerned has lost his or her employment" by "when the person is prevented from working". They pointed out that it was not appropriate to penalise a worker who had lost his or her employment as a direct result of a work stoppage due to a labour dispute, as it was the employer who in such cases discharged the worker. The first proposal concerned only the drafting and was referred to the Drafting Committee. With regard to the second proposal, the Employers' members questioned whether being prevented from working was not included in the expression relating to the loss of employment used in Convention No. 102. A representative of the Secretary-General stated in reply that the text of Convention No. 102 did not appear to have been understood in this manner. This was why the texts proposed by the Office referred to three different situations: strikers, non-strikers prevented from working and non-strikers who lost their employment. As a result, the Employers' members supported the subamendment of the Workers' members. The text proposed by the Working Party, as subamended, was thus adopted by consensus.

96. The Workers' members and several Government members emphasised that it should be understood that this text be interpreted in the same manner as the corresponding provisions of Convention No. 102. This was confirmed by the Chairman of the Committee.

97. The Workers' members requested a record vote on retaining subparagraph (d) as drafted in the text of the proposed Convention. They believed that this subparagraph ran contrary to the spirit of the Freedom of Association and Protection of the Right to Organise Convention (No. 87), as well as of the United Nations International Covenant on Economic, Social and Cultural Rights, which recognised the right to strike. This subparagraph discriminated against persons engaged in strikes or locked out and even workers who were not themselves on strike and could not benefit by the outcome of the dispute because they, like other workers, would be required to meet all the legal preconditions for entitlement to

benefits including seeking work and meeting the qualifying period requirement. Inevitably, the weakest trade unions and the poorest workers would be the first victims because such unions did not have strike funds and low-paid workers were unlikely to have savings to tide them over the period of the labour dispute. Their right to strike would be further weakened by the deprivation their spouses and children would face and the pressures on them to return to work by the workers not on strike who were none the less unjustly denied benefits. Thus the Workers' members were convinced that that inclusion of subparagraph (d) in the Convention would be morally wrong and contrary to basic long-standing ILO principles. The Government member of Bulgaria, speaking on behalf of the socialist countries taking part in the work of the Committee, supported the position of the Workers' members. The Government member of Honduras stated that he would abstain as in his country, when a strike was declared to be legal, no one could be dismissed and the employment contract was simply suspended. The text proposed by the Working Party, as subamended, was retained with 3,954 votes in favour, 3,210 against, with 108 abstentions.

98. An amendment (D.22) was submitted by the Government member of the United States to add to the end of subparagraph (f) the phrase "in suitable work". The Employers' members did not believe that this amendment was indispensable, as the Office text was sufficiently clear. The amendment was adopted by 4,104 votes in favour, 2,772 against, with 324 abstentions.

99. Following the subamendment of the Government member of Austria to amendment (D.56), (see paragraph 91 above), the Working Party proposed a new subparagraph (g) as follows: "as long as the person concerned is in receipt of another [social security] cash benefit, other than a family benefit, subject to the part of the benefit which is suspended not exceeding the other benefit".

100. The Workers' members thought the words "social security" should remain in the text. The Government member of Australia felt, on the contrary, that it would be better to delete those words as payments could be made by different government services. The Government member of the United Kingdom underlined, in particular, the increasing importance of private pension schemes. He proposed to replace the words "another social security cash benefit" by "an income maintenance benefit provided for in the legislation of the Member concerned", as in his opinion the reference to family benefits served no purpose. The Employers' members and the Workers' members accepted this subamendment. The text proposed by the Working Party, as subamended, was adopted by consensus.

101. Article 20, as amended, was adopted.

Article 21

102. The Workers' members tabled an amendment (D.68) to include in the criteria used in assessing the suitability of employment in paragraph 2, whether the employment is vacant as a direct result of a stoppage due to an on-going labour dispute. The Government member of the United States supported

this amendment, subject to the addition of the words "of work" after "stoppage" in the English version. This subamendment was accepted by the Workers' members. The Employers' members accepted it under the condition that it also included in the corresponding provisions of Paragraph 13 of the proposed Recommendation. The amendment was also approved by the Government members of the States Members of the European Community and of the Nordic countries as well as of Australia. As a result the Employers' members, while expressing their preference for including this point as part of the proposed Recommendation alone, supported the amendment, which was adopted by consensus.

103. Article 21, as amended, was adopted.

Article 22

104. An amendment (D.4) introduced by the Government member of Finland to transfer this Article to the Recommendation was withdrawn.

105. The Government member of Brazil proposed an amendment (D.16) to delete the words "directly from their employer" as this excluded severance pay financed from a fund set up jointly by several undertakings. The Employers' members proposed adding "directly from their employer or from any source". The Government member of the Federal Republic of Germany supported the amendment but would have preferred adding "or by virtue of an individual employment contract". The Workers' members wondered whether this was not superfluous, given the subamendment of the Employers' members. The amendment, as subamended, was adopted by consensus.

106. Article 22, as amended, was adopted.

[Article 22 bis]

107. The Government member of the United States proposed an amendment (D.23) to delete this Article, given the wide variety of national practices and the fact corresponding provisions were included in the proposed Recommendation. The Employers' members supported this amendment so as not to overload the proposed Convention with too many provisions. This point of view was shared by the Government member of Cyprus. The Workers' members pointed out that the proposed Article was already very flexible as its application was dependent on the existence of legislation covering medical care. The Government member of Japan stated in his country there were two distinct schemes, one for employees and the second one for all residents, including the unemployed. He wondered whether this system would be in conformity with the provisions of the proposed text. The Chairman observed that the Japanese system covered all situations and was applicable to this text. The Government members of the States Members of the European Community and of Australia were in favour of maintaining Article 22 bis in the proposed Convention. The amendment was rejected by 63,920 votes in favour, 88,689 against, with 7,990 abstentions.

108. As a result, an amendment (D.75) presented by the Employers' members to transfer the provisions of Article 22 bis to the proposed Recommendation was considered unnecessary.

109. In the light of the explanations provided by the Chairman, the Government member of Japan withdrew an amendment (D.60) to add at the end of the first paragraph the words "unless they are provided for such right by other legislation".

110. As a result of the vote on the amendment (D.23), Article 22 bis was considered adopted.

[Article 22 ter]

111. An amendment (D.24) was submitted by the Government member of the United States to delete this text from the proposed Convention, given that corresponding provisions were included in the proposed Recommendation. She observed that this Article did not distinguish between contributory and non-contributory schemes and left open the question of who should pay the contributions for the unemployed in the case of contributory schemes. The Employers' members supported the amendment for the same reasons put forth with regard to the amendment to Article 22 bis. The Workers' members were opposed to the amendment and pointed out that there were many ways in which the Article might be given effect, such as the method applied in the United States where up to five years, which might be those corresponding to periods of unemployment, could be excluded from the calculation of statutory pensions. The Government member of Japan questioned whether the system in effect in his country was in conformity with these provisions, as there was both a universal pension scheme covering all residents, including the unemployed, and a scheme applicable to employees, with co-ordination between the two schemes. A representative of the Secretary-General confirmed that this was the case as the unemployed were protected. The Government members of the States Members of the European Community were against the amendment. The Government member of the Federal Republic of Germany would have preferred subparagraph (a) to read "for acquisition of the right to or the calculation of benefits". The Chairman noted that this was unnecessary as the words "where appropriate" in the proposed text admitted this alternative. The amendment was rejected by 65,518 votes in favour, 86,292 against, with 6,392 abstentions.

112. Consequently, two amendments submitted by the Government member of Canada (D.35 rev.) and by the Employers' members (D.76), respectively, to transfer this Article to the proposed Recommendation were considered unnecessary.

113. Following the explanations which were provided to him, the Government member of Japan withdrew an amendment (D.61) to insert at the end of the first paragraph the words "unless such persons are guaranteed for such benefits by other legislation".

114. By virtue of the vote on amendment (D.24), Article 22 ter was considered adopted.

Article 23

115. An amendment (D.36) was submitted by the Government member of Canada to limit the scope of this Article to the adjustment of schemes for the promotion of employment and for unemployment benefits and to transfer the provisions to the pro-

posed Recommendation. The Workers' members did not object to making a specific mention of schemes for the promotion of employment and for unemployment benefits, provided that it was an illustration of the term "statutory social security schemes". They were opposed, however, to transferring the provisions to the proposed Recommendation. The Employers' member also felt that this Article should remain in the proposed Convention. Consequently the amendment was not adopted.

116. An amendment (D.62) submitted by the Government member of Japan to replace the words "social security" by "unemployment benefits" was withdrawn.

117. An amendment (D.55) introduced by the Government members of France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom (States Members of the European Community) to add "under prescribed conditions" before the words "as negligible" at the end of paragraph 1 was adopted by consensus. Amendment (D.77) submitted by the Employers' members on the same issue was therefore withdrawn.

118. Article 23, as amended, was adopted.

VII. SPECIAL PROVISIONS FOR NEW APPLICANTS FOR EMPLOYMENT

Article 24

119. An amendment (D.5) submitted by the Government member of Finland was withdrawn in favour of an amendment submitted by the Government members of Denmark, Finland, Norway and Sweden. This amendment (D.88) combined subparagraphs (a), (b) and (c) in an introductory paragraph, and deleted subparagraph (f). They pointed out that divorced persons were included in the categories covered by other subparagraphs. The Workers' members objected that this was not the case of all divorced persons, some of whom might never have been employed. They therefore suggested, and the Government members of the Nordic countries agreed, that divorced and separated persons should be included. The Employers' members objected to the proposed regrouping of categories as it restricted the choice of available to Governments. The amendment as subamended by the Workers' members was rejected with 67,116 votes in favour, 83,895 against, with 7,191 abstentions.

120. An amendment (D.85) to refer in the second sentence of paragraph 1 to at least one-third of the categories, submitted by the Government member of Japan, was withdrawn.

121. An amendment (D.69) was proposed by the Workers' members to combine subparagraphs (a), (b) and (c) into one subparagraph. The Employers' members noted that this was not a minor amendment, as it would result in restricting the choice of governments and in making the text of the Article less flexible. Following the observation by the Government member of the United Kingdom that studies could be interrupted by periods of employment, the Workers' members modified their amendment so as to refer to young persons who had not been previous-

ly "or recently" employed. The amendment was rejected by 69,513 votes in favour, 82,297 against, with 4,794 abstentions.

122. The Government members of France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom (States Members of the European Community) proposed an amendment (D.89) to delete from subparagraph (h) of paragraph 1 the words "or other persons" and to add a new subparagraph (k) relating to persons who, after a period of retraining or advanced training, had acquired new qualifications. The Employers' members, who had submitted an amendment (D.80) to transfer Article 24 to the proposed Recommendation, withdrew this amendment in favour of the amendment (D.89). The Workers' members recognised the desirability of making special mention of persons who had to undergo new training after restructuring. They were opposed, however, to the introduction of a new subparagraph which would have the effect of restricting the choice resulting from the minimum number of commitments required. Taking account of an observation made by the Government member of the United Kingdom, they subamended the proposal so as to refer in subparagraph (h) to adults, including the disabled who have completed a period of training, it being understood that "training" also covered rehabilitation. The Employers' members supported this suggestion. The amendment, as subamended, was adopted by consensus.

123. Article 24, as amended, was adopted.

VIII. LEGAL, ADMINISTRATIVE AND FINANCIAL GUARANTEES

Article 25

124. Article 25 was adopted without change.

Article 26

125. Article 26 was adopted without change.

Article 27

126. The Government member of Canada proposed an amendment (D.37) to limit the scope of this Article to contributory schemes, in which the right to participation in the administration is justified by the payment of contributions. The Workers' members were opposed to this amendment, which related especially to paragraph 1, given the "prescribed conditions" clause which provided for consultation with employers and workers. This point of view was shared by the Employers' members. The amendment was not accepted.

127. Article 27 was adopted without change.

Article 28

128. Article 28 was adopted without change.

New Article 28 bis

129. The Government members of Greece, Italy and Portugal proposed by an amendment (D.79) to insert as a general flexibility clause a new Article 28 bis based on the new principle of equivalence which

would allow governments to adopt, in no more than two cases, solutions which differed from those provided for under the proposed Convention, but which went beyond them in certain respects and offered, on the whole, an equivalent level of protection without being in violation of the Convention. The Government member of Norway, speaking on behalf of the Nordic countries, pointed out the risk of setting a precedent by the adoption of this Article. The Government member of Australia was in favour of the principle of equivalence but pointed out that the Committee had already reached a compromise on a number of Articles and that the proposed clause could result in undermining the solutions agreed upon. This point of view was shared by the Government member of Cyprus and by the Workers' members. The Employers' members, on the other hand, supported the amendment. The amendment was rejected by 67,728 votes in favour, 88,077 against, with 5,593 abstentions.

Article 29

130. Article 29 was adopted without change.

Consideration of the proposed Recommendation in Report V(2B)

PREAMBLE

131. An amendment (D.98) introduced by the Government member of France on behalf of the States Members of the European Community to replace the words "social security" by "protection against unemployment" in the third preambular paragraph, so as to bring the Preamble in line with the new title of the instrument, was referred to the Drafting Committee.

132. Subject to the decision of the Drafting Committee, the Preamble was adopted.

I. GENERAL PROVISIONS

Paragraph 1¹

133. Paragraph 1 was adopted without change.

II. PROMOTION OF PRODUCTIVE EMPLOYMENT

Paragraph 2

134. Paragraph 2 was adopted without change.

New Paragraph 2 bis

135. The Government member of Brazil proposed an amendment (D.117) to insert a new paragraph 2 bis relating to special policies for periods of economic crisis. The Employers' members were in favour of this amendment, subject to the deletion of the words "measures designed to protect existing jobs". The Workers' members supported the amendment in its entirety. The amendment, as subamended on the basis of the proposal of the Employers' members, was adopted.

¹The numbering of the Paragraphs reproduces that of the proposed Recommendation in Report V(2B). It does not necessarily correspond in every case to the numbering of the Paragraphs in the proposed Recommendation reproduced at the end of the Committee's report, which is based on the decisions of the Committee and, in some cases, of the Drafting Committee.

Paragraph 3

136. The Employers' members introduced an amendment (D.115) to replace the word "endeavour" in the introductory phrase by "consider". The Workers' members preferred retaining the proposed text. This first part of the amendment was rejected by 66,317 votes in favour, 75,106 votes against, with 19,176 abstentions. The second part of their amendment was withdrawn in favour of another amendment (D.102).

137. The Government member of the United Kingdom proposed an amendment (D.102) to limit clause (a) to the two first subclauses, and to insert a new paragraph 3 bis containing the third subclause of clause (a) and the three subclauses of clause (b). He noted that this regrouping included measures which were still in an experimental phase. The Government member of Cyprus proposed to replace the words "should give due regard" by "should consider granting" in the introductory phrase. The Employers' members proposed replacing the words "installation grants" by "resettlement grants" in the last subclause. This amendment, as subamended, was adopted.

138. Paragraph 3, as amended, was adopted unanimously.

Paragraph 4

139. The Government members of Belgium, Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, Portugal and the United Kingdom (States Members of the European Community) submitted an amendment (D.99) to specify that Members should be limited to "endeavouring" to encourage co-ordination with private pension schemes. The Workers' members opposed this modification as the proposed text already admitted a difference between the obligations applicable to statutory pension schemes and to private pension schemes. The Employers' members emphasised that in certain countries the Government could not intervene in private pension schemes. The amendment was withdrawn.

140. Paragraph 4 was adopted without change.

Paragraph 5

141. The Government members of Belgium, Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, Portugal and the United Kingdom (States Members of the European Community) submitted an amendment (D.100) so that temporary work by unemployed persons would not endanger any other employment, not only permanent employment. This amendment was adopted subject to specifying that the temporary work was remunerated.

142. Paragraph 5, as amended, was adopted.

Paragraph 6

143. The Government member of the United States submitted an amendment (D.90) to add a sentence specifying that financial assistance, in the form of continuing unemployment benefits, could be granted to unemployed persons wishing to set up their own business or to engage in another economic

activity. This proposal was accepted by the Workers' members. However, as the Employers' members had noted that the expression "financial assistance" in the proposed text was very general and could include the payment of unemployment benefits, the amendment was withdrawn.

144. Paragraph 6 was adopted without change.

Paragraph 7

145. The Government member of the United States proposed an amendment (D.91) to delete Paragraph 7, pointing out that foreign workers were better protected by bilateral and multilateral agreements than by the provisions of a Recommendation. She withdrew this amendment in favour of amendment D. 83.

146. The Government member of Australia proposed an amendment (D.83) under which Members should give consideration to bilateral or multilateral agreements which provided assistance to foreign workers who freely wished to return to their country of origin. He emphasised that the Office text posed a technical problem of determining the level of the lump sum payment to be granted, and ran the risk of leading to the exporting of unemployment. The Government members of Spain and Morocco supported maintaining the Office text. The Government member of Tunisia pointed out that the amendment did not provide a solution where bilateral or multilateral agreements did not exist. The Government member of Zimbabwe consequently proposed a subamendment to provide that, where such agreements did not exist, each Member should provide, through national legislation, financial assistance to the persons concerned. The Workers' members, while emphasising their preference for the text proposed by the Office, supported the amendment of the Government member of Australia, as subamendment by the Government of Zimbabwe, it being understood that the financial assistance mentioned under this subamendment included assistance for reintegration. Amendment D. 83, as subamended by the Government member of Zimbabwe was adopted by 79,356 votes in favour, 66,062 against, with 11,985 abstentions. Consequently, an amendment (D.101 rev.) presented by a number of States Members of the European Community became unnecessary.

147. Paragraph 7, as amended, was adopted.

Paragraph 8

148. An amendment was submitted by the Government member of Japan (D.86), to delete this Paragraph, as the interest of beneficiaries in the relevant schemes should be the only criteria for investments. The Employers' members and the Workers' members were against this amendment, considering the guarantees of security and yields provided for under the proposed text. The amendment was therefore not adopted.

149. The Government member of the United States proposed an amendment (D.92) to delete all reference to the promotion of employment in this Paragraph. The Workers' members noted that the deletion would affect the main purpose of the Paragraph. The Employers' members stated that if it were so amended the Paragraph would no longer

belong in the proposed Recommendation. The amendment was not adopted.

150. The Government members of Ireland and the United Kingdom proposed an amendment (D.103) to refer to the reserves of "private sources" and not to those of "private pension schemes". They pointed out that the reference to these schemes was the only one which interested the majority of industrialised countries, but that it was restrictive. The Workers' members accepted this amendment, subject to adding "including private pension schemes". The amendment was adopted by consensus.

151. Paragraph 8, as amended, was adopted.

Paragraph 9

152. The Government member of Japan submitted an amendment (D.87) to delete this Paragraph as he felt it difficult to accept the idea that social security resources were to be used for the direct purpose of increasing employment. As the Employers' members and the Workers' members opposed this amendment, it was rejected.

153. The Employers' members proposed a different drafting of Paragraph 9 aimed mainly at broadening its scope to all "community services". The Workers' members accepted this amendment (D.116) on condition that it would be specified "including, in particular, health care services". This amendment was accepted by consensus.

154. Paragraph 9, as amended, was adopted.

III. PROTECTION OF UNEMPLOYED PERSONS

Paragraph 10

155. The Employers' members had proposed an amendment (D.126) to delete this Paragraph. They pointed out that following the adoption of the amendment (D.32) of the Government member of Canada to introduce a new paragraph in Article 10 of the proposed Convention concerning the contingencies covered, Paragraph 10 had become superfluous in the Recommendation. The Workers' members stated that this Paragraph would nevertheless be important for inclusion in the Recommendation even though it was already in the Convention. The Employers' members recalled that even for States which did not ratify them, Conventions had the value of Recommendations. Consequently, Paragraph 10 was not adopted and the amendments (D.104) and (D.119) submitted by the Workers' members and the Government member of Japan, respectively, were unnecessary.

Paragraph 11

156. Two amendments (D.134) and (D.81) introduced by the Employers' members and the Workers' members respectively, were referred to the Drafting Committee.

157. Subject to the decision of the Drafting Committee, Paragraph 11 was adopted.

Paragraph 12

158. An amendment (D.93) submitted by the Government member of the United States to delete

this Paragraph was withdrawn as a result of the amendment to Article 15 of the proposed Convention.

159. An amendment (D.131) submitted by the Government members of the Federal Republic of Germany and the United Kingdom to delete, in subparagraph 2, the phrase "if the periodical payments are subject to tax or social security contributions in accordance with the legislation of a Member" was referred to the Drafting Committee for the same reason.

160. Subject to the decision of the Drafting Committee, Paragraph 12 was adopted unanimously.

Paragraph 13

161. The Government member of the United States had proposed an amendment (D.94) to add the words "Members should endeavour to ensure that" to the beginning of subparagraph (1). The Government members of the Federal Republic of Germany and Malta, as well as the Workers' members, were against this amendment, and it was withdrawn.

162. The Government members of the Federal Republic of Germany and the United Kingdom had proposed an amendment (D.130) to delete clause (e) of subparagraph (1) and to incorporate its substance into the preliminary provisions of this subparagraph. The Workers' members were against this amendment as they considered it restrictive. The Employers' members were also against it, given amendment (D.127) which they had submitted. The amendment was thus not adopted.

163. The Employers' members proposed an amendment (D.127), the first part of which was to replace in clause (b) of subparagraph (1) the words "housing" by "accommodation" in the English version. This was referred to the Drafting Committee. The second part of the amendment added the words "in accordance with national law and regulations" to clause (d) relating to employment vacancies as a direct result of a stoppage of work due to an on-going labour dispute. The Employers' members stated that only legal strikes should be taken into consideration. It nevertheless appeared, as was pointed out by the Government member of France, that this clarification was superfluous, taking into account the phrase "under prescribed conditions" which was part of the preliminary provisions of subparagraph (1). The third part of the amendment deleted clause (e), which the Employers' members found too vague. It was rejected by 55,556 votes in favour, 88,689 against, with 7,990 abstentions.

164. An amendment (D.105) concerning only the English version was referred to the Drafting Committee.

165. Subject to the decision of the Drafting Committee, Paragraph 13 was adopted without change.

Paragraph 14

166. An amendment (D.106) was presented by the Workers' members to replace the word "scale" by "level or duration". The Employers' members stated that they saw no justification for mentioning the duration of the benefits. The amendment was adopt-

ed by 84,694 votes in favour, 62,322 against, with 4,794 abstentions.

167. An amendment (D.95) submitted by the Government member of the United States to limit the scope of this Paragraph to non-contributory unemployment assistance was not considered as it did not receive support.

168. An amendment (D.120) which was submitted by the Government member of Japan, to replace the word "employment" by the word "work" in order to be in conformity with the other provisions of the proposed Convention concerning part-time work, and to insert the words "under prescribed conditions" in the final part of the sentence, was referred to the Drafting Committee.

169. Paragraph 14, as amended, was adopted.

Paragraph 15

170. The Workers' members had tabled an amendment (D.107) to delete in the first line the words "endeavour to", which appeared to them to be superfluous in a Recommendation. This amendment was rejected by 65,518 votes in favour, 83,096 against, with 6,392 abstentions.

171. An amendment (D.121) presented by the Government member of Japan to extend the scope of the second sentence of this Paragraph to public employees who receive, at the time of leaving their jobs, certain benefits at least equivalent to those afforded to other employees, was withdrawn as a corresponding amendment to Article 11 of the proposed Convention had been rejected.

172. An amendment (D.108) submitted by the Workers' members to add to the end of the Paragraph "during the period of their employment", was withdrawn as had been a corresponding amendment to Article 11, of the proposed Convention.

173. Paragraph 15 was adopted without change.

Paragraph 16

174. The Workers' members had proposed an amendment (D.109) to specify that this Paragraph applied not only to persons newly seeking work, but also to persons trying to re-enter the labour force. The Employers' members noted that this was superfluous considering that explicit reference was made to Article 24 of the proposed Convention. The Government member of the United Kingdom made a proposal, accepted by the Workers' members, to delete only the word "newly" before "seeking work". As a compromise, the Government member of Cyprus proposed that reference should be made to the categories of persons mentioned in Article 24. The amendment, as subamended, was referred to the Drafting Committee.

175. Paragraph 16 was adopted, taking into account the change in drafting.

Paragraph 17

176. An amendment (D.96) introduced by the Government member of the United States to limit the scope of this Paragraph to unemployment assistance was not considered as it was not supported.

177. Two amendments, (D.38) and (D.128), submitted by the Government member of Canada and the Employers' members respectively, to replace the verb "should" by "might" were withdrawn after the Workers' members pointed out that the proposed terminology was not appropriate for a Recommendation and, furthermore, that the text of the Paragraph was sufficiently flexible.

178. An amendment (D.122) submitted by the Government member of Japan to limit the extension of the payment of benefits to the duration necessary for obtaining suitable employment, taking into account the difficulty of obtaining such employment, was not considered as it was not supported.

179. Paragraph 17 was adopted without change.

Paragraph 18

180. The Workers' members submitted an amendment (D.110) to delete the words "endeavour to" before "ensure" and to extend the scope of this Paragraph to all unemployed persons whether or not they were in receipt of unemployment benefits. The Employers' members pointed out that this proposal went beyond the aim of the proposed Recommendation, which referred to unemployment benefits. The Workers' members, without pressing for the first part of their amendment, subamended the second part in the following way, "the unemployed, including, if possible, those who are not in receipt of unemployment benefits". This proposal was approved by the Government members of Australia, Canada, the European Community and the USSR, as well as by the Government member of Brazil, who specified that in her country medical care was granted for one year following the end of the contract of employment. The amendment (D.110), as subamended, was adopted by 101,847 votes in favour, 55,556 against, with 799 abstentions. Following an observation by the Workers' members, the Chairman emphasised that Paragraph 18, even as amended, did cover dependants.

181. An amendment (D.123) of the Government member of Japan to add to the end of this Paragraph the words "unless they are provided for such right by other legislation", was withdrawn as had been the corresponding amendment submitted with regard to Article 22 bis of the proposed Convention.

182. Paragraph 18, as subamended, was adopted.

Paragraph 19

183. An amendment (D.111) introduced by the Workers' members to delete the words "endeavour to" in the first line was withdrawn.

184. An amendment (D.97) submitted by the Government member of the United States to replace the word "guarantee" by "provide" and to delete the last three lines was withdrawn.

185. An amendment (D.129) was presented by the Government members of the Federal Republic of Germany and the United Kingdom to limit the scope of this Paragraph to statutory schemes and to replace the word "and" by "or" in clause (a). This amendment was withdrawn after a representative of the Secretary-General stated that the reference to the "legislation of the Member concerned" made it su-

perfluous and that the words "where appropriate" permitted either alternative.

186. An amendment (D.124) submitted by the Government member of Japan was withdrawn for the same reason as the corresponding amendment (D.61) to Article 22 ter.

187. Paragraph 19 was adopted without change.

Paragraph 20

188. An amendment (D.112) submitted by the Workers' members to delete the words "endeavour to" in the first line was withdrawn.

189. An amendment (D.125) proposed by the Government member of Japan to limit the scope of this Paragraph to unemployment benefit schemes and to delete clauses (b), (c), (d) and (e) was not considered as it received no support.

190. The Employers' members submitted an amendment (D.133) to replace in clause (a) the words "membership" by "the entitlement to benefits" taking account of the problem of translating the French term "assujettissement" into English, and to delete the word "guaranteed" in clause (e), deemed superfluous. The Government member of France noted that it was preferable to adapt the English version to the term "assujettissement" in French. A representative of the Secretary-General explained that the words "la garantie du" were necessary in French. The amendment was referred to the Drafting Committee.

191. An amendment (D.132) introduced by the Employers' members concerning only the Spanish version was referred to the Drafting Committee.

192. Subject to the decision of the Drafting Committee, Paragraph 20 was adopted without change.

Paragraph 21

193. An amendment (D.114) proposed by the Workers' members concerning only the French version was referred to the Drafting Committee.

194. The Workers' members stated that this was a very important Paragraph, aimed at securing general recognition of the plight of the unemployed and their families and its wording should fully reflect this objective. They therefore submitted an amendment (D.113) to delete in the first line the words "endeavour to" and to replace the word "situation" by "hardships" and the words "dependent upon income support" by "and their need for sufficient income". The Workers' members withdrew their first proposal. The amendment, as subamended, was adopted.

195. Paragraph 21, as amended, was adopted.

IV. DEVELOPMENT OF SYSTEMS OF PROTECTION

Paragraph 22

196. Paragraph 22 was adopted without change.

New Paragraph 22 bis

197. The Government member of Australia presented an amendment (D.84) to replace the title of

Part IV by "Development and improvement of systems of protection" and to insert a new Paragraph to emphasise that the issue of the development and the evolution of schemes was not limited to developing countries and that a variety of approaches was necessary. This amendment was adopted.

Paragraph 23

198. The Workers' members submitted an amendment (D.118) to delete the words "seek to" in subparagraphs 1 and 2 respectively; to specify in clause (a) of subparagraph 1 that the facilities of a public employment service should be free of charge; and to add in subparagraph 2 that the goal of a sufficient level of employment must include reference to adequate wages and working conditions. The Workers' members agreed to withdraw the first part of their amendment. The second part of the amendment was accepted. The Employers' members noted that increasing the requirement to be met in this respect could only delay the introduction of some form of unemployment benefit. The Government members of Brazil, Morocco, Tunisia and the United States indicated their preference for the text proposed by the Office. The Government member of Cyprus pointed out that given the introduction of new Paragraph 22 bis, it should be understood that Paragraph 23 concerned only those countries which were in an initial phase of developing their social protection scheme. The final part of the amendment was approved by 75,905 votes in favour, 63,920 against, with 11,186 abstentions.

199. An amendment (D.136) presented by the Employers' members concerning the French version only was referred to the Drafting Committee.

200. The Employers' members submitted an amendment (D.137) to add to subparagraph 2 the necessity of measures for vocational guidance and training to facilitate adapting the skills required to job vacancies, and to add to subparagraph 4 a reference to paragraph 2. The Workers' members proposed to subamend the first part of the amendment by adding at the end of subparagraph 2 the words "with adequate wages and working conditions", but were opposed to the second part of the amendment. The Employers' members did not accept this subamendment. The Government members of Tunisia and Morocco supported the amendment of the Employers' members in its original version. The Government member of Brazil emphasised that countries such as her own were in an intermediary situation where a benefit scheme could be introduced without the prior condition of a high level of stable and remunerated employment. The Workers' members' subamendment received 70,006 votes in favour, 2,397 votes against, with 80,206 abstentions, but was not adopted as the total number of votes cast did not reach the quorum of 72,869 votes. The second part of the Employers' members amendment received 63,121 votes in favour, 799 against, with 92,684 abstentions, but was not adopted as the total number of votes cast was lower than the quorum.

201. An amendment (D.138) submitted by the Employers' members in relation to the amendment (D.137) was withdrawn.

202. Paragraph 23, as amended, was adopted.

Paragraph 24

203. Paragraph 24 was adopted without change.

Paragraph 25

204. Paragraph 25 was adopted without change.

Paragraph 26

205. Paragraph 26 was adopted without change.

Paragraph 27

206. The Employers' members submitted an amendment (D.139) to draft this Paragraph in such a way as to subordinate its application to cases where the conditions mentioned in Paragraph 23 were not met and to replace the word "should" by "could". They recalled that this Paragraph originated from a proposal formulated during a tripartite meeting in Africa. The recommended solution, however, met very firm objections from the Latin American employers, which were stated by the Employers' member of Ecuador. In their view, the imposition of new social charges on employers did not take account of the situation of developing countries. The Workers' members noted that the proposed provisions were dependent on the existence of legislation relating to severance payments. They submitted a subamendment to delete the reference to Paragraph 23 in the beginning. The Government member of France inquired as to the scope of the provision under which the loss of employment giving entitlement to severance payments could be independent of the will of the employer. The Employers' members confirmed that the employers' "responsibility in common" provided for under their amendment implied the financing of a compensation fund by the employers. The subamendment proposed by the Workers' members received 60,724 votes in favour, 0 against, with 93,483 abstentions, but was not adopted for lack of a quorum. The Employers' members' amendment in its original form received 60,724 votes in favour, 0 against, with 95,081 abstentions, but was not adopted for lack of a quorum.

207. Paragraph 27 was adopted without change.

Proposed new Paragraph

208. During the consideration of Article 18 of the proposed Convention an amendment (D.53) presented by the Government member of Australia was set aside, in view of its possible inclusion in the proposed Recommendation. The Employers' members recalled their opposition to this amendment. The Workers' members supported it. The amendment was adopted by 81,498 votes in favour, 61,523 against, with 5,593 abstentions. As there was no paragraph in the proposed Recommendation concerning the waiting period, the Chairman indicated that this amendment could be preceded by a reference to Article 18 of the proposed Convention.

Examination of the resolution concerning the promotion of employment and social security submitted by the Government delegation of Italy

209. The Committee had entrusted to a Working Party the examination of a draft resolution concerning the promotion of employment and social security,

presented to the Conference by the Government delegation of Italy (*Provisional Record* No. 1) which was transmitted to the Committee by the Resolutions Committee. During its last session the Committee examined the simplified text prepared by the Government member of Italy following the examination by the Working Party. The Government member of Italy explained that this draft resolution was a follow-up to the European Regional Conference and the High-Level Meeting on Employment and Structural Adjustment. The Government member of Finland, expressing a widely held opinion, emphasised that the main aim of the draft resolution was, to a large extent, reflected in the provisions of the proposed Convention and Recommendation. He felt that the Committee could not examine such an important proposal at the last minute. The Employers' members felt they were taken at short notice by the text which had been submitted to them. The Workers' members expressed their sympathy for the general goals of the draft resolution but stated that for lack of time for a sufficient examination, they would be compelled to abstain. They felt that it would be preferable that a similar resolution be presented again to the Conference one or two years after the adoption of the proposed Convention and Recommendation on which it was based. The Government member of the United States pointed out that a certain number of measures proposed in the provisions of the draft resolution were already included in the ILO's Medium-Term Plan. The Government member of the Federal Republic of Germany, speaking on behalf of the Government of the European Community, hailed the initiative of the Italian Government and declared that they were prepared to support it. In light of the various interventions, the Government member of Italy stated that he acknowledged the various statements of the members of the Committee, which would be reflected in the report, and withdrew the draft resolution. In addition, he announced that his country intended to submit a revised draft resolution to the next session of the Conference.

Adoption of the Report, the Proposed Convention and the Proposed Recommendation

210. The Employers' members recalled that last year they had favoured the adoption of a Recommendation only, and that they had reserved their position for the second discussion. Although several of their group had reservations with regard to certain provisions of the proposed instruments, in particular Paragraph 10 and 13 of the proposed Recommendation, the Employers' members recognised that on the whole a great effort at mutual understanding had been made. They were thus in the position this year, despite several reservations, to support the proposed Convention and Recommendation.

211. The Employers' member of Venezuela, speaking on behalf of the Employers' members of the Latin American countries, expressed fear that the proposed instruments raised unjustified expectations. While in agreement in principle with the objectives of the proposed Convention and Recommendation, these countries could accept them only with reticence. In developing countries, which were heavily burdened by external debts, priority had to be

given to the promotion of employment, taking account of the importance of underemployment and of the informal economy. The Latin America employers were unanimously opposed to the utilisation of social security funds for the promotion of employment. It was extremely difficult for Latin American countries to accept new social charges which, despite the best intentions, would endanger their priorities and threaten needed investments. It was only through these investments that they could implement the principles of the instruments relating to human rights, by ensuring productive employment for their populations. This was why these countries supported the draft resolution, in its revised version presented by the Government of Italy. They hoped that its objectives would be taken into consideration by the ILO in the near future. The Latin American countries approved the conclusions of the High-Level Meeting on Structural Adjustment as well as the conclusions of the Meeting of Latin American Employers (Quito, March 1988), which rejected the creation of funds financed by employers such as those provided for in Paragraph 30 of the proposed Recommendation. The Latin American employers nevertheless confirmed their support for the document approved by the Committee.

212. The Workers' members, while expressing satisfaction with the adoption of the proposed Convention and Recommendation, restated the reservations they had expressed with respect to subparagraph (d) of Article 20 of the proposed Convention.

213. The Government member of Japan expressed his reservations on Paragraphs 10 and 11 of the proposed Recommendation and on the utilisation of social security resources for the promotion of employment. The Government member of Brazil had reservations concerning Article 15 and 19 of the proposed Convention. The Government member of Italy expressed reservations about Article 15 of the proposed Convention.

214. On a proposal from the Employers' members, it was agreed to expand in Article 10, paragraph 3, in accordance with Article 10, paragraph 4 of the proposed Convention, the scope of exceptions which it was possible to make, as this Article had been introduced only after the discussions relating to Article 5, on which it was based.

215. The Drafting Committee questioned whether it was not advisable to add to Article 15, paragraph 2, the words "whichever is highest", as in paragraph 1 of this Article. While considering such a solution defensible, the Employers' members raised objections to it, as it reduced the possibility of developing countries, to which paragraph 2 related, being able to apply it. On the basis of a proposal by the Workers' members, it was agreed, as a compromise to insert in the place of "or" the words "but no less than".

216. The Government member of Canada noted that there was a contradiction between paragraph 56 of the Report, which referred to "unemployed persons who accepted part-time employment" and paragraph 3 of Article 10 which applied to all part-time workers, whereas the amendment (D.32) he had proposed and which had been adopted referred, in the French version, to "prestataires". It was decided nevertheless not to modify the text adopted by the Drafting Committee.

217. In reply to a request from the Government member of the United States concerning the scope of the expression "the level and duration of unemployment benefit paid", in Paragraph 15 of the proposed Recommendation, it was agreed that the word "and" included "or".

218. Following a proposal by the Government member of Japan to introduce the expression "under prescribed conditions" in Paragraph 15 of the proposed Recommendation, it was agreed that such an addition was not necessary in a Recommendation.

219. During these last two sittings, the Committee unanimously adopted its Report and the proposed Convention and Recommendations.

219. During these last two sittings, the Committee unanimously adopted its Report and the proposed Convention and Recommendation, with due regard to the changes proposed during the discussion.

Geneva, 17 June 1988

(Signed) K. VAN DEN BERG
Chairman

J.-C. SCHNEUWLY
Reporter

Proposed Convention concerning Employment Promotion and Protection against Unemployment

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Seventy-fifth Session on 1 June 1988,
and

Emphasising the importance of work and productive employment in any society not only because of the resources which they create for the community, but also because of the income which they bring to workers, the social role which they confer and the feeling of self-esteem which workers derive from them, and

Recalling the existing international standards in the field of employment and unemployment protection (the Unemployment Provision Convention and Recommendation, 1934, the Unemployment (Young Persons) Recommendation, 1935, the Income Security Recommendation, 1944, the Social Security (Minimum Standards) Convention, 1952, the Employment Policy Convention and Recommendation, 1964, the Human Resources Development Convention and Recommendation, 1975, the Labour Administration Convention and Recommendation, 1978, and the Employment Policy (Supplementary Provisions) Recommendation, 1984 and

Considering the widespread unemployment and underemployment affecting various countries throughout the world at all stages of development and in particular the problems of young people, many of whom are seeking their first employment, and

Considering that, since the adoption of the international instruments concerning protection against unemployment referred to above, there have been important new developments in the law and practice of many Members necessitating the revision of existing standards, in particular the Unemployment Provision Convention, 1934, and the adoption of new international standards concerning the promotion of full, productive and freely chosen employment by all appropriate means, including social security, and

Noting that the provisions concerning unemployment benefit in the Social Security (Minimum Standards) Convention, 1952, lay down a level of protection that has now been surpassed by most of the existing compensation schemes in the industrialised countries and, unlike standards concerning other benefits, have not been followed by higher standards, but that the standards in question can still constitute a target for developing countries that are in a position to set up an unemployment compensation scheme, and

Recognising that policies leading to stable, sustained, non-inflationary economic growth and a flexible response to change, as well as to creation and promotion of all forms of productive and freely chosen employment including small undertakings, co-operatives, self-employment and local initiatives for employment, even through the re-distribution of resources currently devoted to the financing of purely assistance-oriented activities towards activities which promote employment especially vocational guidance, training and rehabilitation, offer the best protection against the adverse effects of involuntary unemployment, but that involuntary unemployment nevertheless exists and that it is therefore important to ensure that social security systems should provide employment assistance and economic support to those who are involuntarily unemployed, and

Having decided upon the adoption of certain proposals with regard to employment promotion and social security which is the fifth item on the agenda of the session with a view, in particular, to revising the Unemployment Provision Convention, 1934, and

Having determined that these proposals shall take the form of an international Convention;

adopts this day of June of the year one thousand nine hundred and eighty-eight the following Convention, which may be cited as the Employment Promotion and Protection against Unemployment Convention, 1988:

I. GENERAL PROVISIONS

Article 1

In this Convention:

- (a) the term "legislation" includes any social security rules as well as laws and regulations;
- (b) the term "prescribed" means determined by or in virtue of national legislation.

Article 2

Each Member shall take appropriate steps to co-ordinate its system of protection against unemployment and its employment policy. To this end, it shall seek to ensure that its system of protection against unemployment, and in particular the methods of providing unemployment benefit, contribute to the promotion of full, productive and freely chosen employment, and are not such as to discourage employers from offering and workers from seeking productive employment.

Article 3

The provisions of this Convention shall be implemented in consultation and co-operation with the organisations of employers and workers, in accordance with national practice.

Article 4

1. Each Member which ratifies this Convention may, by a declaration accompanying its ratification, exclude the provisions of Part VII from the obligations accepted by ratification.
2. Each Member which has made a declaration under paragraph 1 above may withdraw it at any time by a subsequent declaration.

Article 5

1. Each Member may avail itself, by a declaration accompanying its ratification, of at most two of the temporary exceptions provided for in Article 10, paragraph 4, Article 11, paragraph 3, Article 15, paragraph 2, Article 18, paragraph 2, Article 19, paragraph 4, Article 23, paragraph 2, Article 24, paragraph 2, and Article 25, paragraph 2. Such a declaration shall state the reasons which justify these exceptions.

2. Notwithstanding the provisions of paragraph 1 above, a Member, where it is justified by the extent of protection of its social security system, may avail itself, by a declaration accompanying its ratification, of the temporary exceptions provided for in Article 10, paragraph 4, Article 11, paragraph 3, Article 15, paragraph 2, Article 18, paragraph 2, Article 19, paragraph 4, Article 23, paragraph 2, Article 24, paragraph 2 and Article 25, paragraph 2. Such a declaration shall state the reasons which justify these exceptions.

3. Each Member which has made a declaration under paragraph 1 or paragraph 2 shall include in its reports on the application of this Convention submitted under Article 22 of the Constitution of the International Labour Organisation a statement in respect of each exception of which it avails itself—

- (a) that its reason for doing so subsists; or
- (b) that it renounces its right to avail itself of the exception in question as from a stated date.

4. Each Member which has made a declaration under paragraph 1 or paragraph 2 shall, as appropriate to the terms of such declaration and as circumstances permit —

- (a) cover the contingency of partial unemployment;
- (b) increase the number of persons protected;
- (c) increase the amount of the benefits;
- (d) reduce the length of the waiting period;
- (e) extend the duration of payment of benefits;
- (f) adapt statutory social security schemes to the occupational circumstances of part-time workers;
- (g) endeavour to ensure the provision of medical care to persons in receipt of unemployment benefit and their dependants;

- (h) endeavour to guarantee that the periods during which such benefit if paid will be taken into account for the acquisition of the right to social security benefits and, where appropriate, the calculation of disability, old-age and survivors' benefit.

Article 6

1. Each Member shall ensure equality of treatment for all persons protected, without discrimination on the basis of race, colour, sex, religion, political opinion, national extraction, nationality, ethnic or social origin, disability or age.

2. The provisions of paragraph 1 shall not prevent the adoption of special measures which are justified by the circumstances of identified groups under the schemes referred to in Article 12, paragraph 2, or are designed to meet the specific needs of categories of persons who have particular problems in the labour market, in particular disadvantaged groups, or the conclusion between States of bilateral or multilateral agreements relating to unemployment benefits on the basis of reciprocity.

II. PROMOTION OF PRODUCTIVE EMPLOYMENT

Article 7

Each Member shall declare as a priority objective a policy designed to promote full, productive and freely chosen employment by all appropriate means, including social security. Such means should include, inter alia, employment services, vocational training and vocational guidance.

Article 8

1. Each Member shall endeavour to establish, subject to national law and practice, special programmes to promote additional job opportunities and employment assistance and to encourage freely chosen and productive employment for identified categories of disadvantaged persons having or liable to have difficulties in finding lasting employment such as women, young workers, disabled persons, older workers, the long-term unemployed, migrant workers lawfully resident in the country and workers affected by structural change.

2. Each Member shall specify, in its reports under article 22 of the Constitution of the International Labour Organisation, the categories of persons for whom it undertakes to promote employment programmes.

3. Each Member shall endeavour to extend the promotion of productive employment progressively to a greater number of categories than the number initially covered.

Article 9

The measures envisaged in this Part shall be taken in the light of the Human Resources Development Convention and Recommendation, 1975, and the Employment Policy (Supplementary Provisions) Recommendation, 1984.

III. CONTINGENCIES COVERED

Article 10

1. The contingencies covered shall include, under prescribed conditions, full unemployment defined as the loss of earnings due to inability to obtain suitable employment with due regard to the provisions of Article 21, paragraph 2, in the case of a person capable of working, available for work and actually seeking work.

2. Each Member shall in addition endeavour to extend the protection of the Convention, under prescribed conditions, to the following contingencies –

- (a) loss of earnings due to partial unemployment, defined as a temporary reduction in the normal or statutory hours of work; and
- (b) suspension or reduction of earnings due to a temporary suspension of work, without any break in the employment relationship for reasons of, in particular, an economic, technological, structural or similar nature.

3. Each Member shall endeavour to provide the payment of benefits to part-time workers who are actually seeking full-time work. The total of benefits and earnings from their part-time work may be such as to maintain incentives to take up full-time work.

4. Where a declaration made in virtue of Article 5 is in force, the implementation of paragraphs 2 and 3 above may be deferred.

IV. PERSONS PROTECTED

Article 11

1. The persons protected shall comprise prescribed classes of employees, constituting not less than 85 per cent of all employees, including public employees and apprentices.

2. Notwithstanding the provisions of paragraph 1 above, public employees whose employment up to normal retiring age is guaranteed by national laws or regulations may be excluded from protection.

3. Where a declaration made in virtue of Article 5 is in force, the persons protected shall comprise –

- (a) prescribed classes of employees constituting not less than 50 per cent of all employees; or
- (b) where specifically justified by the level of development, prescribed classes of employees constituting not less than 50 per cent of all employees in industrial workplaces employing 20 persons or more.

V. METHODS OF PROTECTION

Article 12

1. Unless it is otherwise provided in this Convention, each Member may determine the method or methods of protection by which it chooses to put into effect the provisions of the Convention, whether by a contributory or non-contributory system, or by a combination of such systems.

2. Nevertheless, if the legislation of a Member protects all residents whose resources, during the contingency, do not exceed prescribed limits, protection afforded may be limited, in the light of the resources of the beneficiary and his or her family, in accordance with the provisions of Article 16.

VI. BENEFIT TO BE PROVIDED

Article 13

Benefits provided in the form of periodical payments to the unemployed may be related to the methods of protection.

Article 14

In cases of full unemployment, benefits shall be provided in the form of periodical payments calculated in such a way as to provide the beneficiary with partial and transitional wage replacement and, at the same time, to avoid creating disincentives either to work or to employment creation.

Article 15

1. In cases of full unemployment and suspension of earnings due to a temporary suspension of work without any break in the employment relationship, when this contingency is covered, benefits shall be provided in the form of periodical payments, calculated as follows:

- (a) where these benefits are based on the contributions of or on behalf of the person protected or on previous earnings, they shall be fixed at not less than 50 per cent of previous earnings, it being permitted to fix a maximum for the amount of the benefit or for the earnings to be taken into account, which may be related, for example, to the wage of a skilled manual employee or to the average wage of workers in the region concerned;
- (b) where such benefits are not based on contributions or previous earnings, they shall be fixed at not less than 50 per cent of the statutory minimum wage or of the wage of an ordinary labourer, or at a level which provides the minimum essential for basic living expenses, whichever is the highest;

2. Where a declaration made in virtue of Article 5 is in force, the amount of the benefits shall be equal—

- (a) to not less than 45 per cent of the previous earnings; or
- (b) to not less than 45 per cent of the statutory minimum wage or of the wage of an ordinary labourer but no less than a level which provides the minimum essential for basic living expenses.

3. If appropriate, the percentages specified in paragraphs 1 and 2 may be reached by comparing net periodical payments after tax and contributions with net earnings after tax and contributions.

Article 16

Notwithstanding the provisions of Article 15, the benefit provided beyond the initial period specified in Article 19, paragraph 2(a), as well as benefits paid by a Member in accordance with Article 12, paragraph 2, may be fixed after taking account of other resources, beyond a prescribed limit, available to the beneficiary and his or her family, in accordance with a prescribed scale. In any case, these benefits, in combination with any other benefits to which they may be entitled, shall guarantee them healthy and reasonable living conditions in accordance with national standards.

Article 17

1. Where the legislation of a Member makes the right to unemployment benefit conditional upon the completion of a qualifying period, this period shall not exceed the length deemed necessary to prevent abuse.

2. Each Member shall endeavour to adapt the qualifying period to the occupational circumstances of seasonal workers.

Article 18

1. If the legislation of a Member provides that the payment of benefit in cases of full employment should begin only after the expiry of a waiting period, such period shall not exceed seven days.

2. Where a declaration made in virtue of Article 5 is in force, the length of the waiting period shall not exceed ten days.

3. In the case of seasonal workers the waiting period specified in paragraph 1 above may be adapted to their occupational circumstances.

Article 19

1. The benefits provided in cases of full unemployment and suspension of earnings due to a temporary suspension of work without any break in the employment relationship shall be paid throughout these contingencies.

2. Nevertheless, in the case of full unemployment—

- (a) the initial duration of payment of the benefit provided for in Article 15 may be limited to 26 weeks in each spell of unemployment, or to 39 weeks over any period of 24 months;
- (b) in the event of unemployment continuing beyond this initial period of benefit, the duration of payment of benefit, which may be calculated in the light of the resources of the beneficiary and his or her family, in accordance with the provisions of Article 16, may be limited to a prescribed period.

3. If the legislation of a Member provides that the initial duration of payment of the benefit provided for in Article 15 shall vary with the length of the qualifying period, the average duration fixed for the payment of benefits shall be at least 26 weeks.

4. Where a declaration made in virtue of Article 5 is in force, the duration of payment of benefit may be limited to 13 weeks over any period of 12 months or up to an average of 13 weeks if the legislation provides that the initial duration of payment shall vary with the length of the qualifying period.

5. In the cases envisaged in paragraph 2(b) above each Member shall endeavour to grant appropriate additional assistance to the persons concerned with a view to permitting them to find productive and freely chosen employment having recourse in particular to the measures specified in Part II.

6. The duration of payment of benefit to seasonal workers may be adapted to their occupational circumstances, without prejudice to the provisions of paragraph 2(b) above.

Article 20

The benefit to which a protected person would have been entitled in the cases of full or partial unemployment or suspension of earnings due to a temporary suspension of work without any break in the employment relationship may be refused, withdrawn, suspended or reduced to the extent prescribed—

- (a) for as long as the person concerned is absent from the territory of the Member;
- (b) when it has been determined by the competent authority that the person concerned had deliberately contributed to his or her own dismissal;
- (c) when it has been determined by the competent authority that the person concerned has left employment voluntarily without just cause;
- (d) during the period of a labour dispute, when the person concerned has stopped work to take part in a labour dispute or when he or she is prevented from working as a direct result of a stoppage of work due to this labour dispute;
- (e) when the person concerned has attempted to obtain or has obtained benefits fraudulently;
- (f) when the person concerned has failed without just cause to use the facilities available for placement, vocational guidance, training, retraining or redeployment in suitable work;
- (g) as long as the person concerned is in receipt of another income maintenance benefit provided for in the legislation of the Member concerned, except family benefit, provided that the part of the benefit which is suspended does not exceed that other benefit.

Article 21

1. The benefit to which a protected person would have been entitled in the case of full unemployment may be refused, withdrawn, suspended or reduced, to the extent prescribed, when the person concerned refuses to accept suitable employment.

2. In assessing the suitability of employment, account shall be taken, in particular, under prescribed conditions and to an appropriate extent, of the age of unemployed persons, their length of service in their former occupation, their acquired experience, the length of their period of unemployment, the labour market situation, the impact of the employment in question on their personal and family situation and of whether the employment is vacant as a direct result of a stoppage of work due to an on-going labour dispute.

Article 22

When protected persons have received directly from their employer or from any other source under national laws or regulations or collective agreements, severance pay, the principal purpose of which is to contribute towards compensating them for the loss of earnings suffered in the event of full unemployment—

- (a) the unemployment benefit to which the persons concerned would be entitled may be suspended for a period corresponding to that during which the severance pay compensates for the loss of earnings suffered; or
 - (b) the severance pay may be reduced by an amount corresponding to the value converted into a lump sum of the periodical payments to which the persons concerned are entitled for a period corresponding to that during which the severance pay compensates for the loss of earnings suffered,
- as each Member may decide.

Article 23

1. Each Member whose legislation provides for the right to medical care and makes it directly or indirectly conditional upon occupational activity shall endeavour to ensure, under prescribed conditions, the provision of medical care to persons in receipt of unemployment benefit and to their dependants.

Article 24

1. Each Member shall endeavour to guarantee to persons in receipt of unemployment benefit, under prescribed conditions, that the periods during which benefits are paid will be taken into consideration—

- (a) for acquisition of the right to and, where appropriate, calculation of disability, old-age and survivors' benefit, and
 - (b) for acquisition of the right to medical care and sickness, maternity and family benefit after the end of unemployment,
- when the legislation of the Member concerned provides for such benefits and makes them directly or indirectly conditional upon occupational activity.

2. Where a declaration made in virtue of Article 5 is in force, the implementation of paragraph 1 above may be deferred.

Article 25

1. Each Member shall ensure that statutory social security schemes which are based on occupational activity are adjusted to the occupational circumstances of part-time workers, unless their hours of work or earnings can be considered, under prescribed conditions, as negligible.

2. Where a declaration made in virtue of Article 5 is in force, the implementation of paragraph 1 above may be deferred.

VII. SPECIAL PROVISIONS FOR NEW APPLICANTS FOR EMPLOYMENT

Article 26

1. Members shall take account of the fact that there are many categories of persons seeking work who have never been, or have ceased to be, recognised as unemployed or have never been, or have ceased to be, covered by schemes for the protection of the unemployed. Consequently, at least three of the following ten categories of persons seeking work shall receive social benefits, in accordance with prescribed terms and conditions:

- (a) young persons who have completed their vocational training;
- (b) young persons who have completed their studies;
- (c) young persons who have completed their compulsory military service;
- (d) persons after a period devoted to bringing up a child or caring for someone who is sick, disabled or elderly;
- (e) persons whose spouse had died, when they are not entitled to a survivor's benefit;
- (f) divorced or separated persons;
- (g) released prisoners;
- (h) adults, including disabled persons, who have completed a period of training;
- (i) migrant workers on return to their home country, except in so far as they have acquired rights under the legislation of the country where they last worked;
- (j) previously self-employed persons.

2. Each Member shall specify, in its reports under article 22 of the Constitution of the International Labour Organisation, the categories of persons listed in paragraph 1 above which it undertakes to protect.

3. Each Member shall endeavour to extend protection progressively to a greater number of categories than the number initially protected.

VIII. LEGAL ADMINISTRATIVE AND FINANCIAL GUARANTEES

Article 27

1. In the event of refusal, withdrawal, suspension or reduction of benefit or dispute as to its amount, claimants shall have the right to present a complaint to the body administering the benefit scheme and to appeal thereafter to an independent body. They shall be informed in writing of the procedures available, which shall be simple and rapid.

2. The appeal procedure shall enable the claimant, in accordance with national law and practice, to be represented or assisted by a qualified person of the claimant's choice or by a delegate of a representative workers' organisation or by a delegate of an organisation representative of protected persons.

Article 28

Each Member shall assume general responsibility for the sound administration of the institutions and services entrusted with the application of the Convention.

Article 29

1. When the administration is directly entrusted to a government department responsible to Parliament, representatives of the protected persons and of the employers shall be associated in the administration in an advisory capacity, under prescribed conditions.

2. When the administration is not entrusted to a government department responsible to Parliament—

- (a) representatives of the protected persons shall participate in the administration or be associated therewith in an advisory capacity under prescribed conditions;
- (b) national laws or regulations may also provide for the participation of employers' representatives;
- (c) the laws or regulations may further provide for the participation of representatives of the public authorities.

Article 30

In cases where subsidies are granted by the State or the social security system in order to safeguard employment, Members shall take the necessary steps to ensure that the payments are expended only for the intended purpose and to prevent fraud or abuse by those who receive such payments.

Article 31

This Convention revises the Unemployment Provision Convention, 1934.

Proposed Recommendation concerning employment promotion and protection against unemployment

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Seventy-fifth Session on 1 June 1988,
and

Having decided upon the adoption of certain proposals with regard to employment promotion and social security which is the fifth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation supplementing the Employment Promotion and Protection against Unemployment Convention, 1988;

adopts this day of June of the year one thousand nine hundred and eighty-eight the following Recommendation, which may be cited as the Employment Promotion and Protection against Unemployment Recommendation, 1988.

I. GENERAL PROVISIONS

1. In this Recommendation—

- (a) the term “legislation” includes any social security rules as well as laws and regulations;
- (b) the term “prescribed” means determined by or in virtue of national legislation;
- (c) the term “the Convention” means the Employment Promotion and Protection against Unemployment Convention, 1988.

II. PROMOTION OF PRODUCTIVE EMPLOYMENT

2. The promotion of full, productive and freely chosen employment by all appropriate means, including through social security, should be a priority objective of national policy. Such means should include, inter alia, employment services, vocational training and vocational guidance.

3. In periods of economic crisis, adjustment policies should include, under prescribed conditions, measures to encourage initiatives which involve the maximum use of labour on a large scale.

4. Each Member should endeavour to grant in particular, under prescribed conditions and in the most appropriate manner, by way of occupational mobility incentives—

- (a) allowances towards the costs of travel and equipment necessary to take advantage of the services provided for in Paragraph 2 above;
- (b) allowances in the form of periodical payments calculated in accordance with the provisions of Article 15 of the Convention for a prescribed period of vocational training or retraining.

5. Each Member should in addition consider granting in particular, under prescribed conditions and in the most appropriate manner, by way of occupational or geographical mobility incentives—

- (a) temporary degressive allowances designed to offset, where appropriate, a reduction in pay as a result of redeployment;
- (b) allowances towards travel and removal costs;
- (c) separation allowances;
- (d) resettlement grants.

6. Each Member should ensure co-ordination of statutory pension schemes and encourage co-ordination of private pension schemes in order to remove barriers to occupational mobility.

7. Each Member should offer to protected persons, under prescribed conditions, facilities to enable them to engage in remunerated temporary employment without endangering the employment of other workers and with the purpose of improving their own chances of obtaining productive and freely chosen employment.

8. Each Member should, as far as possible, offer to unemployed persons who wish to set up their own business or take up another economic activity, financial assistance and advisory services under prescribed conditions.

9. Each Member should give consideration to the conclusion of bilateral and multilateral agreements which provide for assistance to foreign workers protected by its legislation who freely wish to return to the territory of the State of which they are nationals or in which they formerly resided. Where such agreements do not exist, each Member should provide, through national legislation, financial assistance to those workers affected.

10. Each Member should, in accordance, if appropriate, with provisions in multilateral agreements, invest any reserves accumulated by statutory pension schemes and provident funds in such a way as to promote and not to discourage employment within the country, and encourage such investment from private sources, including private pension schemes, while at the same time affording the necessary guarantees of security and yield of the investment.

11. The progressive introduction in rural and urban areas of community services, including health-care services, financed by social security contributions or by other sources should lead to increased employment and the provision of training of personnel, while at the same time making a practical contribution to the achievement of national objectives regarding employment promotion.

III. PROTECTION OF UNEMPLOYED PERSONS

12. In case of partial unemployment and in the case referred to in Article 10, paragraph 3, of the Convention, benefit should be provided, under prescribed conditions, in the form of periodical payments fairly compensating for the loss of earnings due to unemployment. These benefits might be calculated in the light of the reduction of hours of work suffered by the unemployed persons or so that the total of the benefit and the earnings from the part-time work reaches a sum between the amount of the previous earnings from full-time work and the amount of the full unemployment benefit, so as not to discourage part-time or temporary work, when these forms of work may assist in a return to full-time work.

13. (1) The percentages specified in Article 15 of the Convention for the calculation of benefits should be reached on the basis of the gross earnings of the beneficiary before tax and social security contributions

(2) If appropriate, these percentages may be reached by comparing net periodical payments after tax and contributions with net earnings after tax and contributions.

14. (1) The concept of suitable employment should, under prescribed conditions, not apply to—

- (a) employment involving a change of occupation which does not take account of the abilities, qualifications, skills, work experience or the retraining potential of the person concerned;
- (b) employment involving a change of residence to a place in which suitable accommodation is not available;
- (c) employment in which the conditions and remuneration are appreciably less favourable than those which are generally granted, at the relevant time, in the occupation and district in which the employment is offered;
- (d) employment vacant as a direct result of a stoppage due to an ongoing labour dispute;
- (e) employment such that, for a reason other than those covered in clauses (a) to (d), and with due regard to all attendant circumstances, including the family responsibilities of the person concerned, the refusal of the employment is not unreasonable.

(2) In assessing the criteria specified in clauses (a) to (c) and (e) above, account should be taken in general of the age of the unemployed persons, of their length of service in their former occupation, of their acquired experience, of the duration of their unemployment, of the state of the labour market and of the repercussions of the employment on their personal and family situations.

15. If an unemployed person has agreed to accept, for a prescribed maximum period, temporary employment which cannot be regarded as suitable within the meaning of Paragraph 14 above, or part-time employment in the circumstances covered in Article 10, paragraph 3, of the Convention, the level and duration of unemployment benefit paid at the end of such employment should not be adversely affected by the earnings of the unemployed person from that employment.

16. Members should endeavour to extend progressively the application of their legislation concerning unemployment benefit to cover all employees. However, public employees whose employment up to normal retirement age is guaranteed by national laws or regulations may be excluded from protection.

17. Members should endeavour to protect workers who are experiencing hardship in a waiting period.

18. The following provisions should be applicable, as appropriate, to the categories of persons mentioned in Article 26, paragraph 1, of the Convention:

- (a) in cases of full unemployment, the benefit may be calculated in accordance with the provisions of Article 16 of the Convention;
- (b) the qualifying period should be adapted or waived, under prescribed conditions, for certain of the categories of persons newly seeking work;
- (c) when benefit is provided without a qualifying period—
 - (i) the waiting period may be increased to a prescribed length;
 - (ii) the duration of payment of benefit may be limited under prescribed conditions notwithstanding the provision of Article 19, paragraph 1, of the Convention.

19. When the duration of payment of benefit is limited by national legislation, it should be extended, under prescribed conditions, until pensionable age for unemployed persons who have reached an age, prior to the pensionable age, prescribed by national legislation.

20. Each Member whose legislation provides for the rights to medical care and makes it directly or indirectly conditional upon occupational activity should endeavour to ensure, under prescribed conditions, the provision of medical care to unemployed persons including, if possible, those who are not in receipt of unemployment benefit and to their dependants.

21. Each Member should endeavour to guarantee to persons in receipt of unemployment benefit, under prescribed conditions, that the periods during which benefits are paid will be taken into consideration—

- (a) for acquisition of the right to and, where appropriate, calculation of disability, old-age and survivors' benefit, and
- (b) for acquisition of the right to medical care and sickness, maternity and family benefit after the end of unemployment,

when the legislation of the Member concerned provides for such benefits and makes them directly or indirectly conditional upon occupational activity.

22. Each Member should endeavour to make adjustments of statutory social security schemes which are based on occupational activity to the occupational circumstances of part-time workers. Such adjustments, provided for in Article 25 of the Convention, should relate in particular, under prescribed conditions to—

- (a) the minimum hours of work and minimum earnings necessary for the entitlement to benefits under the basic and supplementary schemes;
- (b) maximum earnings for the calculation of contributions;
- (c) the qualifying period for entitlement to benefit;
- (d) the methods of calculating cash benefits, in particular pensions, on the basis of earnings and of the length of the period of contribution, insurance or occupational activity;
- (e) entitlement to non-reduced minimum benefits and flat-rate benefits, in particular family allowances.

23. Members should endeavour to promote a real understanding of the hardships of unemployed persons, particularly those who have been unemployed for a long period, and their need for sufficient income.

IV. DEVELOPMENT AND IMPROVEMENT OF SYSTEMS OF PROTECTION

24. Since the systems of protection for the unemployed of some Members are in the early stages of development and others may have to consider changes to existing schemes in the light of changing needs, a variety of approaches may legitimately be taken in assisting the unemployed, and Members should give high priority to a full and frank exchange of information on programmes of assistance for the unemployed.

25. With a view to reaching at least the standards laid down in Part IV (Unemployment Benefit) of the Social Security (Minimum Standards) Convention, 1952, Members which intend to develop their system of protection against unemployment should be guided, in so far as is possible and appropriate, by the following provisions.

26. (1) Members should be aware of the technical and administrative difficulties involved in the planning and introduction of social security mechanisms for the compensation of unemployment. In order to introduce forms of unemployment compensation through the payment of benefits of a non-discretionary nature, they should seek to meet the following conditions as soon as possible—

- (a) the introduction and satisfactory operation of a free public employment service containing a network of employment offices and having acquired sufficient administrative capacity to collect and analyse information on the employment market, to register job offers and jobseekers and to verify objectively that persons are involuntarily unemployed;
- (b) a reasonable level of coverage by and extensive experience in the administration of other branches of social security deemed to have priority on social and economic grounds, such as primary health care and compensation for employment accidents.

(2) Members should, as a major priority, seek to meet the conditions set out in subparagraph (1) above by promoting a sufficiently high level of stable employment offering adequate wages and working conditions, in particular through necessary and appropriate measures, such as vocational guidance and training, to facilitate voluntary matching of skills on the labour market to available job vacancies.

(3) The co-operation and technical advice of the International Labour Office should continue to be put to good advantage in supporting any initiative taken by Members in this respect in cases where there is insufficient national expertise.

(4) When the conditions specified in subparagraph (1) above are met, Members should, as rapidly as their resources permit, and if necessary in stages, introduce programmes for the protection of the unemployed, including social security mechanisms for the compensation of unemployment.

27. In cases where the conditions referred to in Paragraph 26 are not met, Members should give priority to special assistance measures for the most needy unemployed persons, to the extent permitted by the available resources and in the context of national conditions.

28. Members which have set up a national provident fund might examine the possibility of authorising the payment of periodical cash benefits to the holders of accounts whose earnings are interrupted by long-term unemployment and whose family situation is precarious in order to provide for their essential needs. The level of this benefit and the period during which it is payable might be limited according to the circumstances, in particular the amount credited to the account.

29. Members might also encourage employers' and workers' organisations to set up assistance funds at the enterprise or inter-enterprise level. These could advantageously be introduced in the enterprises and sectors of activity which have sufficient economic capacity.

30. Members whose laws or regulations require employers to make severance payments to workers who have lost their jobs should envisage making provision for the employers to bear this responsibility in common through the creation of funds financed by employers' contributions, so as to ensure the receipt of these payments by the workers concerned.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Third Item on the Agenda: Information and Reports on the Application of Conventions and Recommendations

Report of the Committee on the Application of Conventions and Recommendations

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Report of the Committee on the Application of Conventions and Recommendations

PART ONE

GENERAL REPORT

A. Introduction

1. In accordance with article 7 of its Standing Orders, the Conference set up a Committee to consider and report on item III of its agenda; "Information and reports on the application of Conventions and Recommendations". The Committee was composed of 184 members (100 Government members, 34 Employers' members and 50 Workers' members). It also included 12 Government deputy members, 29 Employers' deputy members and 80 Workers' deputy members.¹ In addition, 28 non-governmental international organisations were represented by observers.² The Committee elected its officers as follows:

Chairman: Mr. A. El Assar (Government member, Egypt);

Vice-Chairmen: Mr. A. Wisskirchen (Employers' member, Federal Republic of Germany) and Mr. J. M. Houthuys (Workers' member, Belgium);

Reporter: Mr. J.-J. Elmiger (Government member, Switzerland).

The Committee held 21 sittings.

2. Pursuant to its terms of reference, the Committee considered the following questions: information on the submission to the competent authorities of Conventions and Recommendations adopted by the Conference, supplied under Article 19 of the Constitution; reports on the application of ratified Conventions, supplied under articles 22 and 35 of the Constitution; and reports requested by the Governing Body under article 19 of the Constitution and the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958.³

3. As usual, the Committee began its work with a discussion of general questions relating to the application of Conventions and Recommendations and the discharge by member States of their obligations under the ILO Constitution in regard to such instruments. The Committee then discussed the general survey made by the Committee of Experts on the Application of Conventions and Recommendations of the effect given to Convention No. 111 and Recommendation No. 111. Finally, it considered a number of individual cases in respect of which the

Committee of Experts had made observations in its report, concerning the application of ratified Conventions or compliance with the obligations to supply reports and to submit Conventions and Recommendations to the competent national authorities. The examination of these cases took as a starting point the observations made by the Committee of Experts, the observations of the Conference Committee in previous years and comments received from employers' and workers' organisations and, where appropriate, the reports of other ILO supervisory bodies; it involved consideration of written and oral explanations provided by the governments concerned. In view of the short time available, the Committee followed its usual practice of selecting a limited number of cases among the observations made by the Committee of Experts. A summary of the information supplied by the governments, of the discussions in the Committee and of any conclusions reached by it is set out in Part Two of this report.

B. General questions relating to international labour standards

Member States of the Organisation

4. The Committee welcomed the fact that Poland had decided to remain within the Organisation. The Government member of Poland stated that her Government was fully aware of the significance of this decision and of the scope of the obligations it imposed. After having informed the Committee of the major changes under way in her country in the political, economic and social fields, she stated that her Government, influenced by trade unions and benefiting from expert advice, was aware of certain imperfections in its legislation and of the problem of compliance with ratified Conventions. She expressed the hope that Poland would be given a reasonable period of time to revise its legislation without undue outside pressure.

40th Anniversary of the Universal Declaration of Human Rights

5. This year the Conference commemorated three anniversaries which were of particular importance for the ILO: the 40th Anniversary of the Universal Declaration of Human Rights, the 40th Anniversary of the Freedom of Association and Protection of the Rights to Organise Convention, 1948 (No. 87), and the 30th Anniversary of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Like the Committee of Experts, the Conference

1. For changes in the composition of the Committee, see the reports of the Selection Committee, *Provisional Record*, Nos. 5A to 5H.

2. For the list of organisations, see the reports of the Selection Committee, *Provisional Record*, Nos. 5A to 5H.

3. Report III (Parts 1 to 3) to the International Labour Conference: *Summary of reports (articles 19, 22 and 35 of the Constitution)*; Report III (Part 4A): *Report of the Committee of Experts on the Application of Conventions and Recommendations*; Report III (Part 4B): *Equality in Employment and Occupation*.

Committee welcomed the fact that the Director-General had devoted his Report to the Conference to human rights, and considered it particularly appropriate that this year the Committee of Experts' general survey dealt with the instruments on discrimination, for which reports had been requested under article 19 of the Constitution. The commemoration of these anniversaries gave occasion for an evaluation of the ILO's action in the field of human rights for which the Organisation had special responsibility and of the situation regarding the implementation of these rights throughout the world. This evaluation should, without complacency, measure the ground covered, but it especially should show what remains to be done before the rights recognised in the basic instruments become a reality for everyone everywhere.

6. The Committee recognised the vital contribution which the ILO had made towards the implementation of human rights through its action to define these rights and to have them applied. Since the ILO's creation and that of its supervisory procedures, international labour standards had had a profound influence on national legislation and practice and had improved the condition of workers in the world. In certain cases, as stated by the Government member of Argentina, referring to his country's experience, it was not only a question of fuller respect for rights or freedoms, but of human lives which had been saved. The Committee was convinced that to promote human rights, the ILO had to continue to establish standards adapted to developments in the world and to endeavour to improve the application of the procedures by which it ensured respect for these standards.

7. Several members made mention of the multiplicity of international instruments devoted to human rights, whether universal instruments such as the Universal Declaration, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, or regional instruments such as the European Convention on Human Rights or the European Social Charter. The Workers' members recalled the special responsibility vested in the ILO in the field of economic and social rights. They stressed the importance of the Office's presence and participation in the organs of the United Nations, the Council of Europe and other international forums so as to avoid divergent interpretations between the organisations. The Government member of Spain paid homage to the valuable collaboration that the Office had given to the supervision of the European Social Charter; the 25th Anniversary of that instrument had been celebrated by a symposium held in Granada in October 1987.

8. The Committee considered that the Universal Declaration of Human Rights and the ILO Conventions on the basic human rights were as valid today as ever. They should not merely exist as instruments, but should be respected in practice. In this regard, numerous speakers, echoing the Director-General's Report to the Conference, deplored the gaps which existed between the acceptance of the principles and actual practice, as well as the numerous and at times massive violations of human rights which continued in all parts of the globe. The Government member of

the USSR observed that the ILO's basic Conventions – those relating to forced labour, freedom of association, discrimination and employment policy – had only been ratified by two-thirds of the member States of the ILO. The Government member of Australia pointed out that over half of the observations made by the Committee of Experts in this year's report concerned these Conventions; on the other hand he noted that one-third of the cases in which progress was noted also related to these instruments. Placing the discussion in a historical perspective, the Government member of the Federal Republic of Germany referred to the progress achieved when human rights, which had previously been considered as moral rights, were recognised as positive laws. The Government member of Saudi Arabia emphasised the importance for respect for human rights of the observance of the precepts of Islamic law (the Shari'a), which prohibited discrimination and injustice.

9. The Employers' and Workers' members highlighted the interdependence and universality of human rights. They stressed that the economic and social rights which concerned the ILO could only become a reality when they were founded on civil and political freedoms, and considered that human rights could not be the privilege of certain groups. The Government members of the German Democratic Republic, as well as the Workers' members of the German Democratic Republic and the USSR, indicated the specific responsibility of the ILO in the field of human rights and stressed the importance of the right to work, without which all the other rights remained baseless; they cited in this respect the Director-General's Report, which stated that as long as large sections of the world's labour force were deprived of the opportunity to earn a decent living, they lacked the basis for freedom, dignity, economic security and equal opportunity. The ILO, however, had not expressly recognised the right to work in any instrument, although the Employment Policy Convention, 1964 (No. 122) could make a very useful contribution to the solution of employment problems. They hoped that the ILO would give greater priority to the struggle against unemployment and the quest for full employment since it was the most appropriate forum to collect and exchange information and experience concerning these problems, which affected all countries in one way or another, and to make recommendations on this subject. The Workers' member of the USSR indicated that the trade unions of his country were aware of the possible effects of the current structural transformations and technological changes and were following with interest the experiences of other countries which could be of advantage to his country. The Government member of Hungary thanked the Employment and Development Department of the Office for the assistance received in this field.

10. Reference was made to the effects of the economic crisis on the effective enjoyment of human rights. The Workers' members considered that the crisis should not be used as a pretext for threatening workers' basic rights, whether relating to freedom of association, the right to work or protection against discrimination. The Government member of Venezuela was of the opinion that on the anniversary of certain basic instruments relating to human rights, finding a solution to the economic crisis, which in-

creased the inequalities between individuals and between nations, was the key to ensuring respect for human rights, and in particular the right to development (concerning the application of the Employment Policy Convention, 1964 (No. 122), see paragraphs 50 to 58 below).

40th anniversary of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)

11. On the occasion of the 40th anniversary of the adoption by the International Labour Conference of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Committee reiterated the special importance that it attached, just as the Committee of Experts had, to this Convention. Freedom of association was an indispensable condition for social progress. Moreover, it was the foundation of the ILO because of its tripartite structure.

12. The Workers' members were pleased at the high number of ratifications (98) reported to date for Convention No. 87. Recalling the resolution adopted on this subject by the Conference in 1987, they addressed an appeal to member States to ratify the Convention, if they had not already done so, and to ensure its full application.

13. The considerable impact that Convention No. 87 had had on national legislation and practice was stressed. The Government member of Spain stated that the ratification of the Convention by his country has enshrined the principle of pluralist representation in the field of labour, and that the Convention had inspired the 1978 Constitution and its implementing laws. The Workers' member of Japan, describing the efforts made by the unions in his country to have Convention No. 87 ratified, and the difficulties encountered in having it applied, highlighted the role played in this regard by the ILO's supervisory system, in particular the Committee on Freedom of Association and the Conference Committee. In his opinion, the case of Japan's application of the Convention on freedom of association illustrated the importance of international labour standards when supported by effective supervisory machinery. Several speakers stressed the important role played by the unions in their countries. The Workers' member of the German Democratic Republic observed that a certain number of countries had devoted considerable efforts to implementing trade union rights and had provided an outstanding legislative basis for effective trade union representation; these positive experiences should be taken more into account during discussions at the international level.

14. In paragraph 17 of its general report, the Committee of Experts noted with concern that restrictions on freedom of association were often the consequence of general limitations to civil liberties and emphasised that the fundamental guarantees of civil liberties conditioned the effective exercise of the principles of freedom of association. The Employers' and Workers' members associated themselves with these observations.

15. The Employers' and Workers' members stated that only respect for the fundamental principle of Convention No. 87 – that workers and employers

should be able, without previous authorisation, to establish and join organisations of their own choosing – would ensure fruitful social dialogue which would in turn be the basis for sharing responsibilities and tasks. By virtue of this principle, governments should tolerate the existence of social forces which enjoyed independence from the State.

16. The Workers' members noted that the application of Convention No. 87 continued to meet with serious difficulties in many countries. They regretted that the economic crisis which raged throughout the world was at times used as a pretext for anti-union repression and they stressed that in some countries trade union delegates were the first to be dismissed, clearly a discriminatory practice. In their opinion, the weakening of trade unionism did not lead to a more efficient functioning of the economy. On the contrary, strong unionism was needed to overcome the crisis and to carry out an effective employment policy. Referring to the situation in Africa, the Workers' member of Senegal welcomed the restoration of trade union freedoms in several countries of that continent, but regretted the persistent violations of those freedoms in others. He pointed out that the conditions imposed on the governments of developing countries by the International Monetary Fund and the World Bank were sometimes at the root of violations of freedom of association and the right to work.

Ratification of Conventions

17. The total number of ratifications at 31 December 1987 was 5,308. In 1987, as in 1986, 35 ratifications had been registered.

18. The Workers' members and many Government members expressed concern at the slower pace of ratifications. It was pointed out that only two-thirds of the ILO's member States had ratified the basic Conventions on human rights and that for these Conventions as well, the pace of ratifications had slowed down. The Government member of the Federal Republic of Germany stated that ratification was a sovereign act which had to be preceded by serious consideration; it was at least a moral duty for members of the Organisation to aim seriously at ratification. The Government member of Czechoslovakia pointed out that non-ratification provided governments with immunity from supervision.

19. Several members considered that the Office should actively endeavour to investigate the causes for this slowing down and seek ways of remedying it. Two main explanations were put forward: the economic crisis and the administrative problems of newly independent countries. For their part, the Government members of Bulgaria and the German Democratic Republic thought that the reasons for the slowing down in ratifications should rather be sought in the way the supervisory machinery worked, and that an improvement in this connection would no doubt stimulate ratification. The Government member of Iceland, speaking also on behalf of Denmark, Finland, Norway and Sweden, suggested that the Office, with the support of the social partners, envisage setting annual ratification objectives by region, aiming particularly at the instruments having a global significance. The Workers' member of the United

States suggested using tripartism as the catalyst for new ratifications and gave the example of his country which, after 35 years' of abstention, had recently decided to ratify two Conventions – the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) and the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147). In his opinion, it was the lack of consensus between the social partners which hindered any progress, and it was the dynamism of tripartism – a more effective, better organised and more coherent tripartism – which unblocked the situation. A procedure now existed for examination, on a continual basis, of non-ratified Conventions through a tripartite consultative committee, and three new ratifications were under study. The Government member of the United States confirmed this statement and emphasised that the ratification by her country of Convention No. 144, which embodied the systematic co-operation between government, employers and workers, was proof that it took the principles and procedures of the ILO very seriously.

20. Other speakers mentioned the ratification of certain Conventions by their countries in 1988. Argentina had ratified the Workers with Family Responsibilities Convention, 1981 (No. 156) and had approved the ratification of the Collective Bargaining Convention, 1981 (No. 154). Belgium had ratified the Minimum Age Convention, 1973 (No. 138), the Nursing Personnel Convention, 1977 (No. 149) and the Collective Bargaining Convention, 1981 (No. 154); the ratification procedure was under way for three other Conventions. China had ratified the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159). In the Federal Republic of Germany ratification procedures were underway for three Conventions. Hungary had ratified the Occupational Health Services Convention, 1985 (No. 161). The Netherlands had ratified the Workers with Family Responsibilities Convention, 1981 (No. 156) and the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159). The USSR had ratified the Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148) and the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159).

21. The Committee was informed that, since the beginning of the year, the Office had received 68 new ratifications so that the number of ratifications for 1988 would be higher than in 1987 or 1986. It was recalled that the Office helped governments and organisations of employers and workers to take decisions in full knowledge of the facts and that certain Conventions had considerable impact which went well beyond the number of ratifications they had received.

22. The Government member of Australia observed that the rate of ratifications fluctuated and that the importance of the number of ratifications should not be overestimated. The number had no significance in itself, for what was important was the way in which the Conventions were applied in practice. The fact that governments appeared less inclined to ratify was perhaps a sign of the seriousness with which they regarded their obligations. The Employers' members considered that while ratification

was important, because it was the basis for supervision, the goal was implementation of standards in practice.

Denunciations

23. In 1987, one denunciation was registered concerning the Underground Work (Women) Convention, 1935 (No. 45). Since the beginning of 1988, five further denunciations had occurred, four of which concerned Convention No. 45. The Government member of Australia stated that he was somewhat concerned that this was the first time that his country had denounced a Convention, namely Convention No. 45. In so doing, it had recognised that it could no longer apply it, which was preferable to non-observance of obligations. The Workers' member of the Netherlands regretted that his country appeared to have developed a habit of announcing possible denunciation whenever difficulties in application arose. He stated that his country's intention to denounce the Employment Injury Benefits Convention, 1964 (No. 121) had been preceded by hasty consultations, which were not worthy of the seriousness that should be given to denunciations. The Government member of the Netherlands indicated that the denunciation of Convention No. 121 had become necessary because the system in force in the Netherlands was not in conformity with the Convention, and affirmed that the consultations required had taken place.

Review of special protective standards concerning women

24. Noting the high number of denunciations relating to the Conventions on night work for women and the Underground Work (Women) Convention, 1935 (No. 45), a number of speakers saw this as a sign that a re-examination of the instruments according special protection to women had become necessary. They noted with interest that this year, as had been done in 1986 for the Conventions on night work, the Committee of Experts had requested the Governing Body to seek a solution to the growing difficulties encountered in the application of Article 3, paragraph 1, of the White Lead (Painting) Convention, 1921 (No. 13), which prohibits the employment of women in any painting work of an industrial character involving the use of white lead.

25. It was recalled that the path to follow as concerned special standards on the protection of women had been indicated by the Conference in its 1975 Declaration and 1985 resolution concerning equality of opportunity and treatment between men and women, which requested member States to review protective legislation in the light of recent scientific knowledge and technological changes, and requested the Office to review periodically the instruments on protection, such as Convention No. 89, so as to determine whether their provisions were still adequate and appropriate. The instruments concerned were those providing standards of protection not linked to maternity and the reproductive function. The Governing Body had included on the agenda of the 1989 Session of the Conference the revision of Convention No. 89 and the adoption of new standards on night work in general.

26. The Employers' members and several Government members stressed the contradiction existing between special standards of protection and the principle of equality between women and men and considered that certain employment prohibitions had to be re-examined in the light of technical and medical progress. In the opinion of the Government members of Spain and Tunisia, the review of protective standards should not, however, call into question the protection of maternity. These members, as well as the Government member of Portugal, welcomed the forthcoming revision of Convention No. 89. The Government member of Belgium indicated that this revision was the subject of broad consultations in his country which demonstrated the complexity and importance of the problem. The Employers' members agreed that the protection of maternity should be maintained but stressed the cost of this protection should be borne by society at large and not only by the employers, failing which the employment prospects of women might come under threat.

27. The Workers' members recognised that a re-examination of Conventions Nos. 89 and 13 was justified. Nevertheless, they regretted that certain countries had denounced Convention No. 89 without waiting for its revision; they stressed that, while awaiting the review of Convention No. 13, its application should continue to be supervised. They expressed the hope that the new standards which would be adopted would not amount to a step backwards for the workers (see also paragraph 82 below).

The supervisory system

28. A great number of speakers paid homage to the quality of the Committee of Experts' report. The spokesmen of the Workers' members and the Employers' members, speaking on behalf of their members, as well as the Government members of Australia, Austria, Belgium, France, the Federal Republic of Germany, Iceland (speaking also on behalf of Denmark, Finland, Norway and Sweden), Netherlands, Nigeria, Portugal, Saudi Arabia, Spain, Switzerland, United Arab Emirates and the United States stated that the Committee of Experts had once again given proof of its principles of independence, objectivity and impartiality, to which they reiterated their attachment.

29. The Government member of the Syrian Arab Republic stated that the principles of independence, objectivity and impartiality to which his Government also was attached, did not prevent account being taken of economic and social conditions in the evaluation of the effect given to the standards of the ILO. The Government member of the Ukrainian SSR was in favour of a flexible interpretation of these standards. The Government members of Australia, the Federal Republic of Germany, Iceland (speaking also on behalf of Denmark, Finland, Norway and Sweden) and Portugal reaffirmed their support of a uniform interpretation of standards, without which there could be no equality of treatment.

30. The Government member of the German Democratic Republic stressed the difficulties involved in comparative law, and expressed his respect for the work of the Committee of Experts, not only for the volume of its work, but also for the courage

with which this Committee examined the application of Conventions in such different States. The Government member of the Ukrainian SSR acknowledged the considerable work accomplished by the Committee of Experts and considered it a positive fact that in its report this year, it had noted new elements and had reflected to some extent the discussions in the Conference Committee. The Government member of the USSR welcomed the fact that in its evaluation of the application of the Employment Policy Convention, 1964 (No. 122), the Committee of Experts had adopted a differentiated approach to the problem of employment in which it took account of the diversity of economic and social conditions. The Workers' member of the USSR noted that this year the report of the Committee of Experts showed a certain understanding of the difficulties which certain countries encountered in the application of Conventions.

31. Nevertheless, these members, as well as the Government members of Bulgaria and Czechoslovakia and the Workers' member of the German Democratic Republic, drawing attention to the continued drop in the number of ratifications registered and of reports and replies supplied by governments, and to the problems encountered during discussions within the Conference Committee, considered that it was necessary to improve the supervisory system in order to increase the number of ratifications and the participation of governments in the supervisory procedures. These members were of the opinion that a system giving greater importance to dialogue and to a spirit of understanding would be more efficient in ensuring the implementation of the ILO's standards, since the role of the supervisory system should be to assist member States in fulfilling their obligations, and not to judge or condemn. That was why it was necessary to give a more important role to the Conference Committee and to promote dialogue within this committee. The Government member of Czechoslovakia compared the ILO supervisory system with that of the United Nations and pointed out that the former, in spite of emphasising the importance of dialogue, relied predominantly on assessment by experts.

32. As regards the respective roles of the Committee of Experts and the Conference Committee, the Government member of the USSR stated that the tripartite Conference Committee, which was provided for in the Constitution and whose terms of reference were governed by the Standing Orders of the Conference, had a major role to play. However, there was barely a reference to the Conference Committee's report in the report of the Committee of Experts. He recalled that in the report of the 1986 Session, two questions had been put to the Committee of Experts: the first concerned the right of the Committee of Experts to establish for itself its principles and methods of work, and the second inquired whether these principles and methods should be governed by the Constitution and the Standing Orders of the Conference and, if not, why not. The Committee of Experts had provided a *de facto* reply to the first question by adopting its principles and methods of work, but the second question still warranted a reply. He considered that the relationship between the Conference Committee and the Committee of Experts should be governed by a Standing Order and proposed that at least one representative of the

members of the Committee of Experts should attend the Conference Committee. The Government members of Czechoslovakia and the Ukrainian SSR regretted the absence of an organic link between the supervisory bodies. The former stressed that, in practice, the only co-ordinating element between the various supervisory bodies was the Office; the latter suggested that the Chairman of the Committee of Experts should come and present his Committee's report before the Conference Committee and that certain experts – including those responsible for the most important Conventions – take part, in an individual capacity, in the work of this Committee.

33. As regards the working methods of the Conference Committee, the Workers' member of the USSR stated that the Committee should not proceed like a court and condemn governments. He proposed that over the next two or three years, as an experiment, the Committee should no longer use special paragraphs in its report, while continuing to draw governments' attention to the need to improve their legislation and practice and showing them the ways and means to surmount existing shortcomings. In this way, governments would be less hesitant in appearing before the Committee and the recommendations and proposals to improve the situation would enable the trade unions to bring pressure to bear on their governments. The Government member of the Syrian Arab Republic drew a distinction between the nature and the work of the Conference Committee under the terms of the Constitution and the Standing Orders of the Conference, and those of commissions of inquiry provided for under articles 24 to 34 of the Constitution, and stated that it was not for the Conference Committee to make judgements; it should consequently limit itself in its conclusions to expressing a wish, a regret or a preoccupation, according to the seriousness of the case, and should not include in its report special paragraphs on specific countries. The Government member of the German Democratic Republic stated that it was preferable to have an exchange of experiences rather than to make criticisms in special paragraphs, although these did not amount to sentences or judgements. The Government member of the Ukrainian SSR stated his preference for an approach based on co-operation and well-intentioned dialogue rather than formalist statements such as those which appeared in the special paragraphs.

34. Another possible change in the procedure followed by the Conference Committees was put forward by the Government member of Czechoslovakia. He observed that the procedures followed by the Conference Committee to adopt conclusions on individual cases did not take sufficient account of the importance of these conclusions for the government concerned, and suggested that in certain cases the Committee carry over the adoption of proposed conclusions to its next sitting, so as to enable the Government representative to reflect on them without reopening the discussion. Exceptionally, minor changes could be made to the proposed conclusions, but only with the prior agreement of the Chairman and the Vice-Chairmen of the Committee.

35. The Government member of France stated that the supervisory system was alive and functioning well thanks to its pragmatic approach, which had

allowed it to evolve over its 60 years of existence. A spirit of pragmatism had led to the creation of the Committee of Experts in 1926, because it was not possible for the Conference itself to examine the reports of governments. There was also pragmatism in the sharing of roles between the supervisory bodies, the technical study being vested in the experts, tripartite consideration in this Committee and political sanction in the plenary of the Conference. These roles were clear and complementary. Since the Committee of Experts was a technical and legal, but not a judicial body, and had a collegial nature, it would hardly be useful to have one or two experts appear before this Committee. Furthermore, a reading of its report clearly showed that the Committee of Experts took thorough account of the work of this Committee. And finally, there was legal pragmatism, as the methods of work of the ILO were the result of a combination of two legal systems, that of written law and that of common law. The Committee of Experts had worked for over 60 years by virtue of the principles of common law, without having any written regulations.

36. The Employers' members and the Workers' members, as well as the Government members of Australia and the Federal Republic of Germany associated themselves with this statement. The spokesmen of the Employers' and Workers' members repeated that it was for the Committee of Experts itself to establish its working methods. The Government member of Uruguay considered that asking members of the Committee of Experts to come before this Committee to give explanations would not encourage the independence and impartiality of the Committee of Experts, in that it was a body having quasi-judicial functions.

37. Many speakers from the three groups stressed the importance of dialogue. The Employers' members and the Government member of the Federal Republic of Germany recalled that the supervisory system was not based on constraint but on obligations freely assumed by member States. The Employers' members recalled that these obligations included that of supplying reports and that of appearing before the Conference Committee to discuss problems of application; furthermore, dialogue did not mean that violations of standards were accepted, or that distinctions were not drawn between these violations according to their degree of seriousness. The Workers' members recognised that it was not for the supervisory bodies to condemn but to assist, and that it was therefore necessary to show understanding. They considered, however, that this should not prevent the Conference Committee from highlighting the most serious violations so as to encourage governments to make progress in the future. The Government member of the United States also believed that the supervisory process should be based on constructive dialogue and co-operation and that the objective of the supervisory machinery was not to criticise but to bring about improvements. That was why she hoped that, in its report, the Conference Committee would place more emphasis on cases of progress achieved following its discussions.

38. The Workers' and Employers' members, as well as the Government members of Australia, Belgium, France, the Federal Republic of Germany, the

Netherlands and the United States, stated that they were in favour of maintaining the working methods currently used by the Conference Committee. The Government member of France, supported by the spokesmen of the Employers' members and the Workers' members, and by the Government members of Australia and the Federal Republic of Germany, recalled that, in 1980, the Conference Committee had already modified its methods of work so as to strengthen dialogue, and that the conclusions set forth by the Chairman of the Committee after the discussion of a particular case are only a factual statement and not a judgment. To a delegate concerned to discuss the formulation of this factual statement would be unacceptable and would prolong the debate. As for special paragraphs, they were a way of attracting the Conference's attention to particularly important cases, emphasising both the difficulties and progress. The Committee should not deprive itself of this procedure. The Government member of Nigeria stated that he was not opposed in principle to the idea of allotting more time for the adoption of conclusions. The Government member of the Netherlands considered that the formulation of conclusions by the Chairman should not be the subject of negotiations with the Government member involved and that it was premature to envisage the suppression of special paragraphs. The Employers' members observed that if, instead of special paragraphs, the Committee were to make recommendations to governments on the specific measures to be taken to ensure the application of a Convention, this might be perceived by the government as greater interference in their internal affairs.

39. The Workers' members of Norway expressed the hope that the Committee of Experts, in one of its next reports, would study the problem of divergencies which might exist between the interpretation of the ILO's standards by the ILO's supervisory bodies, on the one hand, and the interpretation given by governments and national courts, on the other. Such divergencies, if they led to a rejection by the government concerned of the conclusions of the supervisory body as had recently occurred, prejudiced the credibility of the supervisory bodies. In his opinion, the risk of such divergencies was greater for the so-called promotional Conventions – which did not lay down self-executing standards, but rather goals to be promoted through measures left to the discretion of each member State – and where the Constitution of a country did not provide that ratified instruments were automatically to be incorporated into the internal legal system. It would be desirable for the Committee of Experts to examine whether in the future Conventions should be formulated in the form of instruments capable of being directly applied through national laws, and to discuss the pros and cons of the different systems of incorporating instruments into national law. He also drew the Committee of Experts' attention to the consequences of the failure to publish texts of ratified Conventions in official gazettes.

40. The Workers' members, the Employers' members and a number of Government members were concerned at the statistics contained in the report of the Committee of Experts concerning the manner in which governments were fulfilling their obligation to supply reports. These statistics showed that a grow-

ing number of governments were not supplying the reports due or were supplying them only a long time after the date fixed, or were not supplying the information requested. Pointing to the particularly low percentage (9.5 per cent) of reports received by the due date (15 October), the Government member of India, supported by the Government member of Bulgaria, wondered whether it would not be better to advance it, so as to ensure that the reports would arrive in good time to be examined with the necessary care. The Employers' members, stressing with a number of other members the considerable volume of work which fell on the Committee of Experts, stated that perhaps the time had come to review again the periodicity of reports with a view to lightening the workload both of the supervisory bodies and of the governments.

41. The Workers' member of the Netherlands, supported by the Government members of the German Democratic Republic, India and Venezuela, regretted that the Committee of Experts' report had only been received shortly before the opening of the Conference and that this had not allowed sufficient time for adequate consultation. The Government members of India and Venezuela suggested that the date for the meeting of the Committee of Experts be advanced. The representative of the Secretary-General pointed out that between the end of the session of the Committee of Experts and the date on which the report was sent out, considerable work had to be done. Since 1926, almost all the meetings of the Committee of Experts had taken place in the month of March; for various reasons, a change to this date would involve numerous difficulties. Over the past few years, the Office had looked at this problem and had tried to find solutions. Some measures had already been taken in this regard, such as the sending to each government of advance copies of the Committee of Experts' general report and of the observations concerning that country immediately after the Committee of Experts' session.

Constitutional procedures of complaint and representation and other procedures

42. The report of the Committee of Experts supplied indications on the cases in which there had been recourse to the constitutional procedures of complaint and representation, and on the conclusions of the Committee on Freedom of Association drawn to the attention of the Committee of Experts. The Workers' members and several Government members noted that the number of these cases continued to increase, which showed that the employers' and workers' organisations were more aware of the procedures available to them to enforce respect for the Conventions of the ILO. The Government member of Spain, referring to the representations presented under article 24 of the Constitution by Spanish trade union organisations concerning the observance by Spain of Conventions Nos. 111, 117 and 131, stated that his Government was complying with all these procedures but would propose a change in the Standing Orders governing the representations procedure so that the examination of the receivability of a representation would no longer be limited to an examination of the form, but could also involve questions of substance, so as to avoid losing time when representations were clearly unfounded.

The role of workers' and employers' organisations

43. The Employers' members, the Workers' members and a large number of Government members welcomed the ever-growing participation of employers' and workers' organisations in the functioning of the supervisory machinery, as evidenced by the record number (182) of observations received this year by the Committee of Experts from such organisations. The Employers' and Workers' members approved the importance that the Committee of Experts attached to the ratification and implementation of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144). They stressed that tripartism, which was at the basis of the ILO and which was provided for in many Conventions, presupposed the independence and autonomy of each party. Several speakers indicated that their countries had ratified this Convention and were putting into practice the consultations required by it. The Government member of the United States stated that the recent ratification of this Convention by her country showed its attachment to the principles of the ILO, and the Worker member of this country indicated that the process by which this ratification, together with the ratification of the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), had been obtained was an example of the efficiency of tripartism.

Action by the Office: direct contacts and other forms of assistance to governments

44. During 1987, direct contacts missions concerning freedom of association visited the Dominican Republic and Turkey; the Regional Advisers for standards, whose task is to assist governments in fulfilling the obligations arising from the ILO's Constitution and ratified Conventions, visited 34 countries in Africa, America and Asia and the Pacific; ten officials from nine countries undertook training in the International Labour Standards Department; this department organised three regional seminars on international labour standards for government officials directly responsible for questions related to international labour standards, and the Regional Advisers participated in the work of several seminars organised by other ILO departments in various regions of the world. The Office organised tripartite national seminars on international labour standards in ten countries. Five seminars were held for organisations of employers or workers, including one on freedom of association and one on human rights.

45. The Committee welcomed the continuation of these activities which were aimed at assisting member States of the Organisation to fulfil better their obligations regarding standards and to promote a greater understanding of standards and the standard-setting procedures of the ILO. It agreed that these activities, which should be strengthened, were particularly useful for developing countries, whose problems concerning standards often arose from administrative and financial difficulties. The Government member of Belgium, supported by the spokesman of the Workers' members, considered that a better knowledge by the public at large of the ILO's standard-setting action would reinforce its efficiency and that activities in this connection, using the media, should be undertaken.

46. Several speakers stressed the considerable and growing volume of work entrusted to the Office to enable the supervisory bodies to fulfil their functions and to assist governments in respecting their obligations. The Government members of Australia, Austria, the Federal Republic of Germany, the Netherlands and Switzerland expressed the hope that, despite the current budgetary difficulties, sufficient resources would be given to the responsible department reflecting the fundamental importance of standards and of the supervisory system, as well as the volume and increasing complexity of work relating to these questions.

47. The Government members of Morocco, Saudi Arabia, the Syrian Arab Republic and the United Arab Emirates congratulated the Office on the fact that this year, for the first time they had received translations in Arabic of the Committee of Experts' comments. They considered that this measure would help the government concerned to comply better with their obligations and hoped that the Office would continue this practice in the future. They also hoped that the texts of the ILO Conventions and Recommendations would also be translated into Arabic. The representative of the Secretary-General stated that this translation was under way and that Arabic texts should be available by the next session of the Conference. The Government member of Uruguay, supported by the Government member of Venezuela, expressed the wish that the Office send to governments the report forms on ratified Conventions in good time, so that they could use them in the procedure of submitting the instruments adopted by the Conference to the competent national authorities. The Government member of Portugal suggested that the Office send consultants for short visits to assist governments in preparing their reports.

Standard-setting activity and technical co-operation

48. In paragraphs 51 and 73 to 75 of its general report, the Committee of Experts welcomed the administrative measures recently taken by the Office to strengthen the links between international labour standards and the technical co-operation activities of the ILO. It noted the measures taken to inform external services and experts of the Office regarding developments in the field of standards which might concern their local projects and activities, including – where appropriate – the comments made by the Committee itself, and the special contribution that certain regional and national technical co-operation projects could make to the achievement of the objective set by international labour standards. The Committee of Experts encouraged the Office to continue its efforts, and it expressed the hope that the bodies which financed technical co-operation would be able to support them with adequate resources.

49. Numerous speakers from all three groups supported the Office's initiative. The Workers' members observed that technical co-operation should always go hand in hand with international labour standards. The Government member of Australia considered that the technical co-operation activities of the Organisation should be used to encourage member States to implement the standards adopted by the Organisation. The Government member of Tunisia suggested that priority be given to projects encourag-

ing the realisation of promotional standards such as those relating to employment, vocational training, or equality of opportunity and treatment, which required practical measures involving large financial resources; he also suggested that the Office do more to sensitise the development assistance organisations which financed technical co-operation projects, so that they would steer their action towards fields having a direct link with the implementation of international labour standards. The Government member of Bulgaria considered that technical co-operation in the field of employment should be the subject of careful study, and stressed the contribution made by the Office in the field of vocational training by the creation of institutes for vocational training in the framework of various technical co-operation projects both at the national and regional level.

Application of the Employment Policy Convention, 1964 (No. 122)

50. As in previous years, the Committee of Experts this year included in paragraphs 50 to 57 of its general report, general comments on the application of this Convention based on an examination of the reports supplied by 44 countries. In these comments, the Committee took account of the information contained in the reports, the discussions at the previous session of the Conference Committee and the development which had occurred in the field covered by the Convention; it described the changes in the various countries and set out its approach to the problems raised by the application of the Convention. Many speakers congratulated the Committee of Experts for these general comments and for the way in which it had gone about evaluating the implementation of the Convention. In particular, the dialogue which was taking place between the Committee of Experts and the Conference Committee on these problems was considered to be exemplary. The Government member of the USSR praised the Committee of Experts for taking a differentiated approach to the problems of employment by considering the variety of situations and possible solutions.

51. Once again, emphasis was placed on the magnitude and seriousness of the problem of employment. As the Director-General pointed out in his Report to the Conference, the rates of growth of the world economy remained modest and the long-term trend was towards a decline. Unless the principal industrialised countries took major decisions to counteract that trend, it appeared set to continue – if not indeed to worsen in the years ahead. In addition, as several members of the Committee had stated, the problem of employment which until now also arising, increasingly, in countries having centrally planned economies which were confronted with the huge task of restructuring their economy and reforming their methods of economic management. Therefore, employment should be a major concern for the ILO, and the Organisation's resources should be mobilised to assist member States in this sphere.

52. The Committee was convinced that in today's world, as the Director-General stated in his Report to the Conference, full, productive and freely chosen employment was not an outdated notion and should remain a vital goal of national policy for all States, as required by Convention No. 122. The Government

member of Bulgaria agreed with the analysis made by the Committee of Experts that Convention No. 122, which was generally considered as the classic example of a promotional Convention, also had the nature of a legal instrument giving rise to concrete obligations. Among these obligations, the Committee of Experts had rightly highlighted the consultation of employers' and workers' organisations and representatives of the persons affected by the measures to be taken. Several speakers mentioned the tripartite co-operation existing in their countries on employment problems.

53. The Employers' members repeated the opinion they had expressed at the last session of the Conference, to the effect that employment questions were closely linked to economic, fiscal and monetary policies. They supported a balanced relationship between the various policy areas and opposed the misconception that an isolated or single-focused labour market policy could be successful; a policy which generated growth without inflation would lead to better results in the employment field as well. The Government member of Belgium repeated his Government's doubts concerning the ability of the Committee of Experts and the Conference Committee to evaluate the overall economic policies of States.

54. In paragraph 54 of its general report, the Committee of Experts referred to the conclusions of the High-Level Meeting on Employment and Structural Adjustment which was called by the ILO in October 1987. The meeting took note of the serious consequences for employment of the heavy indebtedness of developing countries, a problem which had to be handled through international co-operation within the framework of an open international commercial system. It recommended that structural adjustment policies include measures to augment the employment opportunities of the vulnerable groups of the population and that they give priority to the rural sector. It considered that the ILO could intensify its action, in co-operation with other agencies, to help countries in their efforts towards structural adjustment, for example, by developing employment statistics, assisting the poorest people to increase their productive capacity, and studying the structural adjustment programmes which had created jobs and which had had so much success in both industrialised and developing countries. It concluded that the ILO should promote tripartite consultation and co-operation on adjustment and remain vigilant in ensuring full respect for its standards on employment, basic human rights and tripartism. In paragraph 55 of its report, the Committee of Experts noted that among developing countries, many governments had referred in their reports to stabilisation or structural adjustment programmes, sometimes adopted as a result of consultations with international financial institutions, which had involved measures of austerity having negative effects on employment. It seemed to the Committee that such cases were prime examples of situations where the conclusions adopted by the High-Level Meeting could be directly applied. The Committee of Experts also observed that it was clear from the reports of governments that the effect of the ILO's technical assistance in employment – which had been very positive in several fields – might be greatly diminished when austerity programmes were imposed on developing countries to the point where

unemployment and underemployment continued unchecked. It expressed the hope that countries in this situation would soon be able to feel the benefit of international and inter-organisational co-operation which had been called for by the High-Level Meeting.

55. The Workers' members and the Government members of Morocco and Venezuela stressed the importance of the conclusions of the High-Level Meeting on Employment and Structural Adjustment, and expressed the hope that these conclusions would be implemented. They drew particular attention to those concerning the need for better co-ordination at the international level between economic, financial and monetary policies and social policies, and those concerning the ILO's role in this regard, to ensure that structural adjustment policies did not run counter to the ILO's objectives, in particular to those relating to full employment. The Workers' members were of the opinion that the ILO should ensure that these policies not cause a deterioration in the living standard of the population. The Government member of Venezuela stated that the economic crisis due to the external debt and international trade gave rise, above all, to political problems which had to be resolved by the political will of member States; she invited the Committee of Experts to continue to study the problems of indebtedness and international trade. The Government member of Nigeria emphasised that a number of developing countries had had difficulties in implementing Convention No. 122 because of their numerous economic problems, and particularly those relating to debt and the balance of payments. In those countries, structural adjustment policies had had far-reaching implications for employment and growth. The Government member of Bulgaria suggested that the Committee of Experts study more thoroughly the problems of debt and unemployment in the rural sector and the relationship between social security and employment.

56. In paragraph 56 of its general report, the Committee of Experts indicated that this year it had been pleased to find signs of a reversal of the continuous advance of unemployment in several industrialised countries, but stated that it would still carefully monitor several problem areas, including growth of long-term unemployment and irregular forms of employment, such as part-time work, temporary work and short-term contracts, which were not always what workers would voluntarily choose and could be used to avoid compliance with basic minimum standards.

57. The Employers' members and the Government member of the United Kingdom regretted the pejorative connotation of the word "irregular", used by the Committee of Experts to describe flexible forms of employments, since these were preferred by an increasing number of persons and made a not unsubstantial contribution to the absorption of unemployment in certain industrialised countries. The Employers' members observed that the development of these forms of employment was an irreversible phenomenon resulting from changes in the organisation of work, brought about by structural and technological developments. The problem currently facing governments and employers' and workers' organisations was how to master this phenomenon

and to adapt the standards and mentalities which reflected other types of work organisation and employment. Some trade unions were hostile to these forms of employment, whereas others adopted a more positive attitude and had already concluded collective agreements on the subject. It was true that these new forms of employment means that it would be more difficult for the union to organise such workers. But it would also be more difficult to organise the employers. The solution to this problem should be left to the free choice of the workers and employers, as provided for in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). The Government member of the United Kingdom noted the progress achieved in his country and stated that his Government welcomed the creation of jobs of all types, including flexible forms of jobs, as long as they corresponded to the needs of expanding economies and the wishes of the labour force. The Government member of Bulgaria mentioned that these forms of employment were now recognised in the legislation of several countries and often corresponded to the wishes of the workforce.

58. The Workers' members observe that where the employment situation had improved, this had not come about by curtailing trade union rights, but by positive and concerted employment policies adopted by the governments concerned in line with the requirements of the Convention; an effective employment policy should be based on consultations and required a strong trade union movement. As for new forms of employment, they emphasised that flexibility should not mean the destruction of workers' rights. Unions accepted these new forms of employment on the condition that they corresponded to the free choice of workers, that they respected the standards set by law or collective agreements and were supervised by adequate inspection machinery. However, in many industrialised countries workers were forced to accept unstable, part-time or fixed-term work and poorer conditions of work and wages; small and medium-sized undertakings which created the most jobs by using these forms of employment were often the ones with little trade union representation and where safety standards were not adequately respected owing to insufficient inspection. Unions should fight to have these forms of employment covered by collective bargaining and to reduce the hours of work for everyone through collective agreements.

Application of the Labour Inspection Convention 1947 (No. 81), and the Labour Inspection (Agriculture) Convention, 1969 (No. 129)

59. In paragraphs 58 to 60 of its general report, the Committee of Experts noted with concern that in many countries which had ratified one or the other of the labour inspection Conventions some of the fundamental provisions of these Conventions were not fully applied. The provisions in question were those laying down measures of a practical nature to ensure the effective functioning of the labour inspection services (namely, the recruitment of sufficient numbers of inspectors capable of performing the various tasks, and the provision to inspectors of transports and other material resources indispensable for the performance of their duties), and the provisions relating to the publication and transmission to the

Office of the annual reports on labour inspections activities.

60. The Workers' members and the Government member of the Syrian Arab Republic thanked the Committee of Experts for having drawn attention to these difficulties; the Workers' members shared the Committee of Experts' hope that the governments concerned would not fail to take the necessary measures, possibly with the assistance of the International Labour Office, to improve the situation. The Workers' member of the USSR stated that the ILO should give special attention to labour inspection, on which depended the effective application of measures of protection taken for workers. He indicated that in his country labour inspection was the responsibility of the trade unions and had considerable prerogatives, including the right to close undertakings when the life and health of the workers was in danger. The Workers' member of the United Kingdom observed that certain governments which encouraged irregular forms of employment reduced, at the same time, labour inspection personnel, whereas it was in undertakings which used these forms of employment that inspection was the most necessary. The Workers' member of Chile stated that when labour inspectors did not enjoy trade union protection as provided by the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Labour Relations (Public Service) Convention, 1978 (No. 151), they were not in a position to perform the duties entrusted to them by the labour inspection Conventions without fear of reprisals.

Application of Conventions to offshore industrial installations

61. The Workers' members noted that the Committee of Experts intended to examine this question further when the preliminary study initiated by the Office on this subject had been completed. They expressed the hope that this study would be completed before the next session of the Conference.

Seafarers

62. The Workers' members were concerned that a new Maritime Session of the Conference did not appear to be envisaged before the end of the century. The Workers' member of Argentina stressed the very difficult and special problems facing seafarers in the present serious crisis of the merchant marine. He drew attention to the recent trend in industrialised countries having a maritime tradition of establishing special registration systems to reduce labour costs; such systems allowed them to avoid the application of international standards and collective agreements, and resulted in a worsening of the working and living conditions of the seafarers concerned. Such systems had been established by France, which created the flag of Kerguelen Islands, and the United Kingdom using the Isle of Man, and Norway. He considered that since there was not a committee on the application of standards within the Maritime Session of the Conference, it was indispensable for the present Committee to ensure supervision of the application of the maritime Conventions. He addressed an appeal to countries at war to apply the 1987 (Maritime) Session of the Conference resolution urging them

not to attack ships flying the flag of a neutral country. It was recalled that the general survey to be carried out by the Committee of Experts at its 1990 session would cover the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), which had an extensive scope, especially in view of all the instruments listed in its annex.

Submission of certain instruments to the competent authorities of the European Communities

63. Referring to paragraphs 124 and 125 of the general report of the Committee of Experts, the Workers' members expressed their concern that, owing to problems of division of competence between the European Communities and their member States, the Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153) had not yet been ratified by any of the States which were members of the European Communities at the time of the adoption of that Convention, and that, with the exception of Italy, none of the member States of the EEC had apparently yet submitted the Asbestos Convention, 1986 (No. 162) to the competent authorities. They invited the Office to intensify its discussions with the Secretariat of the European Communities so as to reach a rapid solution to these difficulties which were liable to recur in the future for each new instrument. The representative of the Secretary-General recalled that the Conventions, whose ratification by member States of the European Communities might depend on an internal Community procedure, could only be those involving fields within the exclusive competence of the Communities; only a relatively limited number of Conventions might therefore have their ratification delayed by the intervention of the Communities. He also recalled that the ILO Constitution permitted no ratifications other than those effected by member States of the ILO and that the European Communities as such did not meet this requirement. In addition, several Community countries had ratified Convention No. 144, which provided for the consultation of the social partners during submission and ratification of ILO instruments. These characteristics which were peculiar to the ILO had to be reconciled with the internal legal requirements of the Communities. Meetings had recently taken place between the Secretariat of the European Communities and the Office with a view to overcoming these difficulties. Solutions were envisaged which should ensure respect for the constitutional provisions of the ILO as regarded submission and ratification, as well as the full application of the provisions of Convention No. 144 relating to consultations with the social partners.

C. Reports requested under article 19 of the Constitution

Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958

64. The Committee examined the Committee of Experts' general survey on the application of the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958. In accordance with the established procedure, the general survey took account of information from

139 States and 17 non-metropolitan territories supplied under article 19 of the ILO Constitution or submitted in regular reports under article 22 of the Constitution by States which have ratified the Convention. Comments received from 18 employers' and workers' organisations were also taken into account.

General observations

65. The Committee stressed that the general survey was remarkable in analysing comprehensively and in depth the content of the 1958 instruments and the approaches taken to them, as well as the problems encountered at the national level in application of the principle of equality of opportunity and treatment in employment and occupation. The large number of examples drawn from almost all member States – regardless of whether they have ratified the Convention or not – made it possible to undertake a comprehensive study of the application of these instruments. Many speakers considered the general survey an important contribution to the 40th anniversary of the Convention and Recommendation and the 40th anniversary of the Universal Declaration of Human Rights. The Employers' members thought that the list of examples highlighted the variety of situations in which discrimination can arise and showed that discrimination exists in all countries. Although this didactic approach was justifiable, it made the task of assessing the seriousness of infringements of the Convention in each country a delicate one. Some Government members saw evidence of misunderstandings in the opinions expressed on some aspects of the situation in their respective countries, whilst at the same time expressing appreciation of the Committee of Experts' general survey as a useful guide for member State's policies in the promotion of equality in employment and occupation. The Workers' and Employers' members regretted that despite the great interest attached to the question there had been insufficient time for the report to be studied more closely.

66. The Workers' members stated that the interval of 17 years since the last general survey of this subject by the Committee of Experts was too long and should be shortened in the future. The Workers' member of Portugal thought that general surveys concerning the basic rights of workers should be made at shorter intervals both because of the basic nature of the rights concerned and because of rapid and far-reaching changes in the labour sphere.

67. The Government member of the Islamic Republic of Iran indicated his Government's view that the Committee of Experts had not been impartial or objective in the parts of the general survey dealing directly with the situation in his country.

68. Many speakers in the discussion gave further information on the application of the principle of equal opportunity and treatment in their respective countries. In most cases this information concerned either measures taken to overcome discrimination in employment and occupation since the Committee of Experts' report was prepared, or details of the individual situations described in the report.

69. As the Committee of Experts noted in paragraph 15 of the general survey, information supplied is often incomplete, because the scope of the instru-

ment has not always been accurately gauged either as to the types of measures to be taken to promote equality and eliminate discrimination or as to the diversity of the forms of discrimination covered. The Employers' members noted that the reports submitted by member States were not always sufficiently detailed to enable a suitably thorough analysis of the practice. The Workers' member of Finland pointed out that the various grounds of discrimination under the Convention did not receive an equal degree of attention. He pointed out that governments' reports should always be prepared in collaboration with employers' and workers' organisations, whose comments should be included in the reports.

70. The Committee noted that the principle of equality of opportunity and treatment in employment and occupation laid down in the 1958 instruments was a fundamental one: it is included in the ILO Constitution, reaffirmed in several instruments and resolutions, and further developed in the Convention. The Workers' members pointed out that equal opportunity and treatment were founded in the values of solidarity and respect for the human condition. They recalled that the precondition for the promotion of equality was the existence of a sound political climate and a state of true liberty. In certain cases, the contention of threats to national security were used as pretexts which could lead to discrimination against workers. Martial laws could also lead to abuses. The Employers' members stated that the Convention's aim was to ensure human dignity and freedom by prohibiting discrimination based on race, colour, sex, social origin, national extraction, religion or political opinion. Its objective was to enable people to live as they saw fit, or in other words, to give everyone the freedom to be different. The Government member of the United States stated that the fact that the Convention applied the principles of equality, dignity and freedom to all fields of labour made it a key Convention at the core of the ILO's standard-setting activities. The Government member of the USSR stressed the importance of Convention No. 111, which had a direct relation to human rights and touched all aspects of labour relations. The Government member of Czechoslovakia stated that human rights were indivisible and that equality of opportunity depended in large measure on the general economic and social environment, particularly the employment situation. This opinion was shared by the Government members of Bulgaria and the German Democratic Republic – who considered that high unemployment tended to make discrimination worse – and the Workers' members of the Byelorussian SSR, Spain and the Netherlands. The last of these pointed out that the general survey stressed the need to declare and pursue an active policy for freely chosen employment in order to ensure equal opportunity and treatment. The Government member in order to ensure equal opportunity and treatment. The Government member of the Federal Republic of Germany stated that the prohibition of discrimination was a question of human rights, but that a number of human rights did not have an absolute value: this was reflected in the exceptions to the principle of equality allowed under Article 1, paragraph 2, Article 4 and Article 5 of the Convention, although these should not lead to undue limitations being placed on the protection which the Convention

seeks to guarantee. The same speaker wondered whether a Convention aimed at guaranteeing human rights could be interpreted in such manner as to give complete protection to those who condone the suppression of human rights. The Government member of Morocco considered that the Convention had had a marked influence on national legislation, since nearly all national enactments on the subject appeared after the Convention came into force. The Workers' members raised the point that the question of equality of opportunity and treatment in the public sector had hardly been addressed and they wished to make reference to the provisions of the Labour Relations (Public Service) Convention, 1978 (No. 151).

71. The general survey and the discussion in the Committee both demonstrated clearly the connection between Convention No. 111 and several other international standards. The Workers' member of Colombia questioned the scope for practical application of a Convention aiming at the promotion of equal opportunity and treatment in employment and occupation when Conventions on related subjects were not ratified or observed. The Employers' and Workers' members and several other speakers identified the connections between Convention No. 111 and the Equal Remuneration Convention, 1951 (No. 100), the Workers with Family Responsibilities Convention, 1981 (No. 156), as well as the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). The Employers' members and several other members, however, regretted that the general survey did not give greater attention to discrimination based on membership or non-membership in an employers' or workers' organisation. It was recalled that these matters were dealt with specifically in the 1983 general survey of instruments on freedom of association and collective bargaining. Some speakers also referred to the Employment Policy Convention, 1964 (No. 122) and the instruments on labour inspection and employment services. Attention was drawn also to the connection between the Conventions on forced labour and Convention No. 111. The Workers' member of Chile referred to the Termination of Employment Convention, 1982 (No. 158), which excluded race, colour, sex, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction and social origin from the valid grounds for dismissal. The Government member of the Federal Republic of Germany stated that in the interpretation of Convention No. 111 account should be taken of other ILO Conventions and human rights instruments adopted by other organisations, so as to ensure a coherent legal order. The Government member of Tunisia referred to various instruments dealing with equal opportunity and treatment adopted by other international organisations. The number of supervisory bodies for such instruments had increased, leading to problems of co-ordination. The same speaker raised the question of how the ILO participated in the supervisory bodies of other organisations. Reference was made to paragraphs 38 to 47 of the Committee of Experts' general report, which dealt with functions regarding other international and regional instruments and collaboration with other international organisations.

Ratification

72. The Committee noted with satisfaction that there had been 109 ratifications of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), making it one of the five most ratified of all ILO Conventions; however, it was particularly concerned that still further progress should be made in this respect. It noted the significant results arising from the Governing Body's decision in 1979 to invite countries which had not yet ratified the Convention to supply four-yearly reports dealing exclusively with ratification difficulties, measures proposed to overcome them, and ratification prospects. This procedure should be maintained because it had contributed to eleven new ratifications. Several members recalled that tripartite consultations could help the ratification process. The Employers' member of the United States referred to the tripartite consultation system in his country and indicated that tripartite legal review prior to a decision to ratify would be impossible without such outstanding and comprehensive general surveys. The Employers' member and Workers' member, as well as the Government member of Japan and the Employers' member and Workers' member of the United States, stressed the need to ensure stability and continuity in the conclusions and interpretations contained in general surveys, so that the validity of the undertakings made or envisaged by member States would not be put at risk. Many speakers pointed out that nearly a third of the member States had not yet ratified the Convention, and urged that an appeal should be made to them to make every effort to examine the case for ratification.

73. The Committee therefore proposed that on adoption of the present report the Conference should appeal to all member States to ratify the Discrimination (Employment and Occupation), 1958 (No. 111).

Practical application

74. The Workers' members drew attention to the potentially wide gap between the principle of equal opportunity and treatment – with which everyone could agree – and its practical application. The Committee of Experts had adopted a positive approach to the general survey, but there still seemed to be cases of discrimination in very many countries at various stages of development and with various economic and political systems. Similarly, many speakers pointed to cases of failure to apply the Convention – sometimes involving serious breaches of its principle – referring particularly to apartheid in South Africa and the situation of Palestinian workers in the occupied Arab territories. These problems were dealt with in separate reports of the Director-General. The Workers' member of Portugal considered that the gap between the principle and its practical application was due to the fact that governments often follow contradictory policies in this area. She said that the promotion of equality required a variety of measures which must be co-ordinated to avoid losing sight of the ultimate aim in the specific fields of employment, education, vocational training, social security, taxation, culture, etc. The Government member of Italy stated that the principle should be implemented not just formally in the law but through the promotion of real equality in practice. Several

speakers thought that practical application of the principle depended on supervision, sanctions and remedies which States that have ratified the Convention should develop and apply to ensure that the principle is implemented.

Grounds of discrimination

75. The great majority of interventions concerned discrimination based on sex, reflecting the scope of direct and indirect discrimination and the importance of measures to be taken to ensure equality of opportunity and treatment. The Employers' and Workers' members recalled the existence and, in certain cases, the worsening of discrimination based on grounds such as race and colour, national extraction, social origin, religion or political opinion. On this latter criterion, an observer representing the International Federation of Free Teachers' Union expressed his concern at the situation of teachers and referred to the numerous cases of dismissal for political reasons cited in the general survey. He stated that teachers, by their very function, were more threatened than other occupational categories by these discriminatory measures. It was essential that the member States adopt and apply provisions enabling the teaching profession to benefit from the protection stipulated in the Convention. The Workers' members referred to the situation of migrant workers, handicapped workers and members of minority groups, who encountered many difficulties in training and employment. Continuous efforts should be made to reduce the obstacles they faced in relation to equality of opportunity and treatment.

76. Although nationality was not a ground of discrimination listed in the Convention, the Government members of Hungary and Italy indicated that the labour legislation in their countries applied both to national and foreign workers without any form of discrimination and they mentioned the measures adopted in this connection by their governments and court decisions.

77. The situation of older workers and young workers was also considered by the Committee. The Government member of Spain referred to the mandatory retirement age and pointed out that it was not reasonable to presume general incapacity for all persons of a certain age; however, in view of the necessity of creating job opportunities, it was acceptable to set a maximum number of years of employment. The Workers' member of Chile, referring to the situation of older and young workers who had experienced discrimination in employment and wages, expressed the hope that the attention of the Conference would be drawn to this type of discrimination and to the search for measures to remedy it.

Continuity and scope of action

78. The majority of speakers emphasised the need for continuous action and openness to progress in the fields where the national policy of equality of opportunity and treatment in employment and occupation should be applied. The possibility of improving the application of the principle was ever-present and required a continuous process and constant vigilance. Taking the example of persons suffering from the AIDS virus, the Government member of the Byelorussian SSR indicated that the emergence of new

problems liable to be the basis for discrimination required the adoption of measures on a national scale within the framework of the Convention. A few speakers referred to the flexibility available in the application of the Convention, and especially to the application of the principle of equality through measures adapted to national conditions and practice. In this regard, it was recalled that adjustment to national conditions and practice concerned the methods by which the principles of the Convention were to be implemented within the framework of the national policy of equality, and not to the objectives set by the Convention. The Workers' member of Spain indicated that flexibility in the application of the Convention could not amount to an excuse for the fact that the result obtained was completely different to that envisaged by the Convention.

79. Numerous speakers referred to the very great diversity of measures aimed at ensuring the application of a national policy of equality of opportunity and treatment: repeal of the legislative provisions and discontinuance of the administrative measures which might have discriminatory effects; appeal and remedial procedures; the creation of bodies responsible for the application and supervision of the national policy on equality; positive action aimed at promoting equality in fact; education and information activities with a view to preventing discrimination; co-operation between all the appropriate social institutions and particularly between the employers' and workers' organisations. These measures should be co-ordinated within the framework set by the national policy of equality of opportunity and treatment. The diversity of measures reflected the breadth of the fields covered by the Convention: access to training; access to salaried and non-salaried employment; working conditions, etc. Numerous members stressed that training was the essential means of promoting equality. The elimination of discrimination implied continuous action in this field, particularly for vocational training which had to be accessible to everyone, adapted to the requirements of the undertaking with the aim of preparing the recipient for active life, and should enable the attainment of freely chosen and productive employment. The Government members of Bulgaria and Hungary recalled that free training and other measures in this field were the basis which should allow everyone, including disadvantaged persons, to have access to training and education. Several speakers mentioned the various means of action taken by workers' organisations in the field of equality of opportunity and treatment in employment. The Government member of Morocco suggested a strengthening of the workers' education programmes based essentially on training in drawing up collective agreements covering, inter alia, the determination of objective criteria for wage levels and internal promotion. The Government member of Ethiopia referred to the specific role played by the women's organisation in her country in adopting and implementing policies, programmes and measures which contributed to equality between women and men.

Indirect discrimination

80. The issue of indirect discrimination, which referred to apparently neutral regulations or practices resulting in unequal treatment of persons having cer-

tain characteristics or belonging to groups capable of being identified by determined characteristics (for example, sex, race, colour, religion) was addressed by several speakers. The Employers' members reaffirmed the special importance they attached to the suppression of indirect discrimination, which was not always easy to prove or to define. As regarded discrimination based on sex, practical measures should be taken so as to eliminate a too rigid division of work between men and women, particularly by breaking down the prejudices which still existed today regarding women's work. A few speakers remarked that the consequences of the concentration of women in some types of jobs or certain sectors of activity led to disparities in wages and conditions of employment. The Government member of Senegal thought that the persistence of indirect discrimination based on pregnancy, family responsibilities, civil status or professional experience warranted the adoption by governments of positive measures.

Affirmative action

81 The adoption of affirmative action programmes or correctional programmes stemmed from the observation that the banning of discrimination was not enough to eliminate it in actual practice. Several speakers stressed the great impact that the adoption of legislation had on the practical implementation of equality of rights and on the prohibition of discrimination, or the pedagogic strength that it could have in eliminating stereotypes. However, legislation or standards adopted through collective agreements did not suffice to eliminate discrimination in fact. The Workers' member of Sweden stressed that only the joint action of regulation and affirmative action encouraging the understanding and acceptance of the principles of non-discrimination could allow the elimination of the various forms of discrimination. The Employers' members supported this point of view and emphasised that certain positive measures – particularly in the framework of recruitment policies – should be carefully considered so as to avoid creating new discriminations. The Government member of Sweden wished to draw the Committee's attention to the distinction between "affirmative action" and "protective measures" proposed by the Committee of Experts. Protective measures were established on a permanent basis, whereas affirmative action became unnecessary as soon as the special target groups were able to exercise their rights of equality in practice. She also noted with great interest the account in the general survey of the question of sexual harassment and the measures which should be adopted in this connection.

Measures of protection

82. Numerous speakers referred to the relationship between certain protective measures – particularly relating to female labour – and equality in employment without distinction based on sex. The Employers' members indicated that the provision of Article 5 of the Convention, according to which special measures of protection shall not be deemed to be discrimination, was the expression of a legal fiction which was of little usefulness in practice if those who were supposed to benefit from the protection were in fact placed in a less favourable position because of it. They considered that a revision of the obsolete mea-

sures of protection, such as the ban on night work by women, was a better solution than that of seeking refuge in the Utopia of a general ban on night work. The Government member of Sweden recalled the position of her Government regarding the protective provisions which might be more of a brake on progress towards complete equality between women and men at work. The Government member of Venezuela noted that the Committee of Experts had pointed out that the abolition of the ban on night work by women was not the only way of achieving equality and that other considerations also had a role to play in this connection. Several speakers emphasised the need for careful study before abolishing the protective provisions so that account would be taken not only of the principles which underlay them, but also of the realities facing women workers. The Government members of Belgium and Venezuela recalled that at the present state of play it was necessary to ask whether, for medical or social reasons, certain protections ought not to be extended to all workers and whether the suppression of some forms of protection might not be accompanied by the appearance of new discrimination, for example, due to a lack of community services. The representative of the World Federation of Trade Unions was of the opinion that the removal of existing protections might aggravate the discrimination existing in fact by creating a purely formal equality. As regarded the measures adopted for ethnic minorities and other social groups, the Government member of India recalled that the provisions of Article 5 of the Convention gave legitimacy to the measures permitting the reservation of posts in the administration to members of disadvantaged groups.

Appeal and remedial procedures

83. Observance of a policy of equality of opportunity and treatment in employment and occupation depended in part on appeal procedures and available means of compensation. In this regard, the Committee looked at several questions: the burden of proof; conciliation procedures; protection against reprisals; and means of compensation. As regarded the question of the burden of proof in judicial proceedings, the Workers' member of Norway considered that experience had shown the difficulties faced by an employee in proving discriminatory behaviour, and stated that it was therefore vital to reverse the burden of proof on to the employer in all cases of discrimination in employment and occupation. The Employers' members indicated that they could not accept a solution which, to some extent, prejudiced employers in all cases. Referring to the examples of solutions to the problem of sharing the burden of proof contained in the general survey, they considered that the proof did not always have to fall exclusively on employers or workers and that, for example, the establishment of objective proof might be required, or the courts might be able to decide freely. The Workers' member of the Netherlands stated that conciliation was preferable to drawn out legal proceedings in that it was efficient, quick, less onerous and encouraged action by the unions on behalf of the workers. The Workers' member of the Ukrainian SSR stressed the importance of supervision for avoiding discrimination against workers and the activities which the trade unions undertook in this con-

nection. He referred to the situation in his country where trade union legal consultation services informed the workers of their rights, while labour inspection could take adequate measures to abolish violations which were observed. The Government members of Hungary and Sweden recalled the importance of guarantees against measures of reprisal. Very often, persons who had suffered discrimination would hesitate in using appeal procedures for fear of measures of reprisal. The Workers' member of Portugal highlighted the role that labour inspection could play in this field and expressed the wish that specific training on this question be provided for inspectors. Compensation for discrimination should meet two requirements: it should amount to adequate compensation, not necessarily financial, for the person discriminated against, and it should have a dissuasive effect on persons wishing to practise discrimination. The Government member of Belgium noted in this regard that the effectiveness of civil, penal and administrative sanctions depended on their severity and on the conviction with which the authorities applied them.

Co-operation with employers' and workers' organisations

84. The Workers' members regretted that the discussion within the Committee had not touched in sufficient detail on the co-operation of governments with employers' and workers' organisations with a view to ensuring the promotion of equality of opportunity at the national level. They considered that the International Labour Office should look at this question in more detail to study solutions in conformity with the Conventions. They urged member States to ratify and to apply the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) with a view to improving collaboration between the social partners and governments.

Conclusions

85. Many members expressed the wish that the work accomplished by the Committee of Experts could continue to be used in the future. The Workers' members proposed that the general survey be broadly disseminated to all interested parties and that it be used in the framework of the promotional activities undertaken by the Office, activities which should, in the opinion of the Workers' member of China, be further developed. They also expressed their agreement with the proposal to use the conclusions of the Committee of Experts to encourage and promote the ratification and application of Convention No. 111 in the framework of tripartite consultations.

86. By virtue of the Constitution of the ILO, and particularly the principles set forth in the Declaration of Philadelphia which is an integral part of it, all member States are called upon to act in favour of equality of opportunity without discrimination. This principle, reaffirmed in many instruments, was specified in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Equality of opportunity and treatment in employment and occupation without distinction based on race, colour, sex, religion, political opinion, national extraction and social origin, is based on the values of solidarity,

dignity, respect for human beings, and freedom which were recalled by most of the members of the Committee. Given the fundamental nature of the principle in the Convention, the Committee proposed that the Conference, in adopting this report, address a solemn and urgent appeal to all countries which had not yet ratified the Convention to give careful study to the explanations and conclusions of the general survey so as to envisage the possibility of ratifying the Convention in the near future, and to ensure its full observance.

D. Compliance with specific obligations

87. The Committee decided that, in examining individual cases relating to compliance by States with their obligations under or relating to international labour standards, it would follow the same working methods and apply the same criteria as last year.

Submission of Conventions and Recommendations to the competent authorities

88. In accordance with its terms of reference, the Committee considered the manner in which effect was given to article 19, paragraphs 5 to 7, of the ILO Constitution. These provisions require member States within 12 months, or exceptionally 18 months, from the closing of each session of the Conference to submit the Conventions and Recommendations adopted at that session to "the authority or authorities within whose competence the matter lies, or the enactment of legislation or other action", and to inform the Director-General of the ILO of the measures taken to that end, with particulars of the authority or authorities regarded as competent.

89. The Committee noted from the report of the Committee of Experts that considerable efforts had been made in a number of countries in the fulfilment of their obligations in regard to submission, namely Brazil, Burkina Faso, Equatorial Guinea, Indonesia, Qatar, Somalia, Tunisia and Uganda. In the course of its session, the Committee was informed by various other States of measures taken to bring Conventions and Recommendations before the competent national authorities. It welcomed the progress which had been achieved, and expressed the hope that improvements would occur in States that still experienced difficulties in complying with their obligations.

Failure to submit

90. The Committee noted with regret that no indication was available that steps had been taken to submit the Conventions and Recommendations adopted during the 66th to 72nd Sessions of the Conference (1981 to 1986) to the competent authorities, in accordance with article 19 of the Constitution, by Grenada, Islamic Republic of Iran, Mauritius, Papua New Guinea, Saint Lucia, Seychelles, Sierra Leone, Suriname, United Republic of Tanzania, Trinidad and Tobago.

Supply of reports on ratified Conventions

91. The Workers' and Employers' members and many Government members expressed their concern at difficulties still being encountered by some governments in complying with their obligation to report on

the application of ratified Conventions. Only 9.5 per cent of the reports due had been received by the date fixed by the Governing Body. By the date of the meeting of the Committee of Experts, however, this percentage had risen to 78.4 (which represented a drop compared to 1986 and 1987, for which the figures were 79.2 and 78.7 per cent respectively). Since then, further reports have been received, bringing the figure to 86 per cent (as compared to 87.1 in 1987).

92. This year, only 46 per cent of the reports for which information on practical information had been requested contained such information; this represented a considerable decrease over previous years (53 per cent in 1987 and 52 per cent in 1986). Several speakers regretted this decrease. The Employers' members emphasised the importance of sending such information, since without it, it was impossible to know if the Convention was being applied.

93. It was recognised that shortcomings in complying with the reporting obligations were often due to a shortage of staff having the requisite knowledge and experience, particularly in developing countries. This underlined the importance of measures of training and assistance by the International Labour Office, to which reference has been made earlier in this report. (See also paragraph 40 above.)

Failure to supply reports and information on the application of ratified Conventions

94. The Committee noted with regret that no report on ratified Conventions had been supplied for the past two years by Fiji and Sao Tome and Principe.

95. The Committee noted with regret that first reports on ratified Conventions had not been supplied since 1986 by the following States: Jamaica, (Conventions Nos. 149 and 150) and Yugoslavia (Convention No. 158). It stressed the special importance of first reports, on the basis of which the Committee of Experts could make its evaluation of compliance with the Conventions.

96. In this year's report the Committee of Experts had noted that 34 governments had not communicated replies to most or all of the observations and direct requests relating to Conventions on which reports were due for examination this year, involving a total of 224 cases (compared with 185 cases last year and 127 the previous year). The Committee expressed its concern at the increase in these cases. It was, however, informed that, since the meeting of the Committee of Experts, 12 of the governments concerned had sent replies which would be examined by the Committee of experts next year.

97. The Committee noted with regret, however, that no information had yet been received regarding all or most of the observations and direct requests of the Committee of Experts to which replies were requested for the period ending 30 June 1987 from the following countries: Brazil, Cape Verde, Congo, Democratic Yemen, Djibouti, Fiji, Haiti, Lao People's Democratic Republic, Mauritania, New Zealand (Niue Islands), Niger, Papua New Guinea, Romania, Sao Tome and Principe, Seychelles and Yemen.

98. Again this year, the Committee did not have to apply the criterion "The government has failed during the past three years to indicate the representative organisations of employers and workers to which, in accordance with article 23 (2) of the Constitution, copies of reports on information supplied to the ILO under articles 19 and 22 have been communicated".

99. The Committee noted the explanations provided by the governments of the following countries concerning difficulties encountered in discharging their obligations: Brazil (problems of communications and language difficulties), Cape Verde (communications problems), Grenada (administrative difficulties), Haiti (political situation), Islamic Republic of Iran (state of war), Jamaica (human and financial resources), Mauritania (administrative difficulties), New Zealand (Niue Islands) (limited local resources), Niger (administrative difficulties), Papua New Guinea (administrative difficulties), Sierra Leone (administrative difficulties), Suriname (political and constitutional situation), Yemen (human resources and language difficulties). (Details of these explanations appear in the reports of the discussions of these cases, in Part Two of this report.)

Application of ratified Conventions

100. The Committee noted with particular interest the steps that had been taken by a certain number of governments to ensure compliance with ratified Conventions. It welcomed the fact that this year the Committee of Experts had been able to list, in paragraph 105 of its report, a major increase in the number of such cases, in which governments had made changes in their law and practice following comments made by the Committee. There were 67 such cases, relating to 36 States and 4 non-metropolitan territories from all regions having different social and economic systems. Over 1,730 cases of progress have been recorded since the Committee of Experts began listing these cases in its report in 1964. These results are a tangible proof of the effectiveness of the supervisory system, and of the willingness of member States to participate in the supervisory procedures.

101. In the course of the present session, the Conference Committee was informed of a certain number of other instances in which legislative or practical measures had recently been taken or were about to be adopted by governments with a view to ensuring the implementation of ratified Conventions. While it was left to the Committee of Experts to examine these measures, the Conference Committee welcomed these renewed indications of the efforts made by governments to comply with their international obligations and to act upon the comments of the supervisory bodies.

102. The Committee thought it appropriate to draw the attention of the Conference to a number of important cases which it had considered.

Special cases

103. The Committee considered it appropriate to draw the attention of the Conference to the discussions which it had regarding the cases mentioned in the following paragraphs, the full record of which will be found in Part Two of this report.

104. As regards the application by the Central African Republic of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Committee took note of the information provided by the Government representative as well as of the detailed discussion which took place within the Committee. It recalled that it had been discussing this case for a great number of years. It regretted that the direct contacts mission agreed to by the Government these last two years had not taken place. The Committee expressed the firm hope that the Government would take the necessary measures to eliminate the existing discrepancies and that a direct contacts mission would take place in the very near future so as to enable the Committee of Experts and the Committee on Freedom of Association to be informed of the legal and factual situation in the country, in particular regarding the recently adopted legislation. It duly noted the readiness of the Government to welcome such a mission and hoped that the Government would take all the practical measures required for this in the very near future.

105. As concerns the application by the Dominican Republic of the Protection of Wages Convention, 1949 (No. 95), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) and the Abolition of Forced Labour Convention, 1957 (No. 105), the Committee took note of the information provided by the Government representative, as well as the extensive and detailed discussion which took place in the Committee while expressing its concern as regards the situation. The Committee welcomed the proposal made by the Government to invite an ILO direct contacts mission. It expressed the hope that this mission would assist in removing the discrepancies which existed regarding the application of these Conventions as well as the other questions covered by the Commission of Inquiry in 1983, and that the Government would be able to report progress in law and practice the following year.

106. As regards the application by Ecuador of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Committee took note of the explanations provided by the Government representative and of the indications supplied on the questions posed by the Committee of Experts. The Committee noted that the Government had accepted several of the recommendations which had been made in the course of the direct contacts mission. The Committee hoped that the other discrepancies would be eliminated on an urgent basis so as to bring the legislation and practice into full conformity with the Convention. It requested the Government to provide full information in reply to all the points raised by the Committee of Experts, and in particular regarding any measures taken or envisaged in connection with the application of the Convention. As for the Abolition of Forced Labour Convention, 1957 (No. 105), the Committee took note of the information supplied by the Government representative. It recalled that this case had been examined in 1987 and on many previous occasions. It noted that the current information showed that the Government was not willing to amend one aspect of the shortcomings mentioned by the Committee of Experts. The Committee expressed the hope that the Government would soon take the necessary measures to amend Decree No. 105 and the Maritime Police Code so as

to ensure full conformity with the Convention, and that at the next session of the Conference it would be able to note real progress.

107. As regards the application by Pakistan of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105), the Committee noted the explanations given by the Government representative. As the main issues raised had been repeatedly discussed previously, the Committee again expressed its serious concern and urged the Government to take very shortly the necessary measures to bring its legislation and practice into conformity with the Convention, and to supply the detailed information requested by the Committee of Experts. As regards the application of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Committee took note of the information supplied by the Government representative and of the discussion within the Committee. The Committee observed with concern that there had been no progress towards bringing the legislation into conformity with the requirements of the Convention. The Committee consequently expressed the firm hope that efforts would be made to re-consider the legislation in the light of the comments of the Committee of Experts with a view to eliminating the serious divergencies which had existed for many years.

108. The Committee trusted that the governments concerned would take all the measures necessary to correct the deficiencies noted and invited them to use appropriate forms of ILO assistance, including direct contacts, to ensure that real progress is achieved by next year in regard to the observance of their obligations under the ILO Constitution and the Conventions in question.

Continued failure to implement

109. During the examination of the application of certain Conventions, the Committee noted with grave concern that there had been continued failure over several years to eliminate serious discrepancies in the application by the Islamic Republic of Iran of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

* * *

110. The Governments of the countries to which reference is made in paragraphs 104 to 109 are invited to supply the relevant reports and information which will permit the Committee to follow up the above-mentioned matters at the next session of the Conference.

Supply of reports on unratified Conventions and on Recommendations

111. As already indicated, reports had been requested in 1987, under article 19 of the Constitution, on the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958. The Committee noted that, of the 191 reports requested, 139 (or 72.7 per cent) had been received.

112. The Committee noted with regret that, during the past five years, none of the reports on unratified

fied Conventions and on Recommendations requested under article 19 of the Constitution had been supplied by: Saint Lucia, Trinidad and Tobago and Yemen

Participation in the work of the Committee

113. The Committee welcomed the fact that, this year, all the governments present at the Conference replied to the invitation extended to them to participate in its work. It expressed its appreciation of the collaboration that it had received from 46 governments which provided information on the situation in their countries and took part in the discussions of individual cases which concerned them.

114. The Employers' members and the Workers' members regretted that the discussion of individual cases had been delayed this year because government representatives were not prepared in time for the discussion. At their initiative, the Committee held an informal discussion to examine the various means that could be taken, if necessary, to improve the organisation of its work and allow for a more rational use of the available time for the discussion of individual cases. The Secretariat was requested to prepare a document on the basis of the suggestions made with a view to preparing the work of the Committee for next year.

115. The Committee noted with regret that certain countries which were not represented at the Conference (Djibouti, Fiji, Lao People's Democratic Republic, Saint Lucia and Seychelles), as well as Sao Tome and Principe, whose representatives had had to leave the Conference before its closure, had consequently been unable to participate in the Committee's examination of the cases relating to them. It agreed that any mention of cases concerning those countries should be made in the appropriate paragraphs of this report and should be made known to the countries concerned in accordance with the usual practice.

* * *

116. This year, the discussions in the Committee were inspired by three anniversaries which were of

special importance for the ILO: the 40th anniversary of the Universal Declaration of Human Rights, the 40th anniversary of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the 30th anniversary of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). From these discussions, unanimous agreement emerged on certain points: the continued validity of the principles of dignity, freedom and equality proclaimed in the above-mentioned instruments; the divergence existing between adherence to these principles and reality; and the need for the ILO to continue to act with all the means at its disposal to ensure the observance of these principles. In this regard, the machinery and procedures aimed at ensuring the application of international labour standards constituted an indispensable means of action whose effectiveness has been shown on many occasions. The Committee was conscious of the unique role it had to play in this machinery and procedures, a role which consists in practising dialogue between the representatives of governments, employers' organisations and workers' organisations with the aim of assisting member States to make progress in the observance of their obligations relating to international labour standards. Despite the importance of the questions of principle and the complexity of certain cases that the Committee had had to debate this year, a spirit of understanding and goodwill had prevailed, which justified the hope of reaching solutions acceptable to all. The Committee welcomed this, for it had not lost sight of the fact that, beyond the texts for whose respect the supervisory bodies were responsible, it was freedom, dignity and the conditions for existence, even, at times, the lives of men, women and children which were protected.

Geneva, 17 June 1988.

(Signed) A. EL ASSAR,
Chairman

J. J. ELMIGER
Reporter

PART TWO

OBSERVATIONS AND INFORMATION CONCERNING PARTICULAR COUNTRIES

I. OBSERVATIONS AND INFORMATION CONCERNING REPORTS ON RATIFIED CONVENTIONS (ARTICLE 22 OF THE CONSTITUTION)

A. General Observations and Information concerning Certain Countries

Afghanistan. Since the meeting of the Committee of Experts, the Government has sent the reports containing replies to the Committee of Experts' relating to the application of Conventions Nos. 13, 100, 105, 111, 139, 140, 141 and 142.

Brazil. A Government representative pointed out, with regard to the delays in sending information to the Office, that during the present session of the Conference his Government has furnished reports to the Office on Conventions No. 5, 29, 91, 98, 107, 122 and 131. In order to reduce the delays in providing information, the responsible services in the Ministry of Labour were being improved. An official from the Ministry of Labour was currently partaking in a training course in the International Labour Standards Department. With regards to the sending of reports to the supervisory bodies, his Government has detected shortcomings and intended to propose a change in this system; this should resolve an important part of the difficulties his country faced in meeting the necessary deadlines. Finally, he emphasised the fact that Portuguese was not one of the official ILO languages and therefore Brazilian officials also had the task of overcoming language barriers in replying to the comments and preparing the reports.

The Workers' members thanked the Government representative for appearing before the present Committee to discuss the administrative difficulties which his Government faced. They noted with regret that replies had not been received with respect to the Committee of Experts' comments on Conventions Nos. 53, 94, 98, 100, 105, 107, 117, 118, 122, 125 and 131. They noted that the Government was prepared to make a major effort to improve this situation and this was welcomed because replies were needed in order to evaluate the progress which had been achieved with regard to the application of Conventions. The Workers' members hoped that, in the future, solutions should be found to the reporting difficulties.

The Employers' members fully supported the comments made by the Workers' members. They noted the fact that replies had not been received with regard to 11 Conventions, which was a large number. They hoped that the preparation concerning the ratification of new Conventions which had been indicated by the Government representative would not compound the difficulties encountered with respect to reporting. The Conventions which had been ratified and which should be examined should be dealt with so that obligations in this connection could be met.

The Committee noted the explanations given by the Government representative of Brazil and the difficulties he had reported. It noted that even though certain reports had been received, most of them had not, and it hoped the reports containing the replies requested would be communicated in the near future. It decided to include this case in the appropriate section of its report.

Cape Verde. A Government representative admitted that the comments had not been timely sent. In his opinion a problem of communication existed. He stated that his Government would take note of the comments made by the Committee and he hoped that his Government could count on the understanding of the Committee because it had always complied with the deadlines. His Government undertook to prepare the reports in question as soon as possible.

The Employers' members took note of the information provided and stated that it should be included in the record.

The Workers' members associated themselves with the comments made by the Employers' members.

The Committee noted the explanations given by the Government representative of Cape Verde and the difficulties he had reported. It noted that even though certain reports had been received, most of them had not and it hoped the reports containing the replies requested would be communicated in the near

future. It decided to include this case in the appropriate section of its report.

Central African Republic. Since the meeting of the Committee of Experts, the Government sent reports containing information in response to comments made by the Committee of Experts concerning the application of Conventions Nos. 18, 19, 29, 33, 62, 81, 87, 100, 105 and 118.

Congo. A Government representative stated that his Government had regularly met its obligations under Article 22 of the Constitution of the ILO. The reports due for the period which ended 30 June 1987 had been prepared but it was not been possible to submit them to the ILO because of administrative reasons. At the beginning of the Conference his Government had submitted copies of the reports to the Office. His Government would nevertheless make every effort to comply with its obligation to supply reports as rapidly as possible.

The Employers' members regretted that the report had not been received by the Office because the Committee had examined this question in 1987, the year in which reports on Convention No. 87 were due. The Employers' members hoped that this was the last time the report would not be received as Convention No. 87 was of particular importance with regard to the Congo. It was essential for reports to be received in times and therefore note should be taken of this shortcoming in the report of this Committee.

The Workers' members supported the statements of the Employers' members regarding the late receipt of reports and they hoped that in the future the deadlines would be respected.

The Committee took note of the information given by the Government representative of the Congo as well as of the difficulties to which he related. It took note of the fact that the report which should contain replies to the questions of the supervisory body had not been received. It hoped that the reports containing the required replies would be sent in as soon as possible. It decided to include this case in the relevant section of its report.

Democratic Yemen. In reply to the comments made by the Committee of Experts, the Government has indicated that for administrative reasons its reports have been sent late.

It is hoped that work methods will be significantly better due to the Council of Ministers' adoption on 24 May 1988 of new draft legislation concerning the reorganisation of the Ministry of Labour and the public administration. This draft provides for establishment of a legal department having as its task, *inter alia*, to examine international labour Conventions and Recommendations and to respond to reports and to observations of the Committee of Experts. The Government appreciates that the Arab language be the means of communication with the Committee of Experts; it equally appreciates the increase in technical co-operation furnished by the Organisation.

Given the progress brought about at the level of the Ministry of Labour's organisation, replies to the comments of the Committee of Experts will certainly be sent more regularly and in a more consistent manner.

In addition a Government representative assured the present Committee of his Government's interest in presenting reports and replying to the observations of the Committee of Experts. Delays had been due to technical difficulties, in particular those concerning the use of Arabic. His delegation appreciated that certain parts of the Committee of Experts' report had been translated into Arabic. He reported that a new legal division had been established in his country to study international labour Conventions and prepare replies to the observations of the supervisory bodies. He hoped that this institutional change, as well as the use of Arabic by

the ILO, would help improve the working methods and the transmission of reports.

The Workers' members expressed their hope that the co-operation between the Government and the ILO, along with the use of the Arabic language and the organisational restructuring of the Ministry would permit the Government to fulfill its obligations. It was necessary to note, however, that no reply had been received in response to the observations by the Committee of Experts on Conventions Nos. 29, 59 and 105. They hoped that the Government would supply this information next year. They proposed that the case be mentioned in the appropriate part of the general report.

The Employers' members stated that in the absence of any information on the Convention, no real evaluation was possible. They asked that the case be mentioned in the appropriate part of the Committee's report.

The Committee noted the explanations of the Government representative in particular in connection with the difficulties existing to date concerning the compliance of the obligation to report. It found that reports and replies for the period under review had not been submitted. It hoped that in the future all reports containing full information would be sent on time. The Committee decided to mention this case in the appropriate section of its report.

France. The Government has communicated the following information:

The Order of 17 June 1986, implementing article 10 of Decree No. 60-600 of 22 June 1960, has been repealed by the Order of 20 March 1987 implementing article 4 of Decree No. 87-190 of 20 March 1987 concerning the registration and the commission of vessels in the French Southern Antarctic Territories (TAAF).

The aforementioned Order of 20 March 1987 prescribes in its first article that the proportion of crew members of French nationality on board vessels registered in the French Southern Antarctic Territories, may not be less than 25 per cent of the seafarers registered on the crew list, in accordance with the first article of the Decree of 26 May 1967.

This concerns a provision of internal law designed to preserve a minimum number of jobs for citizens of France or the European Community on board vessels registered in the French Southern Antarctic Territories. No legal relationship, therefore, can be made between this provision and the application or non-application of various maritime Conventions ratified by France. The ILO Conventions do not prohibit a State from reserving certain jobs on board its commerce vessels for its own citizens or nationals of other States to which that State may be linked by agreements.

Looking at it from another angle, article 35 of the Constitution of the International Labour Organisation provides that Conventions ratified by States are not applicable to non-metropolitan territories, for whose international relations a State is responsible, until after a declaration has been communicated to the Director-General of the International Labour Organisation. This has not yet been done for the French Southern Antarctic Territories.

All the same, it is the Government's intention to study the possible application of maritime Conventions ratified by France to this territory.

In any event, it is fitting to recall that the meaning of the term "discrimination" in Convention No. 111 aims at all distinction, exclusion or preference based on race, colour, sex, religion, political opinion, or national or social origin which has the effect of nullifying or impairing equality of treatment in employment or occupation.

In the case of personnel on board the vessels in question, differences in remuneration or social security coverage are not based on any of the elements enumerated above. Such differences are only based upon distinctions in professional qualification and, as a consequence, the posts occupied on board the vessel.

It is also fitting to emphasise the registration of a vessel at Port-aux-Français cannot be done until a certain number of specific indications have been provided to the maritime authorities on the social protection of foreign seafarers. Two contracts must also be agreed to by the commissioned vessel: one, agreeing to respect international labour Conventions ratified by France; the other, agreeing to respect the regulation requirements of Port-aux-Français.

The navigation companies where one or more vessels are registered to the TAAF have been notified of the fact that lack of respect for their contracts will constitute a sufficient reason for removing a vessel from the Port-aux-Français registry.

In addition a Government representative recalled that in a letter dated 9 July 1986 the National Federation of Maritime Trade Unions (FNSM) drew the Committee of Experts' attention to a decree dated 17 June 1986 which extended the possibilities of registry for certain categories of ships to the newly opened registers in the French Southern Antarctic Territories. The decision to

extend the registration of vessels engaged in international navigation to this territory implied a revision of hitherto unchallenged texts. The FNSM had asked about the applicability of a series of Conventions ratified by France. The Government of France had delayed its reply to the Committee of Experts, and this delay triggered two new letters from the FNSM. The delay was due to certain administrative difficulties encountered in the setting up of this new register. In a letter dated 28 March 1988, which arrived too late to be considered by the Committee of Experts last March, his Government gave a written communication on this subject. He wished nevertheless to provide further information. First, the international labour Conventions ratified by France and mentioned in the Committee of Experts' report were applicable in the French Southern Antarctic Territories. Second, the obligation of observing these Conventions was recalled in the application circular of the Decree dated 20 March 1987 which updated all the rules governing the new register. Third, everything indicated that these Conventions were currently observed in practice. Fourth, his Government would make every effort to send regular reports on the application of these Conventions, especially in its report on the period ending 30 June 1988, in line with the request of the Committee of Experts.

The Employers' members stated that this was a communications problem, because according to the report of the Committee of Experts the Government of France had received the comments of the FNSM in August 1986, but had been delayed in communicating its reply. The real question, which remained unanswered, was how many Conventions were involved in this case. The Committee of Experts gave no opinion on this, and the union concerned referred to a whole series of Conventions that could not be studied in detail. According to information supplied by the Government representative of France, and reproduced in the above-mentioned written communication, these Conventions were applied. In this case the problem was solved. The Employers' members therefore requested the Government to communicate its report to the Committee of Experts which would study the matter in the light of the information provided. Following this examination, the Employers' members would decide whether to revert to this question in a future session. Accordingly, they wished to reserve their decision in this case.

The Worker member of Argentina underlined that according to the Government, the decision to create a new port of registration under its flag was not aimed at transgressing the provisions of the Conventions ratified by it, nor the provisions of the French labour legislation. He wondered, therefore, whether this decision was aimed at favouring French citizens who, being out of work far from the metropolitan territory, would thus find work on French ships flying French colours, registered in the Kergelen Islands, and thus enjoy the benefits of international Conventions and French labour legislation. If one knew how many unemployed there were in the Kergelen Islands, it would be possible perhaps to guess why a Government which had always respected its international obligations would create a port of registry in such a remote location from the metropolitan territory. It had been stated that the personnel on board these ships would not be discriminated against. He wondered nevertheless whether seamen of other nationalities who embarked on French ships registered in the Kergelen Islands would benefit from the same working conditions as French seamen. It was indeed a very subtle means for avoiding the application of collective agreements to which French seamen had greatly contributed. In fact, the objective was to reduce costs in response perhaps to the demands of French shipowners. In this context there would be violation of Convention No. 98 for failure to apply collective agreements signed by French seamen unions. He wanted a reply to these questions because they applied not only to France, but also other countries.

The Workers' members stressed the relevance of some of the questions asked by the Workers' member of Argentina which deserved the Committee of Experts' full attention. They noted in this respect that the Government representative of France had stated that his country had pledged to supply all the requested information. They stressed that one of the reasons for establishing a shipping register in other countries could be linked to taxation. These matters should be settled once and for all. They noted nevertheless that the figure of 25 per cent of French seamen was in fact a minimum and this reassured them more than if it were a maximum. They were nevertheless interested to know to what extent France would respect the application of ratified maritime Conventions under such a system. It should be verified whether the principle of equality of opportunity and treatment for the same skills was indeed observed, and whether identical working conditions were granted to French and foreign workers. It was important that the Government of France continued to supply information requested by the Committee of Experts in order to give a clear answer to the FNSM and to all those who were concerned with the conditions of workers engaged in merchant shipping.

The Government representative of France recalled that his Government had every intention of sending reports on the application of the numerous maritime Conventions ratified by France, which was certainly one of the countries that had ratified the highest number of Conventions in this sphere. The Conference Committee would be informed of the real situation following the examination of the Committee of Experts. In reply to the Workers' members he asserted that the Government to France would remain responsible for applying the Conventions.

The Committee took note of the written and oral information supplied by the Government. The questions referred to in the Committee of Experts' observation, following comments received from the National Federation of Maritime Trade Unions, concerned important questions relating to the legal position as regards the application of ratified Conventions to non-metropolitan territories, and to the situation in practice as regards the protection of the seafarers concerned. The Committee hoped that the Government would re-examine the question, taking into account any comments that the Committee of Experts would make on the basis of the information that had been supplied.

Ghana. Since the meeting of the Committee of Experts, the Government has provided information in response to the comments made by the Committee of Experts concerning the application of Conventions Nos. 29, 100 and 105.

Grenada. Since the meeting of the Committee of Experts, the Government has sent the reports containing replies to the Committee of Experts' comments relating to the application of Conventions Nos. 14, 29, 81, 94, 95, 98 and 105.

Guyana. Since the meeting of the Committee of Experts, the Government has provided information in response to the comments made by the Committee of Experts concerning the application of Conventions Nos. 29, 42, 129, 136, 137, 139, 141 and 149.

Haiti. A Government representative stated that his Government was approaching the examination of the case of Haiti in a spirit of co-operation. The Government stressed that the acceptance of the direct contacts mission should not lead to a suspension of the examination of the case. The Government's change in attitude was important; it no longer viewed appearance before the present Committee as a test, but rather as a means of having a more thoroughgoing dialogue. There were problems, and that was what had led the Government to seek as much technical assistance as possible from the Office. The present government had inherited a difficult situation in which relationships with the ILO and other international organisations had been allowed to stagnate. The speaker noted that since Haiti was the only French-speaking country in Latin America, it was excluded from seminars and other activities organised for that region. His Government had contacted the Office with a view to finding solutions, but first it was necessary to reinstate the dialogue on a constructive basis. The situation of Haitian workers in the Dominican Republic was a very troublesome one which should be examined in a calm manner. Since 1986, he assured, no agreement between the two countries had existed in relation to recruitment in Haiti of workers to cut sugar cane in the Dominican Republic. His Government wished an immediate improvement in the workers' fate. Fortunately, there was now a framework to the direct contacts mission to follow up on the recommendations made by the Commission of Inquiry. The Government wished to avoid confrontation and wanted to ensure compliance with international labour Conventions. As regards the obligation to submit reports under Articles 19 and 22 of the ILO Constitution, the tardiness was due to events over the last two years. His Government would take all necessary steps to remedy the situation. A request for the assistance of the Office had been made for the training of personnel of the Ministries of Labour and Social Security in the preparation of reports.

The Workers' members thanked the Government representative for recognising that the problem of supplying reports and replies was an important one. Without them, a dialogue could not even commence, and progress became stalemated. They noted that the Government had pledged to provide the reports soon; under the governing criteria, this case would be mentioned in the appropriate part of the report of the Committee.

The Employers' members associated themselves fully with the comments made by the Workers' members in relation to paragraph 99 of the Committee of Experts' report. The Employers' member had welcomed the statement that the Government wished to make a new beginning in its relationship with the ILO. Hoping that all past difficulties could be ironed out, they welcomed the reopening of the dialogue which the Government representative had mentioned. They looked forward to replies being received soon.

The Committee noted that explanation given by the Government representative and the difficulties he had reported. It noted, however, that no reports or replies had been received and hoped that the reports and replies required would be communicated in the near future, with the assistance of the ILO as requested by the Government. The Committee decided to include this case in the appropriate section of its report.

Jamaica. A Government representative stated that the Government, like the Committee of Experts, regretted the fact that the first reports on the application of the Nursing Personnel Convention, 1977 (No. 149), and the Labour Administration Convention, 1978 (No. 150), had not yet been communicated. The Government recognised that a serious obligation was involved; non-reporting was due to a temporary inability to put together the necessary financial and human resources to produce accurate and substantial reports. The Government pledged to make special positive efforts to ensure that the outstanding reports would be submitted without further delay.

The Employers' members noted that this case provided an opportunity to recall the importance of first reports regarding the legislative and practical measures taken to apply ratified Conventions. Such reports constituted the starting point of the supervisory machinery, providing the basis on which the Committee of Experts could point out even minor discrepancies which might exist between national legislation and the Convention. The Employers' members wished to communicate to the Government the importance of the duty to provide first reports so that these reports be provided soon.

The Workers' members welcomed the opportunity to draw attention to the contents of paragraph 96 of the Committee of Experts' general report. First reports were the basis on which the Committee of Experts could initially evaluate the application of ratified Conventions. Although the Workers' members understood the difficulties faced by the Government, they urged it to make a special effort to provide these reports. Unfortunately, this case would have to be mentioned in the appropriate paragraph of the Conference Committee's report.

The Committee noted the explanation given by the Government representative of Jamaica and the difficulties he had reported. It noted that no first reports on Conventions Nos. 149 and 150 had been supplied for the past two years. The Committee hoped that these reports would be communicated in the near future. The Committee decided to include this case in the appropriate section of its report.

Kenya. Since the meeting of the Committee of Experts the Government has sent the reports due on Conventions Nos. 29, 105, 129, 138 and 142.

Kuwait. Since the meeting of the Committee of Experts, the Government has sent the reports containing replies to the Committee of Experts comments relating to the application of Conventions Nos. 29, 81, 105 and 136.

Mauritania. A Government representative stated that his Government had taken note of all the remarks made by the Committee of Experts in its report. He further stated that the requested information was now being prepared and would reach the Committee within a reasonable period of time. He added that his Government's failure to communicate that information was not due to bad will but to slow internal administrative procedures involving other ministerial departments.

The Workers' members, following the declaration of the Government representative, noted that his Government was conscious of the importance of replying to the comments of the Committee of Experts.

The Employers' members noted that the Government representative had provided comments concerning a number of Conventions. Such information should be communicated in writing for examination by the Committee of Experts in its report. If the Committee received incomplete reports, or no reports at all, it could not check on the legislation and practice in the country concerned. This case concerned five important Conventions, among which Convention No. 29. It should be recalled that the application of this Convention had given rise to very serious problems in the preceding years. It was therefore important to reply to the questions asked by the Committee of Experts, not merely by sending it the requested information, but enumerating the steps taken by the Government in relation to the questions asked. It was insufficient merely to take note of the comments of the Committee of Experts. They expressed the hope that the comments provided by the Government representative would be presented in written reports and that the Committee of Experts would receive full and detailed reports in the future.

The Committee noted the explanation given by the Government representative and the difficulties he had reported. It noted that no reports or replies had been received and it hoped that the reports and the replies requested would be communicated in the near future. The Committee decided to include this case in the appropriate section of its report.

Niger. A Government representative stated that his Government had received the request of the Committee of Experts concerning his country in time, however, the two officials who were responsible for all questions concerning international obligations, including the ILO, were not able to meet these obligations without some delay because of their heavy workload. Following receipt of a reminder from the ILO last April, the officials had prepared the reports and sent them to Geneva. Unfortunately, these reports had not yet arrived in Geneva. However, a copy of the report on Convention No. 81 had been given to the Standards Department during the Conference. The Government representative assured this Committee that his Government would take the necessary measures to ensure that this delay would not occur again.

The Employers' members thanked the Government representative for his explanations. It was true that a great number of developing countries had difficulties preparing their reports. However, it was recalled that efforts should be made because, in the absence of information, the Committee of Experts was not able to determine the extent to which ratified Conventions were applied. The Employers' members hoped that the reports in question would be received by the Office in the near future and that the Government would reinforce its efforts to meet the obligations imposed on it as a result of its ratification of Conventions and its participation in the ILO. This shortcoming should be noted in the appropriate section of the report of the Committee.

The Workers' members also thanked the Government representative for his explanations and expressed the hope that the report in question would be received by the Office very soon. They recalled that during the course of the general discussion the Workers' members had already drawn the Committee's attention to the fact that the number of cases in which replies to comments of the supervisory bodies had not been received, had increased year after year and was 224 this year. The workers' members regretted the situation and hoped that reports would be received on time in the future.

The Committee noted the informations given by the Government representative and the difficulties he had reported. It noted that even though certain reports had been received, most of them had not, and it hoped that the reports containing the replies requested would be communicated in the near future. It decided to include this case in the appropriate section of its report.

Panama. Since the meeting of the Committee of Experts, the ILO has received on 3 June 1988 the reports sent on 26 January 1988, containing information in response to the comments made by the Committee of Experts concerning the application of Conventions Nos. 10, 13, 16, 19, 27, 29, 32, 52, 53, 63, 69, 73, 74, 81, 100, 105, 107, 113, 114, 122, 123, 125.

Papua New Guinea. A Government representative stated that the Government had had the opportunity to benefit from the assistance of an ILO Regional Adviser who conducted a one-day national tripartite symposium on Labour standards and related matters in August 1987. The aim of the symposium was to promote awareness of the reporting obligations and ILO standard-setting activities. As regards the obligation to report, replies to direct requests and observations concerning legislative amendments or other information were the responsibility of other government agencies whose replies had to be incorporated into the government report. These agencies had been contacted repeatedly concerning replies to comments but no response had been received from them as yet. The Government representative assured the present Committee that every effort would be made to supply reports for consideration by the Committee of Experts in the future.

The Employers' members stressed the importance of the obligation to submit reports to the Committee of Experts. Without information from governments the Committee of Experts could not evaluate the legislative situation and the practical application of ILO standards in the various countries. The Committee of Experts had so far received no relevant information from the Government on the situation regarding four Conventions. The difficulty caused by having different government agencies responsible for providing those replies was understandable, but unless communications functioned properly the ILO supervisory machinery could not function. The report of the Committee of Experts had stated that the number of failures to reply had considerably increased. The Employers' members felt strongly about that and about mentioning failures to reply to certain questions and obser-

ventions in the report. They hoped that the Government would provide the relevant replies and perhaps explain the practical measures envisaged to ensure such replies in future.

The Workers' members agreed entirely with the Employers' members. They added that they hoped the Government would do its utmost to follow the ILO procedure, and that following the ILO tripartite seminar the Government would be able to provide the necessary information.

The Committee took note of the difficulties reported by the Government representative of Papua New Guinea and noted that no reports or replies had been received; it hoped that the reports and the replies requested would be communicated in the near future. The Committee decided to include this case in the appropriate section of its report.

Poland. The Government has communicated the following information: The Government recalled that Poland is one of the countries which has ratified the greatest number of ILO Conventions as well as other conventions and international human rights covenants. This year marks the anniversary of the proclamation of these rights, which is expressed in the report of the 75th Session of the International Labour Conference. The Government is a sincere believer in the respect of international standards and this is why the Government would like to point out that a group of experts has been charged with appraising the legislation and examining the possibilities of making it fully conform with the requirements of the ratified ILO Conventions which relate to the protection of human rights.

The task of this group, composed of eminent academics and labour and international law specialists will be among others to analyse the conformity of the laws in force in Poland with the Articles of Conventions Nos. 87 and 98 ratified by Poland, as well as other ILO standards concerning human rights, and then, to submit the results with the proposed recommendations to the Legislative Council in the office of the President of the Council of Ministers.

It is with great respect for the experience and competence of the International Labour Office that the Government expresses its hope that during the course of the work of the above-mentioned group of experts, it will be possible to take advantage of the Office's help in the form of advice and appraisal.

The Government will inform the Committee on the progress accomplished by this group in due course.

Furthermore the Government indicated that during the 73rd Session of the International Labour Conference (June 1987) in the Committee on the Application of Conventions and Recommendations, and then in the report submitted to the International Labour Office in October 1987, the Government of the Polish People's Republic presented its detailed reply to observations and questions of the Committee of Experts for the Application of Conventions and Recommendations concerning the implementation in Polish legislation and practice of Conventions Nos. 11 and 87.

Since that date no changes have taken place in Polish legislation as regards the observations formulated by the Committee of Experts respecting implementation of Conventions Nos. 11 and 87.

Romania. A Government representative stated that his Government agreed with the questions asked by the Committee of Experts which concerned the lateness and inadequacy of their replies in response to the requests of the Committee. The Labour Standards Branch had been consulted on the manner in which reports should be presented and he assured the Committee that in the future replies would be more explicit.

The Employers' members stated that Conventions Nos. 29 and 81, both important Conventions, were amongst the six Conventions on which the Government had not responded. They were pleased that the Government representative was now ready to answer the different questions which had been asked by the Committee of Experts. They stressed that the acceptance of the supervisory machinery implied that reports would be sent and that answers would be given and they hoped that in the future the reports would be communicated on time. They considered that the case should be mentioned in the general report.

The Workers' members indicated their agreement with the remarks by the Employers' members. They stressed that the Committee should examine during the present session the application of the Conventions for which the Government had neither sent a report nor replied to the observations. They believed that the responsibility of sending reports and replying to the observations should not be taken lightly and that if the supervisory system was not stringent it would lose its efficacy. They considered that the case should be mentioned in the appropriate part of the report.

The Committee noted the explanations given by the Government representative. It noted that most reports and replies had not been received, and it hoped that the reports and the replies requested would be communicated in the near future. The Com-

mittee decided to include this case in the appropriate section of its report.

Sao Tome and Principe. In response to the comments made by the Committee of Experts concerning the absence of reports on the application of Conventions Nos. 18, 19, 81, 100 and 111, the Government explained that Sao Tome and Principe had to face some vast difficulties, particularly a serious economic and financial crisis which, among others, prevented a regular and continual presence of national delegations to the Conference; the absence of qualified staff with regard to questions concerning international Conventions and Recommendations in the labour field also has a part of the responsibility in this situation. In order to surmount these difficulties, particularly in respect of qualified staff, the Government has requested the assistance of the ILO and the regional adviser on standards will visit the country in the next months. Furthermore, the Government has begun a process of reorganisation and efforts are under way to ensure regular and adequate functioning of its services in relation with the ILO in a manner in which the country can fulfil its constitutional obligations.

Trinidad and Tobago. Since the meeting of the Committee of Experts, the Government has sent the reports on Conventions Nos. 102 and 128 and Recommendation No. 131 (as regards old-age benefits) under article 19 of the ILO Constitution.

In addition, a Government representative apologised that his delegation had not been able to appear before the Committee at the 73rd Session of the International Labour Conference. This should not be interpreted as a lack of respect for the work of the Committee. An official with responsibility for relations with the ILO had been recently appointed and had participated in a regional seminar for Caribbean countries which had enabled him to become more aware of ILO procedures and his country's obligations thereto. The reports requested under article 19 of the Constitution on non-ratified Conventions had been sent on 30 May 1988 and covered the period ending 31 December 1987.

The Employers' members pointed out in regard to the reports to be submitted under article 19 of the Constitution on non-ratified Conventions which had not been sent, that in the Government's written reply to the Committee of Experts, reports had been communicated on two Conventions and one Recommendation.

The Workers' members also stressed the importance of the general survey and the necessity that countries send the required reports on non-ratified Conventions. They hoped that the attendance by the official responsible for ILO-related questions at the seminar mentioned by the Government representative would help improve the situation. In order to encourage the Government to persevere, the case should be noted in the appropriate section of the general report.

The Government representative spoke of the establishment of a new administrative framework and his Government's commitment to fulfil its obligations to submit reports. The observations of the Employers' and Workers' members would be communicated to the Government.

The Committee noted the explanations given by the Government representative of Trinidad and Tobago and the difficulties he had reported. It noted that no reports under article 19 of the Constitution had been received for the past five years. It noted that the report due this year was received and it hoped that the requested reports would be communicated in the near future. The Committee decided to include this case in the appropriate section of its report.

Yemen. A Government representative informed the Committee that Yemen had ratified during the last months Conventions Nos. 156 concerning workers with family responsibilities, 1981, and 1958 concerning termination of employment 1982. In response to the observations of the Committee of Experts concerning the lack of reply to the comments of the supervisory bodies he noted that his Government placed full confidence in the ILO Recommendations and Conventions and that these instruments were being applied in spite of the technical difficulties hindering the preparation of reports. He stated that it would be beneficial to the countries experiencing such difficulties if technical assistance would be extended to help alleviate these difficulties. He requested this Committee to take into consideration the importance of Arabic and noted that the translation of ILO documents into Arabic would also help countries with their reporting obligations.

In response to the comments of the Committee of Experts concerning the failure to submit reports under Article 19, he promised the Committee that the report for next year would be received by the Office in the near future.

The Employers' members noted that, once again, the Committee had been confronted with the typical difficulties that countries,

particularly developing countries, faced with regard to the submission of reports and the answering of specific questions and comments. The ILO had a broad scale of different types of assistance, such as seminars and regional advisers. It was hoped that countries meeting these difficulties could make use of this assistance because both of these reporting requirements were important. The Employers' members took note of the good will shown by the Government and they had no doubts that all efforts would be made to ensure that these commitments were fulfilled. This case should be noted in the appropriate place in the report.

The Workers' members fully agreed with the comments made by the Employers' members. They noted that this was not just an administrative obligation but it was a matter of co-operation and they hoped that the answers to the questionnaire for the General Survey of next year would be soon received.

The Government member of the United Arab Emirates noted that the difficulties described by the Government representative of Yemen in replying to the comments of the supervisory bodies also applied to the reporting on unratified Conventions. He noted that these problems were related to human resources and the need for language translation. It was difficult to get the comments made by the supervisory bodies translated into Arabic. The ILO should extend assistance in this field, particularly in regard to translation into Arabic, in order to allow Governments to respond to their commitments of international co-operation.

The Committee noted the explanations given by the Government representative of Yemen and the difficulties he had reported. It noted that no reports or replies had been received and it hoped that with the assistance of the ILO, the reports and the replies requested would be communicated in the near future. The Committee decided to include this case in the appropriate section of its report.

The Committee noted the explanations given by the Government representative of Yemen and the difficulties he had reported. It noted that no reports under Article 19 had been received for the last five years. It hoped that these reports would be communicated in the future, if necessary, with the assistance of the ILO. The Committee decided to include this case in the appropriate section of its report.

Yugoslavia. A Government representative of Yugoslavia stated concerning the comments of the Committee of Experts with regard to the failure to submit the first report of his Government on Convention No. 158 on termination of employment, 1982, ratified by Yugoslavia on 21 November 1984. The application of Convention No. 158 was fully guaranteed by the Federal Constitution as well as by the Constitutions of the republics and autonomous regions. This situation was one of the main reasons for the ratification of this Convention; Yugoslavia is among the eight member States that had ratified it so far. The delay in supplying the first report of this Convention was due to the following reasons. In 1986 a procedure for revising the constitution and legislation on industrial relations had been undertaken. During that period, the revision of the labour law that governed industrial relations at the federal level had also been undertaken. The labour relations law in the republics and in autonomous regions were now being unified with the aim of achieving uniformed rules of industrial relations in particular as regards appeals concerning the relationship between termination of employment and dismissals. This co-ordination of the legislation of the republics and the autonomous regions would be over next autumn, and it was for that reason that the Government of Yugoslavia, in consultation with the Yugoslav trade union and the Economic Chamber representing the employers, had thought it better to delay the despatch of the first report concerning the present Convention. He wished to inform the Conference Committee that the legislative and constitutional changes would present no problem for the application of Convention No. 158 and that the first complete report to which would be attached the new legislative texts would be despatched during the fourth quarter of 1988.

The Workers' members noted with interest the information communicated, in particular the fact that Yugoslavia was among the first ILO member States which had ratified Convention No. 158. They nevertheless underlined that a first report had to reach the Committee of Experts so that it could examine the application of a newly ratified Convention. While they understood the real administrative difficulties facing the Government of Yugoslavia was among the first ILO member States which had ratified Convention No. 158. They nevertheless underlined that a first report had to reach the Committee of Experts so that it could examine the application of a newly ratified Convention. While they understood the real administrative difficulties facing the Government of Yugoslavia – and perhaps the Government should envisage some assistance in this respect – the Workers' members were compelled to mention the failure to supply a first report in an appropriate section of the Committee's report.

The Employers' members appreciated being able to discuss this very important question of the supply of the first report with the Government representative. They were also pleased with the quick ratification of this Convention. They were fully conscious of the difficulties facing a federal State in co-ordinating various state actions. The Government representative had stated that one of the causes of this delay was that no all the legislative instruments of the different states of the federation had been adopted so far. So without this new legislation, Convention No. 158 could not be incorporated in its entirety in national legislation and practice. They hoped that the steps announced to this end would soon become effective and that the report would be communicated to

the Committee of Experts during the fourth quarter of 1988, as was indicated by the Government representative. In its report, the Conference Committee should nevertheless mention that this first report had not been supplied according to the provisions of the ILO Constitution.

The Committee noted the explanation given by the Government representative and the difficulties he had reported. It noted that no first report on Convention No. 158 had been supplied for the last two years, and hoped that this report would be communicated in the near future. It decided to indicate this case in the appropriate section of its report.

B. Observations and Information on the Application of Conventions

Convention No. 3: Maternity Protection, 1919

Colombia (ratification: 1933). The Government has communicated the following information:

The Government is carefully considering in special committees the amendments necessary for the social changes as part of a wider-ranging and integrated programme to improve Colombians' conditions of life and work. The co-ordinated social policy in force requires global reforms adapted to the context. Thus the Government is continuing to study how to bring national legislation closely in line with the Convention, especially in the light of general provisions on women and socio-economic reality.

In addition, a Government representative stated that the Committee of Experts' observations dealt with two aspects: the first on the duration of maternity leave and the second on benefits provided to mothers in the post-natal period. With regard to the Convention, the Government had stated to the ILO, and now restated, that one of the current administration's proposals was to bring the Labour Code into line with modern principles and exigencies of social security. In addition, the Government proposed to take measures aimed at achieving full coverage of the population in relation to social security. This implied the need to adopt a list of priorities providing for decisions which could be applied on a gradual basis. There was a guarantee of post-natal leave. The law provided for a total of eight weeks of leave, with a guaranteed leave of six weeks counting from the birth of the child. Maternity was also the object of other collateral benefits, among which could be mentioned three principal ones: (1) six months for nursing, counted from the termination of maternity leave, during which the woman worker could work two hours less per day to nurse her child; (2) child-care centres and family care, administered by the Colombian Institute of Family Welfare in which it was possible to leave a child in good hands, free of charge or for a modest fee, while the worker went to work; and (3) administrative procedures concerning protection against dismissals, even justified ones. All of this fell within the framework of Convention No. 111, establishing non-discrimination against women, which Colombia had adopted in 1969.

The Government representative stated in addition that in 1986, section 236 of the Labour Security Code had been amended to provide that the benefits provided to biological mothers be extended to mothers who had adopted children of up to 7 years of age, i.e. the provision of paid leave of eight weeks, protection in relation to dismissals and indemnities. But other additional measures had been taken, as follows: extension of social security entitlement to the family members of direct beneficiaries, whereas in the past only pregnant women and children up to the age of 1 year had been covered. These benefits had now been extended to the woman or wife, to children up to the age of 18 (or 25 if they have not completed their studies) and to persons who were temporarily incapacitated. Self-employed workers and with low incomes had also been linked to the social security scheme and social security had been provided for domestic workers, with a hefty subsidy from the State, and for members of religious orders. The geographical area had been extended to cover additional zones and the rules governing industrial diseases and accidents had been expanded. These decisions would permit 6.5 million beneficiaries to be covered by 1990, as compared with the 3 million covered when the present administration took office. In addition, present Government intended to extend social security benefits to the entire population, whereas it only covered 16 per cent of the economically active population at the moment. It was important to

note that because of scarce resources in both the public and private sectors, the Government had to set priorities. Other measures, such as protection for under-age workers and workers engaged in mining, as well as the expansion of the occupational diseases which were covered, had contributed to an improvement in the spectrum covered by social security and the protection of women. The Government representative said that the Government was making efforts to put into place a financial structure which would permit recognition of the entitlement to benefits and their payment during the period of leave. These benefits were established, but their recognition and payment on time still posed difficulties. This plan of financial structuring had made it possible for employees in the private sector to have their entitlement to benefits determined immediately; for public employees it was projected that this would be possible at the latest within 15 days of the expenses having been incurred. He explained that this was a matter that had the Government's attention; it should be understood that due to the necessity of establishing priorities concerning social security and due to the high level of unemployment, it would not be desirable to establish a scheme which produced still more unemployment among working mothers because of the impossibility of providing for all the benefits required. But all the directors of the Social Security Institutes were studying the situation in the hope of finding a lasting solution soon.

The Workers' members thanked the Government representative for the information provided. He had spoken of an ambitious plan for the social security system; it was of course desirable to have a system which could provide all workers' insurance in case of unemployment and sickness. With regard to maternity protection, this Convention, which had been ratified in 1933, called for 12 weeks of maternity leave, six weeks prior to confinement and six weeks following it. When this case was under discussion in 1983, the Government had made promises to add one week's additional maternity leave per year, to arrive at a total of 12 weeks in a four-year period. Since then, however, the total had remained at eight weeks. The promise should be kept and measures should be taken. The Workers' members were interested in the ILO study mission to be sent to Colombia in September 1988. They hoped it would deal with the question under discussion and not only with freedom of association, and that it would involve contact with employers' and workers' organisations as well as with the Government. They looked forward to seeing social progress in relation to the general application of Conventions in this country.

The Employers' members recalled that the Government had not yet fulfilled the requirements of the Convention, requiring six weeks of leave prior to confinement and six weeks afterwards. It had been stated in the Committee of Experts' report that amendment of the Labour Code was under consideration, with far-reaching aims in many fields. The Government representative had spoken of a number of plans which did not necessarily deal with maternity protection. Regarding the leave period, the Government representative had carefully indicated that, for the time being, the Government was not in a position to comply entirely with the provisions of the Convention because the social security problems involved were manifold and interlinked with economic and financial matters which as a whole could only be solved on a progressive basis. The Employers' members understood that social policy in this field was an expensive affair, but they considered it a step backward that the assurance given by the Government in 1983, namely to adjust the maternity leave provisions on a step-by-step basis, had not been repeated in the current discussion. They expressed the hope that, more than 50 years after ratification, the

requirements of this Convention would be put into actual practice, even if on a step-by-step basis. But the first step still had to be taken.

The Worker member of Colombia stated that the explanations provided by the Government representative of his country had corresponded to the actual situation under Colombian labour legislation. But he noted that although the Government did have good intentions to resolve the situation, Colombian workers and other workers in Latin America unfortunately always heard the same type of information year after year. The constant changes in government which occurred in Colombia were prejudicial to the workers, with one government promising things for four years and four years later another government coming in, which meant a change at the ministerial level with prejudicial repercussions for workers' rights. Making promises which were not kept created rising mistrust among the workers with regard to bringing labour legislation into conformity with international labour Conventions and Recommendations. The workers acknowledged the Government's good faith but in Colombia another ministerial crisis was looming, which meant that they would be facing promises from a new minister who did not know the situation. Years had passed in this way, with no solutions to problems found. The workers were concerned about this; besides the problem of 12 weeks' maternity leave, there were other ILO Conventions and Recommendations which were not ratified or, if they have been ratified, the legislation has not been brought in conformity with the dispositions of the Convention; this was detrimental to the rights of workers in the country. In conclusion, the mission which would go to Colombia soon should really check into the situation and seek solutions to these problems.

The Workers' members recognised that a rapid turnover in governments posed difficulties for durable and lasting work. But when one government made promises to make improvements, including legislative changes, the government succeeding it should not go back on this.

The Government representative expressed interest in the comments which had been made and reiterated that his Government had the best intentions with regard to extending social security coverage within the near future. He also reiterated that specific benefits were one of the principal concerns of the Government and that the matter was now under study. He stated that in the current administration, which was strong from a technical and methodological viewpoint, changes at the ministerial level did not mean changes in fundamental policy. In relation to the observations made by the spokesman of the Workers' Group at the Committee, two comments were necessary: firstly, an explanation of the situation in Colombia, which was going through serious difficulties but which the Government had every intention of resolving, had been presented yesterday in the plenary session of the Conference; secondly, the Government had accepted with pleasure the experts' visit planned for September. This would present an excellent opportunity to study the situation of trade unions in Colombia and to analyse freedom of association and industrial relations and to listen to the advice offered by the mission.

The representative of the Secretary-General confirmed that the mission which was to visit Colombia soon was not in relation with the application of Convention No. 3. The high-level direct contacts mission would examine cases pending before the Committee on Freedom of Association and questions involving application of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

The Committee noted the written and oral explanations supplied by the Government. In view of the serious shortcomings which had been the subject of comments by the Committee of Experts for a number of years, the Committee expressed its concern and urged the Government to take the necessary measures in the near future and with the assistance of the ILO to ensure the full application of the Convention, which had been ratified more than 50 years ago, and to report on the progress made.

Convention No. 5: Minimum Age (Industry), 1919

Bolivia (ratification: 1954). A Government representative stated that the provision of General Labour Act concerning the employment of children under 14 years of age as apprentices in workshops and other types of industrial undertakings, referred to situations of remunerated and supervised apprenticeship. The Act also provided that the apprentices could adequately follow training and educational courses. He added that his Government was prepared to receive ILO officials, in particular the Director of the International Standards Department, to exchange views, analyse the situation and study the measures that should be taken. This mission could be linked to the preparation of a revised Labour

Code, due to be presented to the legislative authority soon, and to the future seminar in which government experts would participate. Thus, it would be possible to provide the right legal form for the somewhat outdated legislation in response to the request of the Committee of Experts concerning the application of this Convention. Likewise, a document clarifying matters concerning the situation of the employment of children would also be communicated to the ILO in the near future.

The Workers' members believed that the situation concerning the application of the Convention was serious, deplorable and sad. The Government representative had stated that his Government would welcome an ILO mission, organise a seminar and provide information. He had also stated that the General Labour Act was somewhat outdated and was about to be modified. The Workers' members recalled nevertheless that for the past 15 years the Government had been stating that it was going to modify the law, and that for the past 25 years the Committee of Experts had been stressing the need for modifying it; a direct contacts mission in 1973 had yielded no result. Consequently there had been no change in the situation. They underlined that under the Convention children under 14 years of age could not be employed as apprentices either, while the fact that they were remunerated, as stated by the Government representative, implied a definite contradiction as regards these apprentices. Given the seriousness of the situation they reiterated the need for real change in legislation and practice and not just vague promises.

The Employers' members stated that, from a legal and technical point of view, it was easy to modify the law as requested by the Committee of Experts. The texts in question were article 58 of the General Labour Act, which authorised the employment of children under 14 years of age as apprentices while Article 2 of the Convention did not allow for such an exception to the minimum age of 14 years, and the Presidential Decree of 21 September 1929, which authorised in some cases the employment of children under 14 years of age. The economic problems caused by the great poverty of the country were more pertinent than the technical and legal difficulties. Technical assistance was given to Bolivia in 1973 through a direct contacts mission, but no concrete steps had been taken. The Government had stated that the Presidential Decree had been implicitly superseded by other laws, but it was necessary to abrogate it explicitly and to give maximum publicity to this abrogation. In view of the seriousness of this situation and the fact that the Committee of Experts had been asking the same questions for 25 years without any change on the part of the Government, the Employers' members expressed their concern with this serious situation and requested the Government representative to indicate the intentions of his Government concerning the necessary changes and improvements.

Another Government representative stated that the situation was neither serious nor in contradiction of the present Convention. Article 58 of the General Labour Law had been implicitly abrogated with the ratification of Convention No. 105 which was incorporated in the legislation. This implicit abrogation was based on the principles that the new law supersedes the old law, and that the specific law had precedence over the general law. In addition, there were no complaints concerning a great number of children supposedly working as apprentices. Nevertheless the Government understood the need for more clarity in legal texts and hoped that the above-mentioned provision would be abrogated formally. The best way to do that was through the revision of the Labour Code since there was no purpose in making modifications of detail when a general reform was about to be undertaken. The draft Labour Code was now under examination by a study group consisting of three national experts and two ILO consultants, within a project financed by the UNDP. The study group has begun its work on 1 March 1988 and will finish it at the end of 1988. Subsequently, the project would be brought to the attention of the employers and workers' organisations. Finally, it would undergo legal processing. As regards the Presidential Decree of 1929, it was clearly abrogated by the 1942 General Labour Act and by the Minors' Code of 1973, which prohibited the employment of children under 14 years of age. In addition, the ILO was invited to participate at a national tripartite seminar, to be held probably in October 1988, where the modifications proposed by the Committee of Experts could be examined with reference to the Conventions ratified by Bolivia.

The Workers' members were grateful for that supplementary information and hoped that following the ILO's technical assistance and the seminar, which should be tripartite, prompt changes could be made in legislation and practice. The application of the Convention gave rise to serious concern, especially in view of the deplorable economic situation and the number of unemployed. Work should be given to adults rather than to children. They were dissatisfied with the perennial explanation that the provisions referred to by the Committee of Experts were implicitly abrogated. They requested the representative of the Secretary-General to provide details concerning the above-mentioned seminar.

The Employers' members also appreciated the supplementary information given by the Government representative. Now that he has clarified that the Government was engaged in a complete revision of the General Labour Act, and not only a partial reform, the request for ILO technical assistance should be welcomed. They stressed that the present legislation was in contradiction with the present Convention, and hoped that ILO assistance would yield concrete results that will bring the legislation into full conformity with the Convention, in contrast to the lack of progress after the direct contact mission in 1973.

The representative of the Secretary-General confirmed the statement by the Government representative concerning the UNDP-financed technical co-operation project in Bolivia for the total revision of the General Labour Act in the light of ILO standards. The draft General Labour Law should be completed by the end of 1988. He also stated that a Government representative of Bolivia had requested ILO assistance in organising a tripartite seminar, that this request had been accepted and that the modalities of the seminar were now subject to consultation.

The Workers' members stated that in the light of the latest information concerning technical co-operation and a seminar, it was now possible to hope for fundamental changes that would bring the legislation and practice into line with the Convention.

The Committee took note of the information provided by the Government representative. It noted with concern that there was no change for many years. It hoped that the Government would very soon take all necessary measures, with the assistance of the ILO, to eliminate existing legislative discrepancies and serious problems in practice, so as to ensure full application of the Convention. The Committee hoped that the current legislative review and the proposed tripartite seminar would permit progress to be achieved and that the Government would provide full information in this regard.

Brazil (ratification: 1934). The Government has communicated the following information:

In view of the contraventions concerning the work of under-14-year-olds in Brazilian industry, the labour inspectorate is expanding its services to ensure the application of provisions on the work of minors. The Government is communicating statistics on the numbers of minors covered by inspection in 1987 and the numbers in the formal sector, broken down by age and state of the Federation.

The labour inspectorate supervises the implementation of standards for the protection of minors relating to prohibition of night work, working time, and minimum wages.

The work of minors who are apprentices in the industrial sector is regulated by section 429 of the Consolidated Labour Laws, and that of those in the commercial sector by Law Decree No. 8622 of 10 January 1946.

A draft approved by the National Constituent Assembly and now being promulgated will raise the minimum age for work to 14 years (presently a minor is someone between 12 and 18 years, and work is prohibited for under-12-year-olds).

In addition a Government representative referred to the information supplied by his Government in its written communication. With regard to the Committee's observations concerning work by children of under 14 years of age in Brazilian industry, he assured the Committee that Brazil had strengthened the inspection services with the objective of fully observing the legal provisions relating to work by minors. In 1987, more than 500,000 minors were the subject of labour inspection. In this respect, his Government had submitted detailed statistical information to the Office. The work of the labour inspectorate was to verify the fulfilment of the protective standards relating to work by minors with respect to the prohibition of night work, the duration of the working day and minimum wages. The Constitution and labour legislation in Brazil prohibited night work by minors. No information regarding a violation of this prohibition had been reported. The hours of work for a minor were eight hours and the minor received the same wage as that of other workers. Exceptions were made in cases of apprenticeship.

The Brazilian law presently in force allowed for work by minors between the ages of 12 and 18 years and prohibited work to those less than 12 years of age. Work by minors between the ages of 12 and 14 years had to be appropriately adjusted to the physical condition and the presence of minors at school had to be guaranteed. He pointed out that most of the work of minors aged between 12 and 14 years was in family enterprises. In this respect the comments in the Committee of Experts' report should refer to the clothing industry and not the textile industry. Night work, work in unhealthy places and work dangerous to moral health was prohibited to minors. Minors were not allowed to work overtime except in cases fixed by collective agreements.

The Government representative highlighted that his country was in the final stages of elaborating a new Constitution which will

include a provision raising the minimum age of work by minors to 14 years of age. Therefore this new constitutional text that would be promulgated in the next few weeks would be in accordance with the provisions of the present Convention.

The Workers' members noted that international associations had documented the existence of child labour in Brazil, in other words the proof existed. This practice not only included minors over 12 years of age but also those between six and 14 years of age, in all types of industrial enterprises. The Workers' members agreed with the Committee of Experts that they were not necessarily concerned with the legislation, but they were concerned with the practice. They noted that there was a need to strengthen inspection services. They stressed that the Committee of Experts, along with the other international and national organisations, needed to insist that an end be put to the situation of child labour in Brazil, even if this labour was remunerated.

The Employers' members noted that the Government representative had spoken a great deal about the legal situation in his country. However, the Committee of Experts had not called the legal situation into question; it was the practice and functioning of labour inspection which was questioned. They noted the information supplied by the Government and hoped that further information would continue to be supplied to the Committee of Experts. They hoped that as a result of various measures that would be taken, the ground would be prepared to improve this situation.

The Government representative stated that his Government recognised that verification was important. It was difficult to prevent the breaching of laws in certain cases. In concluding, he highlighted the fact that the new Constitution would be promulgated within the next few months and, therefore, the minimum age of 14 years would come into force.

The Committee noted the written and oral information given by the Government representative. It hopes that the Government will examine the situation in the light of comments of the Committee of Experts, and will take all appropriate measures such as labour inspection and tripartite consultation for the effective application of national provisions on minimum age, so as to ensure full compliance with the Convention, in legislation as well as in practice.

Convention No. 11: Right of Association (Agriculture), 1921

Poland (ratification: 1924). The Government has communicated the following information:

The Government's general remarks (see general observations) concerning the prospects of political and trade unions' pluralism in Poland with reference to the application of Convention No. 87 apply respectively to Convention No. 11.

Referring to its 1987 explanations, the Government states once again that individual farmers, members of their families, as well as persons directly connected with agriculture by the nature of their work can freely organise for defending their occupational and social interests. Farmers' organisations – in accordance with the Act of 8 October 1982 respecting the socio-occupational organisations of farmers – are the following: (1) agricultural circles, (2) circles of rural housewives, (3) agricultural branch associations, (4) unions of farmers, circles and agricultural organisations, and (5) unions of agricultural branch associations. These organisations, apart from their functions as regards representation of the needs and defence of the social and occupational interests of farmers, fulfil the other tasks which may be generally described as acting in favour of the development of individual agriculture. The Act of 8 October 1982 guarantees to these organisations the independence from the state administration organs, as well as state and social organisations, and the right to determine their own statutes and to act through democratically elected bodies, as well as the right to determine independently the scope and form of their activities – within the framework of the legal acts in force.

The observations of the Committee of Experts suggesting that the legislation imposes the only central organisation of rural workers in Poland do not take into account the fact that, although the National Federation of Farmers, Agricultural Circles and Agricultural Organisations is – in accordance with the 1982 Act – the central representation of individual farmers, such socio-occupational organisations of farmers as agricultural branch associations and unions of agricultural branch associations are not obliged to join this National Federation if they do not wish to do so. They can choose the other way of associating: an agricultural branch association may join the union of agricultural branch associations or a competent national branch union (section 26 of the Act) and unions of agricultural branch associations may join, or not join, the National Federation of Farmers, Agricultural Circles and Agricultural Organisations (section 32, para. 3). The other farmers' organisations are also entitled not to join the National Federation (section 33, para. 1, of the Act).

It should be also recalled that the socio-occupational organisations of farmers, which in accordance with the 1982 Act may join the National Federation of Farmers, Agricultural Circles and Agricultural Organisations, do not concern workers employed in the socialised sector of agriculture as well as in individual agriculture and members of productive co-operatives, who may join the competent trade unions acting in accordance with the Trade Union Act of 1982.

In addition, see Convention No. 87.

Convention No. 19: Equality of Treatment (Accident Compensation), 1925

Portugal (ratification: 1929). The Government has communicated the following information:

The 1976 Constitution of the Republic of Portugal guarantees in article 15 full equality of rights and duties for all individuals, irrespective of nationality.

In accordance with this principle of full equality, article 293 of the Constitution declares any previously existing legislation which is inconsistent with the Constitution to have been repealed. Such repeal flows, without any doubt, from the following: "Previously existing legislation ... remains in force provided it is not contrary to the Constitution or to the principles consecrated in it."

In this way, and owing to the overriding legal force which constitutional provisions necessarily possesses, this provision means that in Portugal foreign workers can receive no less favourable treatment than that received by workers who are Portuguese nationals.

Taking into account this new examination of the problem posed by the Committee of Experts' observations, official Portuguese bodies competent on the subject of compensation for employment injuries have been consulted. These were the General Labour Inspectorate and the National Insurance Institute (a body under the Ministry of Finance supervising the activities of insurance companies, through which protection against employment injury is still guaranteed, since this matter has not yet been transferred to the social security system, as reported earlier).

The General Labour Inspectorate, in the course of its systematic oversight of employment injuries, their consequences and compensation in respect of them, has not detected any exclusion of foreign workers employed in Portugal from the general scheme of protection provided for by Act No. 21/27 and the regulations issued under it (Decree No. 360/71).

With regard to the National Insurance Institute, it was corroborated that the staff lists which employers were required to send to the insurance companies with which they have employment injury insurance contracts for their workers had to contain the names of all persons in the employers' service, irrespective of the workers' nationality. Therefore, all workers, whether nationals or foreigners, enjoy the same social protection in case of employment injury.

With regard to the observation made concerning section III, paragraph 3, of Act No. 21/27, the Government considers that the apparent lack of conformity with Article 2 of the Convention is illusory. In fact, a foreign enterprise which does not "become national" by establishing an associated enterprise in accordance with Portuguese law, or by establishing a representative or an agency, may only engage in activities in Portugal on a temporary basis to execute a concrete and specified type of work. If it "becomes national", it is subject to the same duties and rights as a national enterprise.

By contrast, the conditions under which it operates are temporary in character and lack a continuous nature. Therefore, the compensation scheme for employment injury (provided for in section III, paragraph 3, of Act No. 21/27), to which all foreign workers are subject, and for which the enterprise and the country are responsible, is in conformity with Article 2 of the Convention.

As a matter of fact, the guarantee of compensation for all foreigners, except for those having entitlements under the law of their own country, produces the same effect as guaranteeing the compensation to be paid, without prejudice to there being a special agreement applying the legislation of the country in which the enterprise is established.

In addition, a Government representative spoke of the written communications sent by his Government to the present session of the Conference and his agreement with the principle that modifications to bring law into compliance with ratified Conventions should be done explicitly and not tacitly. Nevertheless the law in his country permitted implicit abrogation, and the 1976 Constitution which took precedence over ordinary law, abrogated all earlier law which was contrary to its provisions and principles. In practice, therefore, the provisions of Act No. 21/27 of 1965 on industrial accidents had clearly been abrogated by the Constitution. Legislative modifications were within the competence of Parliament and was outside the jurisdiction of the Government. Nevertheless, it could not be ruled out that when accident com-

pensation was integrated into a unified social security system, the provisions would be modified to make them compatible with the Convention as well as with their obligations deriving from his country's membership of the European Communities.

The Employers' members noted that certain discrepancies still existed between the law and the provisions of the Convention. Even if Constitutional provisions took precedence over ordinary legislation, the necessity to bring into conformity legislation with the Convention still remained. According to provisions of the 1965 law on industrial accidents, mentioned in the report of the Committee of Experts, certain foreign workers were still excluded from its scope. The Government had supplied written information on the subject, however clarification of the law was still needed. The provisions of community law provided complementary protection to citizens of member States of the European Communities, but the provisions in questions were obviously of importance to workers from other States. The Government must clarify what the situation is in practice.

The Workers' members stated that according to the General Confederation of Portuguese Workers (CGTP) it was possible that the provisions of the Convention (which was of interest to all citizens of member States who had ratified it) could be applied in full, but that the will to adopt the necessary provisions was lacking. They hoped that this question would be resolved and stressed the value of tripartite consultations.

The Worker member for Portugal agreed with the statement made by her Government that the provisions of Act No. 21/27, Article III, which was the subject of observations by the Committee of Experts, could be considered as abrogated by the Constitution. There remained, however, the need to draw up regulations for the implementation of Act No. 28, 1984, to give full effect to the Convention. After four years' delay a commission to draw up these regulations had still not been set up. The Government must assure the workers' and employers' organisations of their right to participate as has been provided by the law. She hoped that measures would be taken to integrate accident compensation into the social security system.

The Government representative, stressing that practice did conform with the provisions of the Convention, added that a draft Social Security Code had almost been finished and that the social partners would be consulted on this subject at the permanent council for tripartite consultation.

The Committee noted the written and oral explanations supplied by the Government. Since the comments of the Committee of Experts referred to specific discrepancies in the relevant national legislation, the Committee hoped that the Government will re-examine the position and will take appropriate measures to ensure full conformity with the Convention, in legislation as well as in practice.

Convention No. 20: Night Work (Bakeries), 1925

Chile (ratification: 1933). A Government representative stated that shortly following ratification of the Convention, the pertinent regulations had been approved (Nos. 445 of 1936, 739 of 1937 and 276 of 1947), some of which had been repealed on the occasion of the promulgation of the new Labour Code in 1987. His Government had examined the Committee of Experts' comments in relation to this Convention. In conformity with Article 2, which stipulated that States should consult employers' and workers' organisations, tripartite consultations had been initiated with the aim of drawing up the pertinent regulations.

The Employers' members recalled that this Convention provided for adequate night rest of a certain length and during certain hours for workers employed in bakeries. As the Committee of Experts had noted, workers' organisations, in communications which had been transmitted to the Government in December 1987, had complained that rules providing for such rest were lacking in Chile. The Government representative had stated that the long process of drawing up a new Labour Code had recently been completed. The Employers' members did not know whether the requirements of the Convention were satisfied thereby. The Government representative had also said that tripartite negotiations had begun on this subject and that the Government's next report would refer to it. This was the right approach. If laws or bills existed, the Committee of Experts should have the opportunity to review them so that the situation could be re-examined in the Conference Committee if necessary. The Employers' members were certain that the Government would provide the required information and they hoped that the substantive problem would be resolved.

The Workers' members noted that although the ILO Governing Body had characterised this Convention as obsolete, the topic of night work was on the agenda of the International Labour Conference in 1989. The fact remained that this Convention still existed and Chile had ratified it. It should therefore be applied. In

addition, an organisation had complained of the legislative void. The protection of workers in small enterprises such as bakeries was essential. They hoped that the Government's promise would become reality by next year.

The Committee noted the information given by the Government representative. In the observation made by the Committee of Experts, reference had been made to comments received from organisations of bakery workers according to which the Convention had not been given effect for several years. The Committee hoped that the Government would examine the situation with a view to taking appropriate measures to give effect to the Convention and would provide information in this regard.

Convention No. 29: Forced Labour, 1930

Bahamas (ratification: 1976). The Government has communicated the following information:

No amendment to the Prison Rules along the lines indicated by the Committee of Experts has yet been made. The Office will be informed of any changes in due course. General orders (governing the public service) provide for the police and others employed by the State to leave with one month's notice. The Government will endeavour to send a copy. Even if a public servant left without notice, no action against him would be taken.

Central African Republic (1960) See under Convention No. 105

In addition a Government representative stated that his country was aware of the necessity to bring its law and practice in conformity with the provisions of ratified Conventions. That was why the Government had never hesitated to give the requested information so that the efforts that were being made were recognised. He recalled that the ordinances which were the subject of the observations by the Committee of Experts had been adopted at a time when executive and legal powers were totally concentrated in the hands of the Emperor. During this period ordinances were adopted by force of law. These texts had since become null and void and were no longer applied. Although they were not yet abrogated formally his Government was attending to this. The 1960 law concerning rural development had never introduced forced labour. It was simply a means by which the Government assured a technical support structure to cultivators in order to supply them with the basic services which would help them increase their production.

The Workers' members, while understanding the difficulties that the country had gone through, its instabilities and the necessary restructuring, noted however that for many years the Committee of Experts had not received any information on the application of this basic Convention, or any indication that these former provisions, which permitted direct or indirect forced labour, had been abrogated or replaced. In regard to the observations concerning the law on the development of the rural economy, the Government indicated that it was a matter of assuring technical support to agricultural workers. In the field of agriculture, it should be noted that compulsory cultivation had been imposed on the local community. The Workers' members would like, therefore, to have clarification as quickly as possible in regard to those questions which had been dealt with in the Committee for some time. The Government should supply information which would indicate whether the present Convention was being applied fully. ILO assistance might be able to clarify this situation.

The Employers' members stated that the application of this Convention had been discussed since 1966, and it was apparent that a whole series of laws did not conform to the Convention. Two categories of provisions were concerned: legislation concerning the elimination of idleness, and provisions concerning minimum surfaces for cultivation. For several years the Government had indicated that provisions would be adopted and the Committee of Experts had referred to these possible provisions since 1966. The report of the Committee of Experts had not mentioned any changes since 1966 and this should be noted in the report of the present Committee.

The Government representative stated that his Government had always hoped that the ILO would be able to give aid in regard to the draft texts concerning the issues raised and indeed this assistance had taken place. In order that the Committee would be better able to understand the situation, he explained the legislative procedure which had been introduced by the new Constitution. The National Assembly, which was elected in July 1987, had adopted certain urgent texts, in particular the investment code, the law on small and medium-sized enterprises, and the law on freedom of association and the protection of trade union rights. The Government was ready to accept the assistance of ILO in all matters. In regard to idleness, a draft text had been sent to the National Assembly and should be examined in the near future.

The Workers' members commented that the manner in which laws were drawn up and voted upon showed the responsibility of the authorities of the country. However, ILO assistance should be requested before the laws are adopted so that they are effective from the beginning and conform with ratified Conventions.

The Committee took note of the information provided by the Government representative as well as the written information which had been communicated by the Government. The Committee had examined this case on many occasions and had noted considerable divergencies between the Convention and the legislation and practice in the Central African Republic. The Committee noted with regret that considerable difficulties still remained. The Committee hoped that the Government would in the near future take all necessary measures, with the assistance of the ILO if appropriate, to comply fully with its obligations under Convention No. 29. The Committee hoped that the next report would show that real progress had been made.

Pakistan (ratification: 1957). A Government representative indicated that the latest position of his Government was stated in its most recent report to the Committee of Experts. He reiterated that the Essential Services (Maintenance) Act, 1952, was being retained by way of enabling provisions to be applied in cases of emergency to essential services only. The Government was strictly following a policy of minimum reliance on the provisions of this Act. Some of the industrial units which had been operating under this Act had been removed from its purview and this process of review was continuous. There was no shortage of skilled or unskilled labour in Pakistan, so the Government was under no economic compulsion to keep an employee in forced employment against his will. In actual practice, voluntary termination of employment at three months' notice had never been restricted. As regards the Committee of Experts' comments relating to the alleged use of bonded labour, his Government had unequivocally stated in its report that no labour camps were allowed to operate anywhere in Pakistan. Any attempts to employ forced labour resulted in prosecution under the law.

The Workers' members observed that the explanations of the Government representative were disappointing because they were identical to the ones given at preceding sessions. At its last session, the Committee had decided to mention this case in a special paragraph of its report in the hope that the Government would be able to provide more detailed information on some of the questions. They pointed out that in this year's report, the Committee of Experts referred to the 1986 ILO Sectoral Review Mission and its conclusions which were in contradiction to the Government's statements. The Workers' members observed that the explanations given by the Government representative were disappointing and did not enable the Committee to note progress.

The Employers' members stated that the indications provided by the Government representative were in strange opposition to the long history of this case. For more than 30 years, certain laws in Pakistan prohibited workers from terminating their employment without the employers' consent. This was tantamount to forced labour without any doubt. Furthermore, those laws applied to a wide sector of the public service including public enterprises. This was what the Committee of Experts had observed. It was necessary to modify these laws and this Committee had already stated that it was not enough to hear every year statements that the practice in Pakistan was different from the law, that there was enough labour available and that the worker could leave his employment at three months' notice. If this were true, one should write it into the legislation and thus, the situation would be clearer, but, on the contrary, there had been no change in the situation and the statements by the Government of Pakistan became increasingly stereotyped. Moreover, the Government's comments gave no reply to the question of the Committee of Experts regarding the use of forced labour in the construction of canals or dams. The Employers' members shared the Workers' members' views and expressed their disappointment at this lack of progress.

The Government representative replied that his brief statement had virtually covered all the points raised by the Committee of Experts. The Government did not resort to the Essential Services (Maintenance) Act at all, it was only being kept by way of enabling provisions on the statute book for meeting emergency requirements only. He reiterated that the Government was following a policy of minimum reliance on the provisions of this Act, and that a committee instituted by the Government was reviewing all the 18 establishments covered by this Act. During a recent review, five establishments had been removed from the scope of this Act, so only a very negligible minority of workers were covered by it. As there was no shortage of labour in Pakistan, the Government was under no economic compulsion to keep an employee in forced employment against his will. The speaker emphatically reiterated that labour camps and bonded labour did not exist and were prohibited by law, and that any attempt to use forced labour

would result in prosecution. The report of the Committee of Experts was based only on allegations, and there was no substantive evidence on the existence of labour camps in Pakistan.

The Workers' members noted that the present Committee was now in a very difficult situation, because the declaration of the Government representative of Pakistan was in contradiction with the observations of the Committee of Experts which corresponded to the findings of the ILO mission. These had not been discussed in any detail by the Government representative. It was not sufficient simply to have a declaration from the Government that these conclusions were incorrect. The Workers' members reiterated the very great importance they attached to the indications concerning the use of bonded labour in "Kharkar" camps in paragraph 2 of the observations, which could not be dismissed by simple denial. The situation remained unsatisfactory. For the last two sessions, the Conference Committee had decided to mention this case in a special paragraph. Perhaps it was time to think what different measures were required to urge the Government to make progress on this matter in the future.

The Committee noted the explanations given by the Government representative. As the main issues raised had been repeatedly discussed previously, the Committee again expressed its serious concern and urged the Government to take very shortly the necessary measures to put its legislation and practice into conformity with the Convention, and to supply the detailed information requested by the Committee of Experts. The Committee decided to mention this case in a special paragraph of its general report.

Romania (ratification: 1957). A Government representative said that he could only repeat, in a more explicit manner, what the Government had stated on many occasions in reply to the questions raised by the Committee of Experts. This had also been the case last year in the Conference Committee. For this reason he did not agree that the Government did not communicate with the Committee of Experts. In the first place, he stated that Act No. 24 respecting the recruitment and placement of labour and Act No. 25 respecting the assignment of able-bodied persons to useful work, both of 1976, could not be considered to be legislation imposing an obligation to work, under the menace of penalties, on all able-bodied citizens. Under the provisions of the International Covenant on Civil and Political Rights (Article 8, paragraph 3(f), and of Convention No. 29 (Article 2, paragraph 2(b), work or service which form part of the normal civic obligations of the citizens of a fully self-governing country could not be considered to be forced labour. In Romania, the right to work and the general duty to work were basic constitutional principles of the State. Since the exploitation of one human being by another had been abolished long ago, work which represented an honourable duty for every able-bodied citizen had become the sole source of existence for all social classes and for the full expression of each individual. These principles were enshrined in a more detailed manner in the Labour Code, which provided as follows in section 1, paragraph (2): "The workers, both as producers of material and spiritual values and as owners of the means of production and the whole national wealth, have a right and a duty to engage in a type of work that is useful to society, since the welfare and interests of each are linked organically with the welfare and development of society as a whole". Section 6 provided: "Any form of appropriation of another's labour and all manifestations of social parasitism are prohibited as being incompatible with the socialist system and with socialist ethical principles and equity". In his country, there was no work without bread and no bread without work. Therefore the provisions of the 1976 Acts did not have forced labour as their purpose; rather they were a means of encouraging and helping certain able-bodied persons carry out their elementary civic duties. Moreover, the provisions of Act No. 25 governed the placement of individuals living at the expense of other persons – social parasites to whom work had been offered many times; these provisions contained a message of education and prevention for those who found themselves in such situations. Secondly, refusal to report at the workplace indicated by the court was never followed by sanctions; no coercive measure was taken in regard to the persons concerned. In the 12 years since the application of those Acts, there had been no case of a person being subject to a penalty. Thus there was no obligation to work under menace of a penalty. In the third place, a person falling within the scope of Act No. 25 who accepted placement in a workplace indicated by the court had to conclude a contract of employment with the employer. This voluntary act by the two parties was governed by section 64 of the Labour Code, as follows: "Appointment is effected by the formulation of a written individual contract of employment". Signing this contract was a voluntary act, without any obligation. No legislative provision in Romania required a person to conclude a contract of employment. In the fourth place, a contract of employment, once concluded, was governed by section 135 of the Labour Code, which provided that the contract could be terminated on the

initiative of the person employed. Thus a person who was subject to Act No. 25 could freely leave the enterprise the day after the contract had been signed. The Government was presenting these arguments following consultations with the Legislative Council, the Central Council of the General Confederation of Romanian Trade Unions and the division of managers of economic units in the Chamber of Commerce and Industry. Acts Nos. 24 and 25 of 1976 did not violate the spirit of the Convention. On the contrary, they contributed to ensuring full employment and facilitated, by purely educational means, the incorporation in useful work of persons who, in increasingly rare cases, were still straying from the Government's general principles on life and society. Nevertheless, since the cases which were the subject of this Convention had become increasingly rare – in 1987, for example, there were only 23 cases – the Government had reached the conclusion to propose in the legislative programme for the next period the revision of these two Acts, in the light of the observations made by the Committee of Experts. The Government representative reaffirmed his Government's openness to dialogue and stated that he would inform the Government again of the opinions expressed by the Committee of Experts on this issue.

The Workers' members with the Worker member of the United States as their spokesman in this case recalled the background of the observation made by the Committee of Experts, which had appeared consistently since 1985. By virtue of Acts Nos. 24 and 25 of 1976, read together, all able-bodied people over 16 years of age who were not in training or otherwise gainfully employed were obliged to register and be placed in employment and to present themselves for the employment at the workplace assigned. Measures of persuasion were provided for; if refusal to take up employment was persistent, a court order could compel the persons to take up a specific post which they could not leave before one year, under menace of sanctions. The Government had repeated that in fact these sanctions were not enforced; if that were the case, then the legislation requiring it should be repealed. The Committee of Experts simply did not share the Government's view that this situation involved performance of a normal civic obligation under Article 2, paragraph 2, of the present Convention. Referring to paragraph 45 of the 1979 general survey of the Committee of Experts, the Workers' members noted that this exception must be strictly interpreted; it had a much more limited scope than that suggested by the Government and could not be invoked to justify resort to forms of service or compulsory labour contrary to the present Convention. The Government representative had contradicted himself by saying that the sanctions were not invoked but that there were about 23 cases still pending. The Government representative had, however, also said that amendments would be proposed soon to comply with the Committee of Experts' observations. This was a new development which had long been lacking. If this were a true promise of remedial action, it was desirable to have a more detailed assurance from the Government.

The Employers' members corrected their earlier remark with regard to an absence of discussion; that had referred to 1986, not 1987. Regarding the present Convention, they reviewed the provisions of the two Acts cited by the Committee of Experts. The Government representative had mentioned the right to work, which was seen at the same time as an obligation to work. As long as that was considered a moral obligation, the Employers' members could accept it. But where that moral obligation was made binding in law, it became forced labour, and it remained forced labour when words from the animal kingdom – such as parasites – were used to describe people. All societies had problems with certain individuals, but the Employers' members questioned whether they should be solved through forced labour. The Committee of Experts had repeatedly observed that the legislation referred to provided for forced labour and therefore had to be amended. If there were no violation of the Convention, the Government would not be considering the possibility of amending or revising the legislation. Since the statement to this effect had been expressed perhaps somewhat more cautiously than usual, the Employers' members requested a clearer statement of whether the Government was indeed prepared to revise and amend the provisions.

The Government representative reiterated that there was no obligation to work. The duty to work was a general civic duty. No sanctions were applied; all measures were educational in nature. The Government had been repeating these arguments but the Committee of Experts had not understood them. It was for this reason that amendments were being considered. The Ministry of Labour, the Ministry of Justice and the Legislative Council, with the agreement of the workers' end employers' organisations, had decided to propose placing the matter of revising this legislation on the agenda for the next Five-Year Plan.

The Workers' members agreed with the statement made by the Worker member of the United States and the Employers' mem-

bers. They thought that the Government's reply was still too nebulous. Year after year there had been a clear violation of the Convention. Civic duties could not be invoked for imposing any sort of employment whatsoever; they had to be construed in a much more limited manner. The argument that the other social partners were in accord carried no weight in the face of violations. They hoped that the Government truly desired to bring legislation and practice into conformity with the Convention ratified. They asked for a more specific statement on that point and hoped the Committee would have the occasion to review the situation at next year's Conference.

The Workers' members with the Worker member of United States continuing as their spokesman agreed that a clear commitment to remedial action by way of repeal or amendment had not been forthcoming from the Government. Its statement had been vague. The Committee of Experts' observation in this case, which involved a very important Convention, had been clear and decisive. Unfortunately, the Government representative had gone back to saying that these were civic duties, not compulsory labour. There had been no assurance or indication that the Government accepted the Committee of Experts' conclusion that the legislation was incompatible with the Convention. The Workers' members had hoped for the Government's promise that it would re-examine the matter. The Committee of Experts' conclusion on the matter had been unequivocal. Everyone lauded the principle of full employment, but it had to be freely chosen and not forced at the expense of penal sanctions. In the absence of assurances by the Government, the Workers' members considered that this case deserved to be noted in a special paragraph as a matter of extreme importance.

The Government member of Bulgaria thanked the Government representative of Romania for the clarifications he had provided. The Government representative has stated that in practice these provisions were not applied. The Government representative had also said that a revision of the legislation was envisaged so as to remove the possibility of forced labour. These statements had demonstrated the Romanian Government's willingness to engage in a dialogue which should be continued.

The Employers' members agreed with the Workers' members that it was in line with their arguments that the case should be mentioned in a special paragraph, given the lack of progress up to now, but the conclusions should also express the hope that in future, the improvements which had been under discussion for so long could appear in the report of the Committee of Experts.

The Government member of the Ukrainian Soviet Socialist Republic stated that, having listened to various viewpoints expressed, he thought that the role of labour and the attitude towards labour as a social value in the eyes of the legislature were involved here. In contrast to other speakers, his Government believed that the statement made by the Romanian Government had given reason to believe that there would be a revision of their legislation. Before considering a special paragraph, there should be a reconciliation of views based on a constructive dialogue.

The Workers' members said they had just heard two statements that were much clearer than the reply first given by the Government. They called upon the Government representative to restate his position and to report to his Government that legislative changes were necessary and that they should be acted upon.

The Government representative repeated that the conclusion had been reached that a repeal or an amendment of the laws referred to should be proposed and would be proposed for the legislative programme in the five-year period coming up. This conclusion had been reached not only because of observations by the Committee of Experts, but also in light of analysis done by the Ministry of Labour, the Ministry of Justice and other bodies. He thought that this provided a clear reply.

The Worker member of the United States, speaking on behalf of the Workers' members, said that that was the sort of definitive assurance that he had been hoping to hear. The Workers' members wanted the Committee's conclusions to reflect the assurance that amendments would be sought and that a discussion would take place in the Committee next year. On this condition, they were willing to withdraw the request for a special paragraph.

The Committee noted the indications provided by the Government representative and the discussion that had taken place. The Committee noted that important divergencies continued to exist between legislation and practice and the Convention. It noted the Government's assurance that the legislation referred to is to be re-examined in the light of the comments of the Committee of Experts and urged the Government to take the necessary measures to ensure compliance with the Convention and to supply full and timely information on the action taken so that it could be considered next year.

The Government representative wished the record to reflect that the promise made was based on legal obligations in his country. He had stated that the legislative programme would be

for the years 1991 to 1995. Thus next year he would only be able to give a reply concerning proposals for amendments. In his country it was not possible to include the revision of a law in the legislative programme from one year to the next.

Convention No. 55: Shipowners' Liability (Sick and Injured Seamen), 1936

Panama (ratification: 1971). The Government sent the following information:

As regards Article 8 of the Convention requiring the shipowner to safeguard the property left on board by sick, injured or deceased persons, the Government states that the draft maritime labour legislation referred to in its previous report has not been approved, not through any fault of the Government, but rather because of objections raised firstly by the employers and then by the workers. At the present time this draft law is undergoing study by the Legislative Branch. Nevertheless, faced with this situation, the Government has, over the last few years, been adopting ways of finding individual solutions for each of the maritime Conventions ratified.

Thus, for the present Convention, the Ministry of Labour and Social Welfare has carried out the relevant negotiations with the Ministry of Finance and Treasury, which has jurisdiction over the National Merchant Marine, so that the necessary measures will be adopted shortly to enable the ships' captains to fulfil the obligation to protect the property left on board by a sick, injured or deceased worker. In due course, the government will supply information on the outcome of these negotiations and on the measures which will have been adopted in this connection.

As regards the inspection measures required on ships flying the Panamanian flag under Act No. 39 of 8 July 1976, the Government states that Executive Decree No. 56 of 8 October 1976, which sets out the regulations under this Act, provides in section 1, subsection 2, that: "In addition, the environmental, hygienic and working conditions of crews shall be determined in accordance with the international Conventions ratified by the Government of the Republic of Panama".

This provision clearly stipulates the practical implementation of inspections in accordance with the application of ratified ILO Conventions, including Convention No. 55. According to this new system the inspection relates not only to the application of the above-mentioned Convention but also to all other aspects of the standards quoted. Its implementation is obligatory for all ships inscribed in the register.

In addition, a Government representative stated that the Government had unfortunately not been able to report any progress in relation to the present Convention. As the Committee of Experts had observed in its report, the tripartite maritime labour commission had been reactivated with a view to resolving the main points contained in the draft Maritime Labour Law, which had been drawn up with ILO assistance in 1981. She referred to the difficulties this draft had faced in an attempt to have it approved as a whole. She underlined that the Government had made serious efforts to continue addressing each point which involved a conflict with the Convention. The Government recognised the importance of the Convention and it expressed the hope that the tripartite commission, which had suspended its work for a year, would resume it shortly. The Government representative referred to the tense political situation and the economic crisis the country was undergoing; the Government had asked the Director-General to send an ILO expert mission to provide assistance in seeking ways out of the crisis which the country was facing, without diminishing existing labour conditions. She stated that the Government had seen the need for adopting emergency legal measures to supervise and watch over the observance of the most important labour provisions. Given the current situation in the country, the appropriate conditions did not exist to devote attention to, and renew the examination of, the maritime matters in question. The Government promised that once the country had returned to a more normal situation, the examination of the pending subjects would be resumed.

The Employers' members noted that the Government representative's brief, clear statement had not tried to make things appear better than they were; still, the situation was far from satisfactory. In relation to shipowners' obligations towards seafarers in the case of disease or accident as provided by the Convention, there were still many gaps in the national legislation. The Government had been asked to fill these gaps for many years now. The tripartite procedure being used was welcome, but it had not yet led to any conclusions. In view of the large number of ships which flew the Panamanian flag, the questions in abeyance had to be resolved soon. In reference to the political and other difficulties the Government representative had mentioned, the Employers' members hoped that the crisis would be a passing one and that

after its resolution, progress could be seen. They regretted the lack of progress and requested the Government to do everything in its power to ensure that the necessary changes could be made in the legislation.

The Worker member of Argentina recalled that the ILO had been dealing with Panama's failure to meet its obligations in the maritime field for 40 years. He referred to an ILO publication on the general boycott of Panamanian vessels which had been called in 1948. More recently, France had lodged a complaint against Panama which had been suspended by an agreement providing for ILO technical assistance which had been supplied. Year after year, the Conference Committee dealt with the Government's failure to meet its obligations under maritime Conventions. Convention No. 55 was a fundamental one for seafarers. The arguments presented were not sufficient; the case should be treated in an appropriate paragraph so as to draw the necessary attention to it. The situation was deteriorating. Everyone knew what resort to flags of convenience meant: avoidance of obligations in an effort to avoid expenses. Under flag of convenience registration, there was no link between the vessel and nationality. Other Governments had had to step in to help crews which had been abandoned by flag of convenience States, including by Panama. The numerous violations of the Convention had to be remedied.

The Workers' members supported the remarks of the Workers' member of Argentina. Maritime questions in relation to Panama had been a concern of the Conference Committee for some time. Perhaps next year there could be a paragraph listing countries which for a certain number of years had repeated their promises to change their labour code or which had stated that they had a tripartite committee working on a matter. The obligations laid down by this Convention, to provide coverage against sickness and accidents, were extremely important for seafarers who found themselves in a weak position far from home. In spite of the country's political difficulties, the tripartite commission mentioned by the Government representative could continue to do preparatory work to ensure that it would not be long before the legislation was brought into line with the Convention. They insisted that this be done quickly because of the importance of Panama's merchant fleet. This problem had gone on for too long and they hoped that a special effort could be made to resolve it.

The Government representative thanked the Workers' member of Argentina for his historical review. Panama had requested the ILO's assistance in drawing up a draft maritime labour code. The fact that it had not been adopted did not mean that the Government had failed to take action. The Government had wished to preserve the tripartite mechanism by conducting discussions with the social partners. When the legislation was first introduced, it encountered resistance among employers; when it was introduced a second time, the workers had found certain points they wished to have ironed out. The tripartite commission had been established to reconcile these views. The Government had done more than make promises; the Conference Committee had noted progress in maritime legislation. The speaker mentioned in particular the measures in relation to officers' certificates of capacity, which had involved a lot of money and work to put into place. The Government would continue to take steps forward. She had not mentioned the country's difficulties as a pretext, but merely to provide a description of the current situation.

The Committee noted the written and oral information supplied by the Government and the difficulties encountered. As provisions to apply several Articles of the Convention had not yet been adopted, no progress could be registered in the application of this Convention and the Committee hoped that the Government would soon take appropriate measures to give full effect to the Convention and would report next year on the progress made.

Liberia (ratification: 1960). A Government representative for Liberia in reply to the Committee of Experts' observation concerning the necessity to bring the new draft Labour Code into conformity with Article 1, paragraph 2; Article 2, paragraphs 1 and 3; and Article 6, paragraph 2(d) of the present Convention, reported that the competent authority had, after taking note of the Committee of Experts' comments, decided not to adopt the Code until it had been re-examined by the ILO and the necessary adjustments made to bring it into conformity with the Convention. To this end, the Director-General had been requested in a letter dated 13 June 1988 to send a direct contacts mission.

The Employers' members reminded the Committee that this particular case had now been under discussion for 22 years and that during that time the Government had repeatedly spoken of a new draft Labour Code which would amend current legislation. This year, once again, the Committee of Experts had indicated in its report that the same problems remain unresolved. Furthermore, the Employers' members noted another discrepancy between the draft Labour Code and the Convention concerning coastal shipping. Given the large number of ships which this

legislation affected they insisted, that after such a long time, the relevant legislation be amended. They hoped that the direct contacts mission would be carried out quickly so that these outstanding questions could be finally settled.

The Workers' members, in agreement with the Employers' members, insisted that the adoption of the new Labour Code, which had been promised years ago, should not be further postponed. Liberia was responsible for a large number of ships and it was important that the draft Labour Code, which should comply with the Convention, be adopted. They urged Liberia to make good use of the direct contacts mission and the assistance of the ILO to resolve the remaining problems so that next year the matter would be finally settled.

The Government representative assured the present Committee that everything would be done by his Government to ensure that legislation would comply with all the ratified Conventions.

The Worker member of the United States, on behalf of the Worker member of Liberia, who was not present, welcomed the fact that a direct contacts mission would take place.

The Committee took note of the information supplied by the Government representative and hoped that the Government would be able, with the assistance of the ILO, to adopt in the near future provisions to give full effect to the Convention on the points raised for many years by the Committee of Experts and to indicate progress in its next report.

Convention No. 68: Food and Catering (Ships' Crews), 1946

Peru (ratification: 1962). The Government has communicated the following information:

The collective agreements provided in 1987 were concluded between the Association of Peruvian Shipowners and the Peruvian Federation of Seafarers. In accordance with Peruvian legislation, "seafarers" means those who show they have satisfactorily completed the corresponding training course organised by the National Merchant Marine School as well as the Training, Qualification and Watchkeeping for Seafarers Standards and obtained the boarding document from the maritime authorities (section B-030308 and following of the Captaincy and Marine, River and Lake Activities Regulations). Thus, the collective agreements in question only apply to ordinary seafarers, since officers are covered by other collective agreements.

The above-mentioned Regulations, approved by Supreme Decree No. 02-87-MA of 9 April 1987, brought the Peruvian maritime legislation up to date and regulate the organisation, jurisdiction and functions of the maritime authority in maritime, river and lake activities in Peru and the supervision of activities in navigable waters, as well as personnel and material questions in the national merchant marine, fishing and water sports; maritime labour and similar activities; protection of the marine environment and its resources and wealth; safety of life at sea and on navigable rivers and lakes, safety and supervision of ports and docks; and the struggle against smuggling and other illegal activities within its competence. It also decides on administrative procedures for the investigation of damage or accidents to ships or persons, damage to cargo and contamination of waters.

The Regulations are obviously wide-ranging and comprehensive and they include the working conditions of seafarers on board ship.

As regards the Convention, the Regulations deal with the quantity and quality of food and catering on board ship and the right of crew members to make complaints to the competent authorities in respect of the quality and quantity of food provided on board. Yet there are some gaps and some unclear provisions in the Regulations which are being studied in detail by those concerned with a view to amending them.

Legislation dealing specifically with food and catering on board ship is envisaged.

Besides this, Parliament is studying a law to regulate working conditions of seafarers on board ship. Further, the present Committee should be informed that a tripartite seminar is taking place in Peru this month with participation of all professional maritime organisations in order to lay the foundations for working conditions on board ship.

In addition, a Government representative stated that, with respect to the observations made by the Committee of Experts on the necessity to adopt legislation on food and catering arrangements and to establish a labour inspection system, two legal provisions existed. The first, Supreme Decree No. 012-77-SA of October 1977, contained rules concerning the approval by the Ministry of Health for water for human consumption and the periodic control of equipment. As well, it set out the rules which must be observed in the supply, storage and handling of food. The other legal provision which covered ships' crews was the Captaincy Rules issued in 1987 which were intended to bring into conformity

national legislation with ratified Conventions, including the present Convention. These rules specified that before ships set sail verification must be made that, according to the route, time of year, duration of the voyage and other foreseeable factors, sufficient supplies were on board. They also established the responsibilities of the administration. In regard to the establishment of an inspection system, the rules also required periodic inspection. Inspectors must record any deficiencies found, and these would be subject to sanctions. The rules also established the right of ships' crews if they numbered no less than one-third, to protest against the quantity and quality of the food supplied to them to the Maritime or Consular Authorities. The directorate of the Captaincy would take into consideration the comments made by the sectors affected by the rules so that any necessary modifications could be made. The Maritime Authorities had stated that with respect to the observations made by the Committee of Experts, that one of the issues which would be completed would be the supply of food and catering services. In conclusion, the Government representative stated that studies were being carried out with the aim of eventually enacting a law which would regulate the working conditions of ships' crews and that assistance in this matter had been requested from the ILO.

The Employers' members stated that collective agreements were also a means of applying the Convention, but what needed to be known was who were covered by these agreements. They asked if in Peru there existed the possibility to extend collective agreements by national legislation. They thought that the legal texts which had been referred to should be communicated to the ILO in order that they could be examined for any shortcomings and the means by which these could be overcome. They hoped that in the next report the Government would reply to the observations made by the trade unions in regard to the application of this Convention.

The Workers' members associated themselves with the comments made by the Employers' members. They remarked that this case had been discussed in 1983, 1984 and 1986, and that it had been the subject of a special paragraph in 1984. They hoped that the law to which the Government representative had referred would be enacted as quickly as possible and that the information requested from the Government, especially on the points raised by the Peruvian trade unions, would be sent as quickly as possible to the ILO.

The Worker member of Argentina expressed his agreement with the remarks made by the Workers' members' spokesman. He stressed the importance that food supplies and catering arrangements had for seafarers given the nature of their work which obliged them to live away from their families for long periods of time. He asked the Government representative to urge her Government to undertake the necessary legislative measures to fulfil the provisions of the present Convention.

The Government representative stated that her Government recognised that the provisions of the Convention had not been fully complied with, but that they were endeavouring to bring into conformity all legislation with the provisions of international Conventions. She referred to the problems that arose when responsibilities were shared with other sectors; in the present case the Ministry of Defence of which depends also the Merchant Navy. In reply to the Employers' members on the question of collective agreements, she stated that collective agreements which applied to ships' crews members had been sent to the ILO; those which applied to officers would be sent shortly.

The Committee takes note of the detailed written and oral information supplied by the Government. As pointed out in the observation of the Committee of Experts, laws or regulations should be adopted to give effect to several Articles of the Convention. The indications given by the Government show that the regulations adopted in 1987 do not meet all these requirements, especially since the case was discussed for many years. The Committee hopes that the Government will take all necessary measures in the near future, with the assistance of the ILO, and supply full information in this respect.

Convention No. 81: Labour Inspection, 1947

Bahamas (ratification: 1976). The Government has communicated the following information:

The Government has recently completed review of labour legislation on several subjects where drafting should be done soon (severance pay, unpaid dismissals, domestic service). A law on maternity protection has been enacted. It is envisaged that legislation dealing with problems of labour inspection can be considered next: proposals are made by the Labour Department, considered by the Tripartite Joint Advisory Committee, then Cabinet, before being sent for drafting. The comments of the Committee of Experts will be taken into consideration in this process.

Copies of annual reports on labour inspection will be made available to the ILO. Publication is proving difficult because of printing costs.

Italy (ratification: 1952). The Government has communicated the following information:

Following the comments made by the Committee of Experts, the Government has conveyed to the ILO the documentation which constitutes a partial reply to the observations of the Committee concerning the present Convention.

In addition, a Government representative stated that at the outset of this Conference, the Government had provided the Office with the documentation which the Committee of Experts had requested concerning the application of the Convention. Detailed information was contained in the 1987 annual general report on the activities of the inspection services. The bulk of the information requested under Article 16 of the Convention was provided in this report, as regards both the number of inspections carried out and their frequency. The data also permitted an evaluation of the types of inspection by sector of activity to be made. The Government had also supplied the text of the Act on the status of the staff of local health units which are assigned labour inspection functions, in response to the request made by the Committee of Experts regarding Article 6 of the Convention. In reflecting upon the contents of the report on labour inspection activities, the Government had noted that although the inspection services are staffed by highly qualified personnel, the services should be reinforced in order to meet the growing requirements of inspection and oversight. In regard to the problem of co-ordination between the various services which had been assigned inspection functions, the Government agreed that this fell within the scope of Article 5 of the Convention. A misunderstanding had developed, however, over replies furnished by the Government several years ago. Several institutions were engaged in co-ordination at different levels: local, regional and national. Local health units, while they were legal entities enjoying complete autonomy, were organisationally part of local and territorial structures (i.e. regions and communities). At the national level, the application and interpretation of standards of protection at the workplace were within the competence of the Ministry of Labour which, on request or on its own accord, could draw up directives and instructions which were discussed by a permanent commission on the prevention of accidents and on occupational health. There were obviously some problems of co-ordination when matters concerning workers' health and the observance of technical standards at the workplace were concerned. For those aspects, the local health units had access to an interregional standing committee with branches in the most significant zones of economic activity. In reply to the point raised in the Committee of Experts' report regarding Article 9 of the Convention, the Government stressed that in practice technicians specialising in various sectors, such as industrial hygienists, engineers and doctors, collaborated in every standing committee branch. The Government had provided annual reports under Articles 20 and 21 of the Convention on a regular basis, except for during a certain period in which there had been operational difficulties owing to the entry into force of new legislation. The Government remained attentive to problems of the effectiveness of labour inspection. In the past few years, there had been thorough discussions on measures which could be taken in response to the large-scale introduction of new technology in production processes. Efforts had been launched to seek more efficacious means to ensure maximum protection for workers and to preserve the environment. The Government pledged to provide any other documentation which might assist in an evaluation of the extent of application of the Convention.

The Employers' members thanked the Government representative for her statement. There had for some years been several shortcomings in respect of a number of Articles of this important Convention. Sufficient information on the frequency of inspections, on co-operation between the labour inspectorate and the local health units and on the status of their staff was still lacking. Despite problems of co-ordination, the Committee of Experts should have the proper information at its disposal especially considering the importance of annual inspection reports; for ten years now, this had not been the case. Although the Government representative appeared to have said that reports were being sent regularly, the Committee of Experts had observed that no annual reports had been received by the Office since 1978. According to written information recently supplied by the Government, a substantial report had now been communicated. They hoped that it would contain all the necessary information and that such information would be submitted on a regular basis from now on, to avoid having another gap of several years during which the Committee of Experts had no information at its disposal.

The Workers' members welcomed the new information provided by the Government. A partial reply to the points raised by the

Committee of Experts had been given, but this was still not fully satisfactory. They found the failure to send reports since 1978 to be irregular and abnormal. This led them to wonder if there were also other shortcomings in regard to labour inspection. They recalled the vital role it played in verifying that laws were in fact being respected, as for example, in the field of ensuring equal opportunity. The Workers' members welcomed the Government's statement that it wished to equip the inspection staff sufficiently in order to meet the obligations under the Convention.

The Worker member of Italy expressed his surprise at both the optimism which had been voiced and the Government's statement that it was now providing the information requested by the Committee of Experts. He had hoped to hear a statement of commitment on the part on the Government to prevent the large number of occupational accidents occurring in Italy. He wondered how those accidents could be explained if everything was going so well. In 1987 there had been 1 million occupational accidents, resulting in 1,500 deaths and 50,000 cases of permanent invalidity. He hoped the Government would reinforce the labour inspection services before it was too late for other workers. The absence of labour inspection gave employers a licence to violate labour laws. The unions had often asked the Government to take steps to redress the situation. He added in closing that the Senate had recently set up a commission of inquiry on labour inspection and workplace conditions.

The Government representative acknowledged that the reply given has been a partial one, but she had attempted to provide additional information, in particular on co-ordination. All the information requested on the frequency of inspections was included in the report mentioned. Unfortunately, it can be confirmed that the number of accidents at work and their quite serious consequences are very high. The Government was making an effort to find a solution to the problem of inspection. Unfortunately, the number of persons engaged in labour inspection was still too low and regular, timely inspections could not be guaranteed. The commission of inquiry to which the Workers' member of Italy had referred stood as testimony to the efforts being made by the Italian authorities to ensure the full application of the Convention.

The Workers' members thought that the comments made during the discussion pointed to the absolute necessity of having properly functioning labour inspection services and of providing information regularly in this regard. In the light of the accident statistics cited, there were steps to be taken above and beyond labour inspection, steps involving improved protection for workers under provisions contained in laws and freely concluded collective agreements.

The Committee noted the written and oral information given by the Government and the discussion which had taken place. It hoped that the Government would be able to provide full particulars on all the points raised by the Committee of Experts, and that real progress would be able to be noted in these respects, in particular as regards the regular publication and communication to the ILO of annual labour inspection reports in conformity with the requirements of the Convention and as regards measures to strengthen the equipping and personnel of the labour inspection services and the prevention of accidents.

Libyan Arab Jamahiriya (ratification: 1971). The Government has communicated the following information:

In response to the comments of the Committee of Experts, the Government indicates that the decision of the Secretary of the General Peoples Committee of the Public Service No. 163 of 1985 deals with all questions which have been raised by the Committee of Experts in comments during previous years. The Government is currently gathering information on the subject of application of legislation currently in force. It will communicate to the Office, in the near future, a report as required by Articles 20 and 21 of the Convention.

In addition a Government representative referring to the observations made by the Committee of Experts on the non-receipt of the Government's report, stated that it had been sent to the ILO after the meeting of the Committee of Experts. Amendments had been made to national legislation in June 1985 which corresponded to the spirit of the Convention. Labour inspection was carried out with the aid of several bodies although this activity fell within the competence of the popular committees for public service at the municipal level through their sections for inspection. As the Government had indicated in its reports, competent people in the Social Security Fund regularly inspected workplaces, and in urgent cases checked working conditions in regard to the health and safety of workers. A technical committee had been set up which carried out regular inspections in factories and was responsible for working conditions and the implementation of health and safety programmes in industrial enterprises. This Committee submitted reports and made observations and recommendations. In future reports the Government would communicate detailed infor-

mation on the application of the Convention with particular regard to Articles 20 and 21. The Government representative thanked the ILO and the Committee of Experts for their efforts and assistance.

The Workers' members noted the information provided by the Government on their efforts to make labour inspection more efficient and to apply the Convention fully. Technical assistance in this matter had been welcome. This was not the first time that the question of non-submitted reports in accordance with Articles 20 and 21 of the Convention was dealt with. They emphasised the importance of these reports which should contain statistics and information on the subjects listed in Article 21. In agreement with the Committee of Experts, the Workers' members considered that the communication of these reports was important as a means of assessing the practical results of labour inspection activities. They regretted that reports on labour inspection activities had not been sent, and insisted that these reports be sent in the future.

The Employers' members also emphasised the important function of labour inspection. They noted that no report on these activities had been sent for 17 years and hoped that the Government would provide these reports shortly.

The Government representative said that reports had been sent in previous years but these had not followed the model required by the ILO, though they did contain a large amount of detailed information. Reports would be sent in time for the next meeting of the Committee which would include reports on labour inspection in factories and industrial enterprises.

The Committee noted the written and oral information provided by the Government, in particular the explanation on the difficulties in the elaboration and despatch of the reports. The Committee noted that the yearly reports on labour inspection had not been submitted since the ratification of the Convention. The Committee hoped that the Government would comply completely with its obligations arising out of the present Convention.

Romania (ratification: 1973). See under Convention No. 129.

In addition, a Government representative referred to the written information which his Government had supplied and stated that it wished to assure the Committee that in the future the Government would provide the information available, in accordance with Articles 20 and 21 of the Convention.

The Worker member of the United States was glad to hear the promise of progress in relation to the required publication of an annual general report on the work of the inspection service, containing the information enumerated in Article 21 of the Convention. These reports were extremely important, since their communication to the ILO permitted an assessment of the practical results of labour inspection. The Committee of Experts had formulated a general observation on this matter in 1986, and this year it had noted with concern in paragraph 59 of its general report that a number of countries were not applying the provisions of Articles 20 and 21. Since ratifying this Convention in 1973, Romania had not sent a single labour inspection report to the ILO. The speaker stressed the need to remedy this situation. He wished to have confirmation of his understanding of the Government representative's statement, i.e. that the Government intended to comply immediately.

The Workers' members supported the statement of the Worker member of the United States; they wished to add, however, that the written information which the Government had supplied did provide some information on inspection in various sectors. A country had to know what its obligations were under this most important Convention. To date, those obligations had not been satisfied.

The Employers' members concurred that the Convention on labour inspection was a very important one. Practically nothing was known about Romania in regard to labour inspection because no reports had been provided. The Committee of Experts' observation was short because of this lack of information. The Government had been failing to provide inspection reports for 15 years now. The Employers' members hoped that the information which the Government had provided in writing denoted a beginning and that full reports meeting the requirements of the Convention would be provided henceforth. These yearly reports also were one of the most important sources for determining whether requirements under other Conventions were being met.

The Government representative wished to correct a misunderstanding. There was no legislation in Romania providing specifically for the publication of a special labour inspection report. These reports were published in general reports on the accomplishment of the Plan and in other documents. Up to now, the Government had believed that this was sufficient. In the future, the Government would prepare a special report for the ILO, based on data published in various state documents, which would reply to all the questions posed.

The Workers' members thanked the Government representative for his promise that as from now, the terms of Articles 20 and

21 of the Convention would be strictly applied and that the Government would send labour inspection reports. The Workers' members attached great importance to labour inspection and believed that sometimes it was not given sufficient attention.

The Committee noted the written and oral information supplied by the Government. It regretted that no inspection report had been supplied and that no reply had been sent in time for examination by the Committee of Experts. It had to urge the Government to take the necessary measures to meet the requirements of the Convention as regards the regular publication and communication of annual labour inspection reports.

Convention No. 87: Freedom of Association and Protection of the Right to Organise, 1948

Central African Republic (ratification: 1960). A Government representative stated that the law on the freedom of association and protection of the right to organise had been promulgated on 19 May 1988 and that it conformed, on all points, with Convention No. 87. Trade unions should be represented in the Regional Economic Council, which was a consultative body made up of regional representatives and socio-professional organisations. It was therefore urgent to allow the establishment of trade unions in order that they could be represented in this body. This would also permit them to be more effectively represented within other bodies such as the National Consultative Committee on Labour.

The Workers' members said that difficulties regarding freedom of association had existed for several years. Last year the Government had said that a draft law on the freedom of association, which conformed to the Convention, was in preparation and that a direct contacts mission would take place in order to help with the drawing up of this law and ensure its conformity with the Convention. The Government had not replied to the proposals made to it by the ILO regarding the date of a direct contacts mission. The Government made contacts with the ILO's Freedom of Association Branch in regard to the draft law and the mission. However, the Workers' members observed today that the law had been adopted and that it was in total discrepancy with Convention No. 87 because it had allowed for a single union only. The Workers' members regretted that no one had been kept informed of the adoption of the draft text.

The Worker member from Colombia stated that a crisis that a country is facing should not serve as a permanent excuse for the non-application of a ratified Convention. The report of the Committee of Experts was clear and precise. The position of the Government representative was astonishing in that he had spoken of a democratic process when in fact there was no actual or genuine participation by the workers. He considered that the conclusions of the Committee should make special mention of this case.

The Employers' members stated that this case had been under discussion for a number of years. They pointed out, in particular, the case examined by the Committee on Freedom of Association which had noted numerous discrepancies in the law and practice. No information was available to know if these discrepancies had been eliminated, nor was there any information on the content of the legislation. If the law did indeed impose a single trade union then it did not comply with Convention No. 87.

The Government representative of Mauritania said that in examining this case it was necessary to take into account the information which had been given by the Government representative. The Central African Republic had passed through a difficult period; reconstruction was a long process which demanded not only a national effort but an international effort as well, and the ILO should also participate in rectifying some of the shortcomings.

The Government representative, referring to the law on freedom of association and protection of the right to organise, stated that the law promulgated on 19 May 1988 (No. 88/009) did not impose a single trade union on workers. The right to organise was guaranteed by article 8 of the law. He felt that substantial progress had been made by the promulgation of this law.

The Workers' members recalled the statement made last year before the Conference Committee by the Government representative on the recognition of trade unions, and the assistance of the ILO in the preparation of this text. Today the law was promulgated, article 4 of which provided for a single national federation only to which the unions could affiliate. The questions which were now raised were whether a direct contacts mission could take place rapidly, if this mission would examine whether or not the legislation did conform with the Convention, and finally whether the Government would make all efforts to apply the present Convention.

The Government representative stated that article 4 of the law did not oblige workers in any way to set up a single union because the text said "could" and not "must".

The Workers' members considered that when a law "permits" the establishment of a single federation, that implied that another federation could not be established.

The Committee took note of the information provided by the Government representative as well as of the detailed discussion which took place within the Committee. It recalled that it had been discussing this case for a great number of years. It regretted that the direct contacts mission agreed to by the Government these last two years had not taken place. The Committee expressed the firm hope that the Government would take the necessary measures to eliminate the existing discrepancies and that a direct contacts mission would take place in the very near future so as to enable the Committee of Experts and the Committee on Freedom of Association to be informed of the legal and factual situation in the country, in particular regarding the recently adopted legislation. It duly noted the readiness of the Government to welcome such a mission and hoped that the Government would take all the practical measures required for this in the very near future. The Committee decided to mention this case in a special paragraph of its report.

The Government representative stated that the problem of a single trade union had not been discussed these past two years. He added that he could not see any discrepancy between the Convention and the law on freedom of association which the Conclusion seemed to say, and which also referred to the aid which the mission would give to the Government to eliminate these discrepancies. He wondered what particular effort was being asked of the Government to eliminate non-existent discrepancies.

Congo (ratification: 1960). The Government representative recalled that his country had been the subject of comments concerning the application of Convention No. 87 for some years. The trade unions' rights were not violated in practice but there existed a legal discrepancy between certain provisions of the legislation in the Congo and provisions in the Convention. His Government had taken note of the observations of the Committee of Experts in this regard. He reaffirmed that the present situation of trade union unity was established by the workers themselves in the particular historical circumstances that his country had known. Therefore it was the task of the workers to change this situation if they so desired.

The Workers' members thanked the Government representative for his brief but disappointing explanation. They recalled that this case concerned two problems, one concerning the question of the check-off system and the other concerning the ministerial Decree adopted on 21 December 1976. With regard to the first point, the Workers' members hoped that the Government representative would indicate the progress which had been accomplished in this respect. With regard to the revision of legislative provisions concerning trade union monopolies, the Committee of Experts had requested the Government to reexamine the provisions and to bring the legislation into line with Article 2 of Convention No. 87. The Workers' members were not able to subscribe to the argument of the Government that the trade union unity had been introduced at the request of the workers because, as underlined by the Committee of Experts, a factual situation of trade union monopoly should not be institutionalised by the law. The workers should be able to safeguard for the future the free choice to create trade unions outside an established structure. The Workers' members hoped to receive clarification from the Government representative on these two questions.

The Employers' members supported the comments which had been made by the Workers' members. This Committee had dealt with this question in 1985 and, despite the fact that time had passed, the situation had not changed. The Government had only repeated the statements which it had made a few years ago, and the Employers' members felt that the Government had not shown any willingness to translate the provisions of the Convention into the national legislation in order to guarantee workers' freedom to create trade unions. They were not opposed to trade union unity but they felt that a system of trade union monopoly imposed by legislation constituted a violation of the Convention and that the Government did not indicate any intention to revise that system.

The Government representative recalled what he had said earlier, that his Government had taken note of the observations which had been made and that it was up to the workers' organisations with regard to the revision of the system. He stated that his Government was prepared to continue discussions with the ILO in the form of direct contacts.

The Committee noted with regret that the report of the Government had not been received. Taking into account the information provided by the Government representative, the Committee noted with regard to the legislation, which the Committee of Experts has been examining for a long time and which this Committee dealt with in 1985, that no progress had been made since then. The Committee noted that there are a number of points

contained in the legislation which were in contradiction to Convention No. 87, ratified by the Congo. The Committee hoped that the report of the Government will be received in the very near future and that it would contain information on the progress which had been made in order to bring the legislation into conformity with Convention No. 87.

Work of the Committee

The Employers' members made several comments concerning the contents of the report of the Committee. A number of countries should be mentioned in our report in the appropriate place as having been invited and not having appeared because they were not represented at the Conference. The countries concerned were Djibouti, Fiji, the People's Republic of Laos, St. Lucia and the Seychelles. Two other countries, Chad and Sao Tomé and Príncipe, which were prepared to enter into a discussion but whose representatives had to leave before this Committee was able to consider their cases, should also be mentioned in the appropriate section. The Employers' members noted that fortunately this year there had not been any cases of governments which did not appear before the Committee after they had been asked to do so. It should also be mentioned that a series of cases of progress had been noted and in this connection paragraph 105 of the Committee of Experts' report should be referred to generally.

The Worker member from the United States (Mr. Hickey) compared the list of the cases of progress and the list of cases before this Committee for examination and noted that only one case overlapped. This was understandable because the cases on the latter list were cases which presented difficulties. However, in addition to making a general reference to the cases of progress noted by the Committee of Experts, he suggested noting cases where progress had been noted in the discussions before this Committee. This applied to two countries: Spain and Portugal.

The Employers' members stated that in general terms in the general part of the report it could be noted that during our general discussion cases of progress had been noted. However, individual countries should not be named.

The Workers' members agreed with the suggestions of the Employers' members. Cases of progress should be noted in general terms and reference should be made to paragraph 105 of the Committee of Experts' report.

It was decided that it would be noted in general terms that progress had been achieved concerning a record number of cases since 1982 and that reference would be made to paragraph 105.

Ecuador (ratification: 1967). A Government representative wished to recall that a new administration was to assume power on 10 August 1988; it would be up to this new Government to take decisions in relation to the matters being addressed by the present Committee. He asserted that there was full freedom of association in Ecuador, as guaranteed by its Constitution and labour laws, in accordance with the provisions of the Convention. For many years now, the ILO had been informed of this; he stressed that the Labour Code predated the adoption of the present Convention by ten years, and that it incorporated the ideals promoted by the Convention. He stated that in Ecuador the provisions of Convention No. 87 were applied on an active and intensive basis in everyday life; the Convention was not a mere legal fiction, but rather a tool in daily use. He said that the Government had encouraged dialogue between labour and management, promoted the conclusion of collective agreements as the proper instrument for governing labour relations and speeded up wage-fixing procedures, all of which showed trust in the effectiveness and usefulness of trade unionism. In the past eight months, 157 labour organisations had been registered, which showed that the current Government's term (1984 to 1988) had been a period of labour harmony. This was true in spite of the picture painted by some in paying attention to so-called general "stoppages" which involved no labour demands whatsoever and which the Government had felt obliged to carefully control in order to avoid vandalism and to ensure the protection of the country's citizens. The Government representative indicated that the situation could be improved and that the Government was open to taking account of the observations made by the Committee of Experts in relation to the present Convention, without implying any compromise of the country's independence or national sovereignty or of the uppermost interests of the people, such as public peace, internal order and security from outside threats. Reasonable observations would be given full attention. The Government representative enumerated the observations made by the Committee of Experts and called attention to the fact that although the Committee had referred to the Government's reply to the first four points of the observation, it had not indicated whether the reply was sufficient or not, since the Executive Branch had not been able to exercise its right to put legislative proposals before Congress meaning that these four

points had not been definitively resolved. Now the current Government found itself in the situation that these matters were in the hands of the recently elected Government which would be exercising power within a few weeks. Finally, in regard to the observation on the need to have provisions guaranteeing protection against acts of anti-union discrimination at the time of recruitment, his Government believed the Committee of Experts had to clarify its position so as to state what they were really asking. In the Government's view, the legislation in force was effective and more than sufficient, since if a contract of employment contained any clause contrary to freedom of association, it would be null and void; moreover, if anti-union acts took an extreme turn, the matter would be dealt with in the penal sphere because a violation of constitutional rights would be involved. The Government representative concluded by saying that Ecuador was fully complying with all provisions of the Convention and that the Government had taken into account the Committee of Experts' observations with the intention of translating them into practice within the possibilities and means of the internal legal order.

The Workers' members saw many contradictions in the Government representative's statements: the Government recognised that changes were needed, yet everything was in order; the Committee of Experts had not clearly explained what the Government needed to do, yet the representative had quoted from the list of shortcomings set forth in the observation. In short, nothing had been done. Direct contacts had taken place in 1980 and 1985, leading to recommendations, but unfortunately no progress had been made. While it was true that free trade unions existed in Ecuador, those very unions had pointed out the need for legislative changes. The Government was interfering in trade union affairs and this was impermissible under the Convention. Public officials were denied the right to establish trade unions, a nationality requirement was applied to trade union leadership, works councils could be automatically dissolved if membership fell below a certain level, and collective work stoppages could be punished by imprisonment. The Government's argument that all of this was necessary in the interests of order, security and protection of the population was simply unacceptable. In the years since the last direct contacts, the Government had done nothing to ensure conformity with the Convention. Now that a new administration was coming in, the Committee ran the risk of facing the same lack of progress next year.

The Worker member of Ecuador declared his solid support for the statement made by the Workers' members. He also thought that the Government's statement was full of contradictions, which did not help in finding a solution to the problems of divergencies in relation to the Convention. The Government's statement was general and contradictory and did not mention any progress made in relation to the matters raised in the Committee of Experts' observation. It was no excuse to say that legislative improvements could not be made since the Government's term was ending and that it was up to the new Government to act. The conditions faced by workers had not only failed to improve, they had worsened. There was freedom of association but there were explicit prohibitions on the right to establish trade unions, on collective bargaining and on strikes in the public service. The situation had become more acute as well because of the current economic crisis, as reflected in the figure of more than 2 million persons unemployed or underemployed, which had led to the creation in certain enterprises of parallel enterprises which took advantage of the high unemployment rate by contracting workers at wages lower than those stipulated in collective agreements. The workers of Ecuador had lost faith in the Government. The speaker indicated that in 1987 the Government had proposed amendments to the Labour Code which would have limited the right to engage in sympathy strikes and which, in relation to part-time work, would have violated express provisions on equality of treatment of various forms of work. Congress had fortunately rejected these amendments. The Worker member also referred to the legal minimum wage which in 1984 amounted to US\$96 and today was only the equivalent of US\$30 for a typical family of five. He said that the Government's statement alleging that absolute and total freedom of association existed in the country was not true. As an example he cited the demands of workers presented by the three central trade union organisations which made up the Unified Workers' Front (Frente Unitario de Trabajadores), categorised by the Government as an illegal political activity, which had sought wage increases, the resolution of labour disputes, a price freeze on food products, loans and technical assistance for small-scale farmers, improvements in the social security system, no increase in transport fares and non-payment of the foreign debt. To support these demands, a nation-wide strike had been called on 1 June 1988 which had led to the arrest of six workers, including José Chavez, President of the CEOSL, of which the speaker is a member. In conclusion, he stated that Ecuador's social problems needed to be resolved as a priority in the face of the foreign debt. Although,

given the severe economic crisis, the workers did not hold out much hope with the new Government which was to take Office on 10 August 1988, they were hopeful that it would respect human rights.

The Employers' members considered that it was clear that there had been no progress in this case. The Government had indicated in its report that it was prepared to make changes in three of the six problem areas (public servants' right to organise, foreigners' eligibility to become members of executive committees of trade unions and non-dissolution of works councils), but the Government representative had not mentioned that any Bill or decree had been submitted to a competent authority to correct these difficulties. The direct contacts mission in 1985 had prepared draft legislation in all of these areas. The case was in the same posture as last year, with no indication of any real will on the part of the Government to correct the deficiencies.

The Government representative had been unable to recognise his own country in much of what had just been said. He admitted that while his country was poor and wages were low, the average wage was in fact three times more than the legal minimum wage. Congress was now discussing an increase in the minimum wage, so the work stoppage mentioned by the Worker member of Ecuador had been called just in case that increase was not adopted. The stoppage had been occasioned by an increase in transport fares, which were very low. The speaker referred to overall economic conditions in the country, which he said were not the worst in the region. He denied that the Government had committed economic crimes against the workers, whose situation was, if not good, at least stable. The workers had freedom of association and freedom of expression; as an example he referred to a newspaper account of a trade union leader referring to the "stupidity of the Minister of Labour" in connection with demands made by transport workers. The Convention was adhered to by the latter in his country although the changes recommended by the direct contacts missions had not been made. Noting that the Ecuador Central of Working Class Organisations had made comments (referred to in footnote 1 to paragraph 79 of the Committee of Experts' general report) in relation to this Convention, he stated that the Government had a clear idea of what needed to be done. The Government was open to amending its legislation but it could not do so every day. Due to opposition, it had not been possible to make the changes. He admitted that there were certain contradictions in the situation.

The Workers' members stated that in view of the importance of the Convention and the long period during which this problem had been under discussion, the deplorable situation justified mentioning this case in a special paragraph of the present Committee's report. The Employers' members agreed with this proposal, given the importance of the issues involved and the evident lack of progress.

The Committee took note of the explanations provided by the Government representative and of the indications supplied in relation to questions posed by the Committee of experts. The Committee noted that the Government had accepted several of the recommendations which had been made in the course of the direct contacts mission. The Committee hoped that the other discrepancies would be eliminated on an urgent basis so as to bring the legislation and practice into full conformity with the Convention. It requested the Government to provide full information in reply to all the points raised by the Committee of Experts and, in particular, regarding any measures taken or envisaged in connection with the application of the Convention. It decided to mention this case in the appropriate part of its report.

Haiti (ratification: 1979). The Government has communicated the following information:

Workers and employers may establish organisations without receiving authorisation from public authorities; provided that there are a minimum of ten members for the workers' group and five for those of employers. Nevertheless, these organisations must register with the Labour Directorate within 60 days of their establishment, providing a copy of their Constitution, and two copies of by-laws, the document creating the organisation, a list of the directors of the organisation as well as the minutes of the election of the directors. Moreover, the Constitution of 1987 authorises the formation of trade unions by civil servants and personnel employed by public enterprises (Article 2 of the Convention).

Articles 235 and 238 of the Labour Code are clear in the event of a union's formation: the union may establish and administer relief funds, open offices for offers and requests for employment, establish educational and vocational training centres, provident societies, co-operatives and laboratories, but may not engage in commercial activities or concern itself with matters unconnected with its objective of the defence of workers in the improvement of

economic, social and moral interests common to workers or employers (Article 3).

Article 242 of the Labour Code provides that sanctions eventually taken against a union may be imposed by the labour court upon the request of the Ministry of Social Affairs (Article 4).

There is no text prohibiting the constitution of associations and confederations. Moreover, in practice, some of them are affiliated with international organisations (Article 5).

It is important to mention that according to article 246 of the Labour Code, federations and confederations of unions are governed by provisions of the chapter relating to unions in so far as those provisions are applicable (Article 6).

National legislation on the whole provides that unions enjoy legal recognition as soon as they are registered with the Labour Directorate (Article 7).

At the level of the Ministry of Social Affairs and in the spirit of the Labour Code, the Labour Court is empowered by the Ministry to sanction unions found guilty of the offences in Article 242. Nevertheless, all citizens remain subject to national laws no matter what their nature and incur the penalties provided for in cases of infractions (Article 8).

The members of the armed forces and the police are covered by Regulations Particular to the Army (Article 9).

It is sufficient to take stock of the number of unions registered by the Labour Directorate to understand the total independence enjoyed by them in the management of their resources and to have an idea of the manner in which the Convention is applied.

In addition a Government representative noted that the Committee of Experts had emphasised the provisions in the 1987 Constitution guaranteeing workers in the public and private sectors freedom of association and recognising the right to strike. In relation to the other legal provisions cited by that Committee, the Government had been requesting technical assistance from the ILO since 1986 to revise sections which were not in compliance with the Convention. A preliminary attempt at revision had begun in March and June 1987, but it had not been able to accomplish the task. A new national committee had now been set up to draw up amendments to the provisions in question; the Government would be making a renewed request for assistance. It would be appreciative if the upcoming direct contacts mission could also provide suggestions on the legislative changes needed. The Government representative stated that since February 1986, the Haitian people had enjoyed freedom of expression and the right to organise; tripartism and discussions and negotiations among the social partners were also being promoted.

While welcoming the Government's expression of good intentions, the Workers' members said that they had to be reconsidered against the very sorry background of what had taken place in the country. The Committee of Experts had, in the absence of a report, repeated the points raised earlier; now, the Government had not provided much detail beyond its intent to amend the Labour Code. The Committee of Experts' report had contained, in addition to the mention of legislative shortcomings, very disturbing information about grievous interference in trade union affairs, arrests of trade union leaders and lay-offs of workers attempting to establish trade unions. The unusually strong and critical language used in the observation highlighted the grievous nature of the violations of the Convention. The Workers' members welcomed the Government's statement that it wished to make amends for the lack of co-operation which the Committee of Experts had deplored. The Workers' members looked forward to the Government taking steps to eliminate "reprehensible anti-trade union activities" and to develop "a climate free of insecurity and fear". They wanted more details from the Government concerning anti-union activity.

The Employers' members noted that the situation with regard to the legal situation in this case was clear; the Committee of Experts' report had pinpointed the many persisting discrepancies the Government had now admitted between the legislation and the Convention. The Employers' members noted the written information which the Government had supplied, as well as the government representative's statement that more technical assistance was needed to bring the legislation into conformity with the Convention. They welcomed this request and hoped that this would lead to the guarantees contained in the new Constitution being translated into ordinary laws as well. As regards the factual situation in the country, the Committee of Experts had briefly listed concrete measures taken which were far from being in accordance with freedom of association principles. The Government had provided no answers in relation to the allegations made, and its co-operation with the Committee on Freedom of Association left a lot to be desired. The Employers' members hoped that important changes would take place and that the Government would reply in writing on both of the legal and factual situations.

The Worker member of Austria, referring to the Committee on Freedom of Association case cited by the Committee of Experts

(Case No. 1396, 254th report), emphasised the difficulties which the absence of information from the Government had posed. That is why the Committee on Freedom of Association had reached the conclusions quoted in relation to repressive measures imposed on the trade union movement in Haiti. The Government representative's statement that since February 1986 freedom of association had been respected was incorrect. In June 1987, the Autonomous Confederation of Haitian Workers (CATH) had called a 48-hour strike which was broken by military intervention; trade union premises had been looted and eight trade unionists had been imprisoned. Later, in July 1987 the military had again occupied the premises of the CATH. More information was needed from the Government; he hoped that the direct contacts mission would be able to shed light on the situation in relation to freedom of association.

The Government member of the United States associated herself with the remarks of the previous speakers. She was pleased to note the good intentions of the Government, but wished to stress that the matters under discussion were extremely critical. Also the Government had again failed to supply a report and had not cooperated with the Committee on Freedom of Association. The language employed in the observation in this case by the Committee of Experts, which usually cast its observations in a calm, dispassionate way, was truly astounding. Her Government hoped that the situation in relation to this Convention would not continue to deteriorate and that with the assistance of the ILO, there would be significant progress on the application of the Convention.

The Government representative recalled the extremely troubled period the country had been going through in the past two years. There had been three months of intermittent strikes; it could be stated that all of the social partners had some responsibility for the reprehensible events. The good faith of this Government, which had taken office only in February 1988, was demonstrated by its request for assistance and by its desire to benefit from the direct contacts mission.

The Workers' members welcomed the new regime's request for assistance from the Office but also noted that direct contacts had taken place on earlier occasions, and that a Commission of Inquiry was established under article 26 of the ILO Constitution to examine the advances of certain Conventions, including the present Convention, without producing results. They hoped that the forthcoming mission would lead to remedial steps being taken in this long-standing situation.

The Committee took note of the information provided by the Government representative and of the discussion which had taken place. While expressing its great concern as regards the very serious situation, the Committee welcomed the request for ILO assistance and the request for a direct contacts mission. The Committee expressed the hope that this mission would assist in removing the various discrepancies which exist regarding the Convention, and that the Government would be able to report progress in the following year.

Pakistan (ratification: 1951). A Government representative, referring to the observations of the Committee of Experts concerning the restrictions on the right to strike, stated that under section 32 of the Industrial Relations Ordinance 1969, if no settlement was reached during bilateral negotiations, or conciliation, and the parties to the dispute could not agree to refer the matter to an arbitrator under section 37 the workers could go on strike on the expiry of the period of notice or after a declaration by the conciliator that the conciliation proceedings had failed. Consequently the right to strike was recognised by legislation and was not prohibited. At any time either before or after the strike began the parties to the dispute could apply to the labour courts for adjudication. The right to strike was therefore applicable to all workers under the law of the land but was subject to reasonable restrictions. On their part, the employers had the right to lockout. The Government could intervene and submit the conflict to arbitration only in cases where the strike lasted for more than 30 days and if the public interest was at stake. The only exception to that rule were the five public utility services listed in the Ordinance where the federal government could intervene if it considered that the strike endangered the security of Pakistan or caused damage to the national economy. Judicial review of any action on the part of the Government was available to determine whether the government action was in the public interest or not. These powers had been exercised by the Government very sparingly in the past, and not a single case had recently occurred. The Government representative stated that his Government had already submitted a detailed report which dealt with other questions.

The Workers' members thanked the Government representative for his declaration which referred mainly to the question of the right to strike. Unfortunately he had indicated nothing about the observation of the Committee of Experts concerning trade

union rights and related topics. The Committee on Freedom of Association had just examined a series of cases dealing with violations of trade union rights in Pakistan during the period of martial law (1981-85). During this period laws were adopted concerning Pakistan International Airlines Corporation (PIAC) that prohibited trade union activities in this corporation. The Committee on Freedom of Association had criticised this legislation on several occasions and had requested that it be modified. The Governing Body of the ILO had also expressed the same views. This matter had also been discussed last year and still remained unsolved. The observation of the Committee of Experts also mentioned the problem of the supervision of trade union funds by the authorities, but the Government representative had not referred to this in his comments. The Committee of Experts had expressed its hope that the Government would do its utmost to adopt the necessary measures for the full application of the Convention in the very near future but nothing had been done and nothing in the declaration of the Government representative appeared to indicate any reasons to believe that something would be done. Consequently, since the present Convention was not being observed and since the case had been discussed the preceding year, and given the lack of progress, the Workers' members requested that this case be included in a special paragraph.

The Employers' members stated that the Committee of Experts had mentioned several points concerning restrictions on trade union rights. Following the abolition of martial law, the situation should have slowly returned to normal. But for the personnel of (PIAC) the prohibitions against forming trade unions and belonging to them had remained. These restrictions were certainly excessive even if PIAC was considered to be a public service which might be subject to certain restrictions. The Employers' members did not want to go into great detail about restrictions on the right to strike, but wished to recall that the Government had stated the necessity to have such restrictions in export processing zones, and that it was nevertheless necessary to consider whether certain changes should be introduced. Today the Government representative had said nothing on that point nor about the excessively strict supervision of trade union funds provided by legislation, that gave rise to arbitrary interference by the authorities, and ran counter to the principles of the present Convention. Nor had he said anything about minority trade unions which should have the same rights as majority trade unions, and should not be underprivileged. Since the Government representative had said nothing about possible changes in this respect, the situation remained in contradiction with the principles of the Convention and the Employers' members considered that this case should be mentioned in a special paragraph.

The Government representative recalled that the various questions referred to by the Committee of Experts were dealt with in the report submitted by his Government and for that reason he had not explicitly referred to those points in his preceding statement but would do so now since there appeared to be a misunderstanding. He categorically stated that his Government had not supervised or controlled trade union funds, but that the law provided that the Registrar might have the audits of a trade union produced at any time. In the last 30 years since the independence of Pakistan there had not been a single allegation of interference in trade union funds. The legal provision was designed to protect trade unions and their affiliates. In this respect he recalled that the illiteracy rate in his country was about 26 per cent and that the funds in question are levied by a check-off system. Whether the right to produce the audits was exercised or not was something for the workers to say on a case-by-case basis. As regards minority trade unions, he indicated that there were more than 6,000 registered trade unions in Pakistan. The minority trade unions were trying to destabilise the collective bargaining agents. The fact that an employer would not negotiate with the minority union was because the workers themselves had requested that through the tripartite bodies at the national level. He stated that legislation in Pakistan divided rights into two categories according to whether they referred to matters of right or matters of interest. The collective bargaining agent could negotiate with the employers on matters of interest, but concerning matters of right, the legislation stipulated that in case a right was violated by law, a collective agreement or arbitration, the worker could appeal to court individually in order that his rights be restored. For these individual complaints article 25(a) of the Industrial Relations Ordinance stipulated that the worker or the collective bargaining agent could apply to the courts. The Committee of Experts stated that the workers belonging to minority trade unions could not be represented by a minority trade union in their individual complaints. But the law grants the right to lodge individual complaints before the courts to the worker himself. The provision referred to by the Committee of Experts had been adopted in good faith and at the request of workers and employers and not as a result of a government proposal. As regards the trade union activity in PIAC the

Government representative acknowledged that no trade union activities were allowed so far. This was due to objective conditions and particular circumstances that did not permit such activities, as stated by the Government to the Committee of Experts. It should not be forgotten that Pakistan was the only country in South Asia that had ratified the present Convention and that PIAC was only one enterprise in a population of 100 millions, and that all the workers in industry and commerce enjoyed the rights of freedom of association and collective bargaining.

The Committee took note of the information supplied by the Government representative and of the discussion within the present Committee. The Committee observed with concern that there had been no progress towards bringing the legislation into conformity with the requirements of the Convention. The Committee consequently expressed the firm hope that efforts would be made to reconsider the legislation in the light of the comments of the Committee of Experts with a view to eliminating the serious divergencies which had existed for many years. It decided to mention this case in a special paragraph of its general report.

Poland (ratification: 1957). The Government has communicated the following information: Measures will be taken to define the position of the Government concerning observations by the International Confederation of Free Trade Unions and the World Confederation of Labour relative to the application of the present Convention in Polish legislation.

Trade union unity or pluralism

The legal situation has not changed since the 73rd Session of the Conference. It is characterised by two elements:

- trade union pluralism assumed by the provisions of the Trade Union Act (section 37(1): "In an enterprise in which more than one trade union organisation acts, each of them ..."); and
- temporary suspension of the above legal construction (section 60(3): "In the period, the end of which will be determined by the Council of State, only one trade union organisation shall act in an enterprise.").

Thus, in the transitory period which will expire when the Council of State so decides - the principle of trade union unity is in force in enterprises.

The problem of trade union unity or pluralism at the enterprise level which, in the light of Polish legislation, remains open in the longer perspective is connected with the general social, political and economic situation of Poland and directions of its future evolution. It also is one of the elements of the broad sphere of political pluralism in the public life of the country. Future solutions in this regard will be undoubtedly dependent upon more general ones in the field of policy which are at present being prepared in Poland and which cover the considerable broadening of the so called "dialogue with the political opposition", concluding of the "anti-crisis pact", etc. At the beginning of June 1988, in connection with the initial stage of these political activities it is difficult to forecast their final direction and scope; it is only known that they are being carried out in an unprecedented scale for Poland and with the bold will of achieving completely new qualities in the political system of Poland. In this situation Polish authorities ask the International Labour Organisation for understanding and patience in waiting for the further political evolution in this regard, concerning also the problem of trade union pluralism.

In the years 1987 and 1988, the Polish economy entered a second stage of broad economic reform. This period is not free from difficulties and tensions, which are to a considerable degree understandable in the situation of inflation and lack of balance in the internal economic market, as was reflected in the results of the nationwide referendum in November 1987, and was the basis of the strikes in May 1988.

Together with the economic reform and for its support the Government started the broad activities based on a sound scientific basis aimed at the general reform of the labour law, which will also cover the trade union law. To this end, the National Committee for the Labour Law Reform has been appointed, composed of representatives of governmental, scientific and trade union organisations. The Committee has up to 1990 to elaborate the draft of the new labour law, based on comparative legal knowledge and ILO standards. With a view to examining the ways of full adjustment of Polish labour law to the ratified ILO Conventions in the field of human rights, in particular those concerning the right to organise. In May 1988 a group of experts was established at the Ministry of Labour and Social Policy for examining the conformity of Polish law with the ratified ILO Conventions in the field of human rights' protection. The group of experts is composed of eminent scientists and experts in the field of labour law and international law. The results of its work will be submitted to the Legislative Council by the President of the Council of Ministers together with its proposals. The work of the group will take into

account the observations of the Committee of Experts, as well as the remarks of the International Confederation of Free Trade Unions and the World Confederation of Labour in the context of application of the present Convention.

As regards the observation of the Committee of Experts concerning an appeal which was submitted to the Constitutional Tribunal in respect of section 60(3) of the Trade Union Act, the Government repeats that on 28 November 1986 a group of seven persons appealed to the President of the Constitutional Tribunal to make use of his power to initiate proceedings for examining the conformity of section 60(3), sentence 2, of the Act of 8 October 1982 with section 84(1) and (2) of the Polish Constitution. After examining the case, the Tribunal informed the appellants that their appeal had no basis under the current legal provisions and thus the proceedings would not be instituted.

In the present period of socio-economic difficulties, according to the prevailing opinion which finds its reflection in public opinion polls, the activity of only one trade union organisation in an enterprise favours the integration of staff and the fulfilment by the trade unions of their proper function, i.e. that of defender and representative of the workers' occupational interests. It should be emphasised that the existing laws in Poland create the premises for a broad democracy at the enterprise level. In addition to the trade unions, there exist self-managing bodies elected by the staff which enjoy broad rights permitting them to influence the enterprise management and to control the activities of the manager.

Trade union rights of civil servants

The Act of 16 September 1982 on civil servants employed by the State provides in section 40 that they have the right to organise in trade unions. Thus, the Act does not impose a trade union monopoly, but admits the possibility of joining different trade unions that would cover civil servants.

Section 40 of the Act of 16 September 1982 on civil servants employed by the State provides that they have the right to organise in trade unions with the following exceptions:

- high-level employees whose functions are normally considered as policy-making or managerial;
- employees whose duties are of a highly confidential nature. (These exceptions are in accordance with the provisions of Convention No. 151 concerning protection of the right to organise and procedures for determining conditions of employment in the public service of 1978.)

The above-mentioned civil servants, as well as other non-unionised public employees are entitled to form employees' councils. The task of these councils is to protect and represent the occupational and social interests of public employees who formed them vis-à-vis the heads of the respective administrations. The employees' councils act on the basis of the Act on civil servants employed by the State and statutes which they adopt themselves (section 41 of the Act).

Heads of administrations and their higher bodies are obliged to create proper conditions to enable the employees' representatives to fulfil their statutory tasks. They are also obliged to examine the proposals of the employees' councils and inform the councils of their follow-up action (section 42 of the Act).

The detailed rules and the scope of co-operation of the heads of the civil servants' administrations with the employees' councils are determined by the Order of the Council of Ministers of 8 November 1982 (published in *Dziennik Ustaw* No. 39, text 261).

Trade union rights of prison service staff

Article 9 of the present Convention states that the extent to which the guarantees provided for in this Convention shall apply to the armed forces and the police shall be determined by national laws or regulations.

For many years the officials of prison establishments were part of the militia. After the reform and placing of the prison establishments under the Minister of Justice, a separate formation was established: the prison service. From the standpoint of hierarchy and discipline it is similar to the militia and also, due to character of service, its hierarchy and duties, it is treated as the militia.

It should be added that both in doctrine and in practice the opinion prevails that the functionaries of the prison service - just as the functionaries of the militia and professional soldiers are not workers in the sense of section 2 of the Labour Code. If the right to form and join trade unions is granted only to workers, the exclusion of persons being the functionaries in the sense of section 13 of the Trade Union Act does not justify any eventual complaints because it is in accordance with the legal order existing in Poland and corresponds to the spirit of the Convention.

Structure of the trade unions

The structure of the trade unions covering at present over 7 million members (over 60 per cent of the total number of workers

covered by the right to organise) is not uniform and its picture is the result of a kind of spontaneity in the process of forming the trade union structure at the over-establishment level. The majority of trade union organisations at the enterprise level, independent, self-managing and having legal personality are grouped into federations. In 1987-88, 116 federations functioned in Poland. Thus, in different branches there were several federations in each one and the problem arises of principles and forms of their co-operation (or its absence). Some trade unions (17) formed the nationwide uniform trade unions, for example the Union of Polish Teachers and the National Trade Union of Workers of the Polish Academy of Sciences. Some trade unions have not formed the over-establishment structures, nor have they joined such structures; thus, they are not associated in the All-Poland Trade Union Alliance. Changes towards trade union organisational pluralism are obvious when compared with the pre-1980 situation when the Act of 1949 provided for the uniform, centralised trade union structure and only 14 national branch unions existed.

The right to collective labour disputes and to strike

Polish legal provisions governing the right to strike are the first and unprecedented legal regulation in this field in the system of socialised ownership, differing from the system of market economy. It is thus difficult to compare Polish regulation with the known – and rarely existing – strike regulations of other countries. It is also worth noting that there are no detailed international standards in this field which could serve as patterns for the legal solutions and practical procedures.

The Trade Union Act of 1982 permits strikes aimed at defending the economic and social interests of a given group of workers. Political strikes are prohibited. The Committee of Experts recalled in 1988 that the exclusion of strictly political strikes from the scope of the principle of freedom of association cannot concern strikes expressing criticisms of the economic and social policy of the Government. However, although the terms “political strike” and “strike in defence of the economic and social interests” are not specified in the Act or in current interpretations of this Act, the Government supposes that the strikes which the Committee of Experts had in mind in its 1988 observation would be legally admitted in Poland – if the other conditions determined by the Act were fulfilled.

The 1982 Act guarantees to workers the right to strike and to trade unions the right to organise strikes. The right to strike is the individual right of each worker used according to his will. The right to organise strikes is the exclusive right of the trade union.

The Act excludes from the right to strike workers of the specific categories of enterprises or occupying specific posts. These exclusions are justified by general considerations connected with necessity of ensuring during the strike:

- benefits and means necessary for the normal existence of the society;
- state safety and defence;
- normal functioning of state bodies and public services; and
- fulfilment of the international obligations of fundamental importance.

Taking into account the suggestions of the ILO Committee of Experts that broad exclusions from the right to strike by various legislative systems are not appropriate, the Government emphasised that after some time of application of the Trade Union Act and in the light of acquired experience, possibly in the course of elaborating the above-mentioned general reform of the labour law, the possibility of revision of the determined exclusions will be analysed.

Polish regulation of strikes unequivocally determines that in the model of economy of Poland the strike is the final means of settling a collective dispute if the other possibilities of settling the dispute are exhausted. The 1982 Act established three stages of settling collective disputes (direct negotiations, conciliation and social arbitration) and only after these are exhausted may the trade union organise a strike.

Among the conditions of admissibility for a strike, the Polish legal regulation requires the consent of the majority of the personnel expressed through secret voting (majority of votes of all the workers employed in a given enterprise and not only the majority of workers taking part in voting). The Act considers that if the strike is to be the expression of will of the collectivity, then refraining from taking part in a vote means that there is a lack of support for the strike. It would be pointless to allow strikes not supported by the majority of the collectivity. The Committee of Experts is of the opinion that the majority of persons voting should be enough to consider the strike as acceptable by the collectivity. Since there are no international standards in this regard, the opinion of the Committee of Experts is worth noting and analysis; it will thus be analysed in the framework of work on the reform of the labour law.

In order to demonstrate the practical functioning of the Polish three-stage machinery for settling collective labour disputes (direct negotiation, conciliation and social arbitration), as well as the right to strike, the Government submits selected information on collective labour disputes and strikes for the years 1985 to 1988 in Poland, according to trade union sources:

Firstly, the following are examples of collective disputes between national trade union organisations and central administration:

- *Federation of Ship Repair*: a dispute arose with the former Minister of Labour, Wages and Social Affairs concerning the distribution of working time; in autumn 1986 arbitration procedure accepted the claims of the trade unions.
- *Federation of Tourism*: a dispute arose with the former Chairman of the Committee for Physical Culture and Tourism concerning increased meat coupon norms for the manual staff of hotels; the dispute was lost.
- *Federation of Open-Pit Miners (Rock Miners)*: a dispute with the Government commenced in October 1986 and was aimed at extending the “Miner’s Charter” to the miners employed in granite and basalt quarries (miners employed in sedimentary rock quarries were already covered by the “Miner’s Charter”). The issue had been in existence for many years. Despite recent work on amendments to the Regulation of the Council of Ministers dated 30 December 1981 concerning the “Miner’s Charter”, the council of the Federation decided to announce protest action and strike stand-by. On 16 March 1987, as an expression of the protest, all enterprise buildings were equipped with flags. On 19 March 1987, the Chairman of the Council of Ministers signed a decision which extended to rock miners the provisions of the “Miner’s Charter”, thus accepting the rock miners’ protest.
- *Federation of Construction Workers*: a dispute arose with the Minister of Construction concerning an unlawful (as maintained by the Federation) limitation of allowances to pensions secured for some professions by the “Charter of Construction Workers”. The Board of Social Arbitration is in favour of the claim, yet the dispute continues; on 9 May 1988 another round of talks advanced the possibility of a final settlement of the dispute in the near future.
- *Federation of Energy Workers*: a dispute with the Minister of Industry commenced on 20 April 1988 concerning wage increases to the level existing in other industries. Claims have been made to implement the provisions of the 1980 agreements which guaranteed a wage level corresponding to that of steel-mill workers. The dispute was settled on 3 May 1988, with the signing of an agreement in which preferences were made in order to reach a 50 per cent wage increase.
- *Federation of Communications Branch*: a dispute arose with the Minister of Transportation, Maritime Economy and Communications concerning an average wage increase in order to make it close to the national average. On 3 May 1988 an agreement was signed before the Board of Social Arbitration which secured additional means for a motivation fund, an increase of exports and improved quality of services.
- *Federation of Municipal Transportation*: a dispute arose with the Minister of Transportation, Maritime Economy and Communications concerning the wage increase and an adjustment to that of other branches. The dispute commenced on 17 March 1988 and was settled with an agreement signed after a strike in Bydgoszcz. The wage increase for municipal transportation workers by some 50 per cent was made possible through concessions in the excessive wage increase tax and an efficiency improvement programme.
- *Federation of Miners’ Trade Unions*: a dispute arose with the Government in May 1988 concerning a revaluation of real wages and system of wages determination. According to the Federation, the fixed 30 per cent threshold for wage increases free of the excessive wage increase tax does not secure the possibility of keeping up with the increasingly rising cost of maintaining living standards. Claims were made to increase by 50 per cent the wages in mining. In the course of negotiations it agreed that, in view of recent decisions fixing the tax-free threshold of wage increases, it was possible to provide a wage rise of 49 per cent on the average. In the final agreement signed on 10 May 1988 it was provided that, after the second quarter, an analysis of wages and living standards costs in mining would be carried out in order to take further appropriate decisions.

Secondly, the following are examples of collective disputes at the enterprise level:

- *Mechanical Equipment Factory “PONAR” in Ostrzeszów*: (March – April 1987). A dispute arose concerning a change in the wage system. After having exploited the entire legally prescribed procedures, including a strike stand-by, the trade union won concessions in an agreement: the wage increase reached was 7,071 zlotys (\$1 = 624 zlotys at 6 June 1988), i.e. close to

that claimed (8,000 zlotys). The dispute was announced after the management stated that wages for 1987 may increase only by 500 zlotys and 4 per cent of the bonus per employee (the average wage at that time was 19,600 zlotys). Any wage increase higher than that might have caused bankruptcy of the enterprise due to the danger of exceeding the 12 per cent wage increase threshold and subsequent 500 per cent tax on any wage increase above that, which would result in lost crediting abilities in spite of the high performance of the enterprise. The agreement was signed and announced 20 minutes before the strike was to commence. The strike was declared – according to legal provisions – by the enterprise workforce in a secret ballot in which 992 workers took part (the total enterprise workforce being 1,400 persons) – 721 were for the strike, 109 against and 18 votes were not valid. In this case, the rules of the economic reform were observed, and the dispute was settled within the enterprise though it necessitated extra work having a total value of about 700 million zlotys (this provision was mentioned in the agreement).

- *Electric Machine Factory EDA in Poniatowa*: (April – October 1987). The dispute concerned a wage increase of 3,500 zlotys. In accordance with the legal provisions, the course of the dispute involved a referendum, strike stand-by and warning strike. The final wage increase amounted to about 1,300 zlotys per worker. In the referendum, 72 per cent of those entitled to vote cast their votes, 92 per cent of whom voted “for”. Financial means for the wage increase were taken from the part of profits devoted to investment and paid in the form of monthly motivation bonuses, but part of them must have been spent on the excessive wage increase tax. Additionally, a proportion of the wage increase was paid due to reduction of employment. It should be mentioned that the Workers Council objected against such allocation of financial means out of profits, but finally changed its attitude after the explanations of the management.

At the end of April and the beginning of May 1988, trade union organisations in enterprises increased the number of collective disputes in view of social discontent with the falling value of real wages and economic difficulties of the enterprises. The majority of these conflicts commenced before the government decisions were announced increasing by 7 per cent the threshold of wage increase free of the tax on excessive wage increase.

In the “Lenin” (Krakow) and “Stalowa Wola” steel mills, as well as in some other local enterprises of municipal transportation (Bydgoszcz, Szczecin), trade unions declared collective disputes with the management after strike actions of part of the workforce undertaken apart of trade union organisations. In those cases trade unions have taken over negotiating the economic claims of those related to working conditions, not expressing, however, their attitude towards political issues raised by the strikers.

According to trade union sources, the causes of the majority of disputes were as follows:

- unstable and delayed regulations and legal provisions concerning general economic issues, especially related to the enterprise wage fund;
- incompetence and disregard of the Trade Union Act by state administration organs;
- lack of information and consultations in the process of introducing wage, bonuses and awards systems;
- lack of reaction to trade union protests;
- prolonging and time-consuming settlement of numerous issues by a part of central, intermediate and lower levels of the administrative apparatus as a result of their incompetence and bureaucratic attitudes.

The Government informs the present Committee that on 11 May 1988 the Sejm adopted the Act on the extraordinary rights and entitlements for the Council of Ministers – of the economic character – aimed at eliminating obstacles in the implementation of the economic reform and accelerating the rate of this reform. The Act introduced – for the transitory period from May 1988 to the end of 1988 – additional limitations on the possibility of starting collective disputes (thus also of organising strikes) in matters resulting from the application of these extraordinary rights of the Government, unless the starting of such a dispute is supported by the All-Poland Trade Union Alliance after consultation with competent federations, or is supported by the National Federation of Farmers, Agricultural Circles and Agricultural Organisations. This limitation will remain in force until the end of 1988 and its aim is radically to support the implementation of the economic reforms.

Other activities in favour of the protection of human rights and basic freedoms

The Government stresses that – despite the difficult socio-economic situation – it attaches great importance to full observance in Poland of human rights and development of public

institutions serving this aim. It has already mentioned the establishment, in February 1988, of the National Committee for the Labour Law Reform, which has until 1990 to prepare the draft of the labour law codification. At the same time, at the Ministry of Labour and Social Policy, the Group of Experts was established for examining the conformity of Polish legislation with the ratified ILO Conventions in the field of human rights.

The whole legal system of the Polish People's Republic is at present the subject of important modifications. Many changes have been introduced to the penal, civil and rural law. The influence exerted by citizens upon the activity of the State and administration organs in the form of social consultations and the national referendum received legal standing in 1987. The right of citizens to participate in social control has been increased thanks to an increase in the role of various social organisations (especially trade unions) as well as the forms of social self-management (especially workers' self-management) and development of their control functions. It also mentions the changes in the legal provisions on elections of people's councils, which increased the citizens' possibilities to influence the selection of candidates. Essential progress can be noticed in the field of implementation of rights of association. Legal provisions in this field (of 1982) will be modified. Besides, the institutional guarantees of implementation of rights of citizens and law and order have been developed. The Supreme Administrative Court has been established as an organ independent of the administrations, which controls the legality of administrative decisions. In 1986, the Constitutional Tribunal started its work. It examines conformity with the Constitution of legal acts and other acts of the central state organs. Of particular importance from the standpoint of citizens' rights and freedoms is the activity of the Ombudsman for Citizens' Rights who is to guard the rights and interests of citizens set out in the Constitution and legal provisions. The social basis of the institution of the Ombudsman is reinforced by the establishment of the Social Committee of Human Rights, composed of persons having high moral authority.

The above activities show that the Government does not treat human rights and methods of their implementation. The humanistic aims of the socialist system oblige the Government to meet better the growing aspirations, with the essential role played by the feeling of real justice in the social sphere, political democracy and subjectivity of citizens.

The Ministry of Labour and Social Policy, as in the past, will inform the ILO of the progress in the work in the field of adjusting the national legislation to ILO standards in the matters raised by the Committee of Experts.

In addition, a Government representative, with respect to the application of Conventions Nos. 87 and 98, referred to the written communication submitted by the Government which contained a description of the present legal situation in this country. This situation was characterised by two elements: firstly, the Law of 8 October 1982 on trade unions which, in its general part on the prospects, assumed the existence of trade union pluralism and dealt with situations where there were more than one trade union organisation in an enterprise; and, secondly, the transitory provision of the same law which had temporarily suspended the legal construction of pluralism. This provision stipulated that “in the period, the end of which would be determined by the Council of State, only one trade union organisation shall act in an enterprise”. In spite of the fact, that the necessary suspension of trade union pluralism was based and justified by the general political, social and economic situation in Poland, the Government did not deny that there was a problem of discrepancy between the transitory provision suspending pluralism and Convention No. 87. A group of experts in Poland, which had been previously referred to in this Committee, had the mandate to carry out an in-depth analysis of this problem, considering its political, social and economic aspects and to suggest to the authorities proper ways of overcoming the difficulties. At present, there was a favourable political climate in Poland towards achieving progress in resolving the open problem of compliance with Convention No. 87. In this regard, the Minister of Labour and Social Policy of Poland had announced several days ago in the Plenary of this Conference that the authorities of the State had recently declared that they were for a pluralistic pattern of co-operation and common responsibility and that a reform-orientated coalition, covering the representatives of different political and moral orientations, was expected in Poland. He had further stressed that Polish authorities were looking towards the ILO for understanding and patience, particularly in the Committee on the Application of Standards with regard to their examination of the problem of trade union pluralism, as well as pluralism of farmers' organisations. With respect to the observations of the Committee of Experts on trade union rights of officials in prison establishments, the Government representative referred to the explanations contained in the above-mentioned written communication. In Polish labour law theory, as well as in practice, the opinion prevailed that the officials in prison establish-

ments were not workers as defined by Article 2 of the Labour Code. This was also true for the officials in the Polish police, militia and professional soldiers. For many years, the officials of prison establishments were part of the police. From an organisational point of view, they were separated from the police after the reform when they were placed under the Minister of Justice. The prison establishment officials, however, preserved the legal status, hierarchy and discipline similar to that of the militia. In light of Article 9, Convention No. 87, it was the Government's conviction that article 3. of the Polish Law on trade unions, which provided that the workers' right to organise in trade unions did not apply to officials in the militia or prison establishment, was in conformity with the spirit and meaning of Convention No. 87. With regard to the Committee of Experts' observations concerning restrictions on the right to strike, the Committee had noted that the Polish legal provisions governing the right to strike were unprecedented in a socialist country. The Government representative noted that when these provisions were enacted the legislative authorities had not been able to take advantage of foreign experience since strike regulations contained in the legislation of other countries were very scarce and there were no international standards in this field. It was the Polish conviction that a strike was the ultimate measure in settling a collective labour dispute and it should only be applied if other possibilities of settling the dispute had been exhausted and had failed. The Trade Union Law of 1982 established three stages of settling collective labour disputes: direct negotiations, conciliation and social arbitration. Only after these stages had been applied and failed could a trade union organise a strike. The Government representative indicated that the above-mentioned written information demonstrated the practical functioning of the Polish three-stage machinery of settling labour disputes, as well as the practical functioning of the strike regulation. Furthermore, with respect to the observations of the Committee of Experts on restrictions on the right to strike, the Government representative indicated that her Government took a fully positive attitude towards at least two of the three observations made on this point. With regard to the observation concerning the extent of exclusions from the right to strike, the Government considered that, as a result of the general reform of Polish labour law, the list of essential services in which strikes were excluded may be revised and reduced, taking into consideration the suggestions of the Committee of Experts. The reform of the labour law was envisaged to be completed in the early 1990s. In regard to the exclusion of political strikes, the speaker noted that the Committee had recalled that the exclusion of strikes that were purely political in character from the scope of principles of freedom of association did not cover strikes which were aimed at criticising a government's economic and social policies. It was the Government's opinion that, although the term "political strike" and the term "strike in defence of the economic and social interest" were not explained in the law on trade unions, the strikes which the Committee of Experts had in mind in its observations would be legally permissible in Poland provided that the other conditions of the legality of a strike were fulfilled. Thus, the Government's position was positive towards this observation of the Committee of Experts. With respect to the Committee of Experts' comment concerning the Polish requirement of a consent of the majority of all the workers employed in the enterprise for a strike to be called, the Committee of Experts was of the opinion that a simple majority of the persons voting should be sufficient. In this respect, the Government considered that a strike should be the expression of the will of the collectivity and that refraining from taking part in a vote meant lack of support. However, in spite of such conviction, the Government gave its assurance that the opinion of the Committee of Experts would be brought to the attention of the national committee elaborating the general reform of the labour law in Poland. Thus, the Government did not reject this observation of the Committee of Experts.

The Workers' members welcomed the dialogue which had been resumed with the Government of Poland since last year, and that Poland had rescinded its notice to withdraw from the ILO. Despite differing views it was through meeting and re-establishing dialogue that solutions were able to be achieved. This case concerned two essential Conventions – Conventions Nos. 87 and 98 – and these were vital with respect to relations between the social partners and the Government. In light of the oral and written replies provided to the present Committee and the dialogue which occurred last year it would appear that there was a desire on the part of Poland to seek ways of resolving the problems which existed. However there were certain aspects which must continue to be examined. Firstly, certain legal provisions needed to be amended despite the existence of special situations. Based on the statement made by the Government representative, it appeared that good will to change clearly existed. It was necessary to translate this good will into practice. Secondly, the Workers recalled that even though there existed a number of trade unions,

trade union pluralism desired by the workers did not exist in fact because only one trade union organisation could exist in an enterprise. Requests had been made by workers in many enterprises to establish new trade unions, and to date, these requests had been refused. The Workers' members were concerned by this situation but they hoped that the Committee charged with the reformation of the labour legislation as well as the good will demonstrated by the Government representative of Poland by resuming membership in the ILO would contribute to an improvement in this situation. The Workers' members further noted the problems which existed with regard to trade union officials in prison establishments. Despite the changes which had taken place in the law and the reassignment of these officials to the Ministry of Justice, this situation still needed to be clarified. The Workers' members recalled that the right to strike was a fundamental right which should be respected and which should not be used lightly because it could damage the interests of workers as well as the economy of the country. A strike was not a goal in itself. There existed agreements between the social partners in industrial and commercial enterprises as well as in public administration which included the possibilities of recourse. It was true that a strike should be the last recourse, but in certain cases strikes were justified particularly in serious situations such as in the dismissal of trade union leaders. Trade union organisations should remain within their sphere of competence with an awareness of the economic and social spheres; however, certain economic, political or social measures taken by governments could justify recourse to a strike. With regard to legislation, the Government seemed inclined to take measures which would be in conformity with the legislation. The Workers' members hoped that this situation would be improved and that Poland would be able to give full satisfaction to the Committee of Experts' observations as well as to the views expressed during the discussions in the present Committee.

The Employers' members noted the information contained in the report of the Committee of Experts, the written documents and the oral statement of the Government representative concerning this case. It was clear that Convention No. 87 entitled workers and employers to constitute organisations of their own choosing and thus guaranteed pluralism. It was to be decided by the workers and employers themselves whether they would make use of that possibility. The legal provision which required one single trade union was a very serious violation of the Convention. The argument that the workers at a certain time in history wanted only one trade union was not applicable because this would effectively mean that workers in the future would no longer have the right, guaranteed to them by the Convention, to create more unions of their own choosing. It was positive this Committee no longer needed to hold this discussion and that the Government recognised that it was not in conformity with the Convention. The Employers' members noted the Government representative's statement that the current non-conformity with the Convention was a transitional situation and that the trade union law recognised pluralism, but that these provisions were suspended for an indefinite period of time. Theoretically, improvements may have occurred, however, in practice a single trade union continues to exist. It should be noted that in his written communication the Government established the relationship between that question and the subsequent questions concerning political pluralism. Again, despite the theory, the Employers' members stressed that there were trade unions in Poland which were prohibited, not consulted and not represented in the Workers' delegation of Poland at the ILO Conference. It was noted from the report of the Committee of Experts that a certain number of protective measures existed against dismissals and thus the Employers' members agreed that certain matters were on the right path. Moreover, a certain number of comments concerning the protection of the right to organise were noted from the report. However, these improvements were only applicable to the authorised unions and not to the prohibited or non-authorised unions. For this reason the Committee of Experts quite rightly concluded that in the long run everything depended upon the practice and this will remain to be seen in the future. It was noted that since June 1987 no collective agreements had been concluded and the Employers' members wanted to know why this was the case. They expressed the hope that the road from the recognition of the need to apply, in practice, certain legal tenets would not be too long and that improvements in theory will become improvements in practice. Freedom of association was not yet guaranteed in Poland. Not without some concern, the Employers' members expressed their interest in the information which would be contained in next year's report.

A Worker member of the United States found the Polish Government's replies to the comments made by the Committee of Experts rather interesting but full of contradictions. For example, the Polish Government had stated that workers could freely organise to defend their occupational and social interests yet it was stated that as a temporary measure only one trade union organis-

ation could act in an enterprise. The Workers' members posed the question as to what was the Polish Government's definition of temporary. With regard to the Polish Government's remarks concerning broad democracy at the enterprise level, he noted the statement in the written communication of the Government on the existence of self-managing bodies elected by the staff which were said to enjoy rights permitting them to influence the enterprise management and to control the activities of the manager. It should be noted that the so-called workers' self-management councils were intended to represent the collective employer, within the context of a planned economy, rather than the workers, therefore they could not be considered a replacement for trade unions. He noted that the Polish Government attempted to differentiate workers' rights between a system based on socialised ownership and one based on market economy with regard to restrictions on the right to strike. Workers' rights were workers' rights regardless of the economic system and that principle should be reflected in the conclusions of the present Committee. He noted that the trade union law forbade the organisation of more than one trade union in any one enterprise. Moreover, it defined the terminology by which a trade union must be known and thus excluded the usage of the name "Solidarnosc". It also required that any founding committee of a trade union must comprise a minimum of ten persons and a minimum of 50 members to be eligible for registration. In almost all enterprises the authorities established constitutive committees and thereby blocked the possibility of workers to legally organise unions themselves. However, some of the founding committees had failed to obtain the required number of members. Therefore, they remained unregistered and claimed to be independent since they were not linked with the official trade union movement. It was noted that in the list of examples of collective disputes contained in the written communication of the Government, no mention was made of the major strike at the Lenin Gdansk shipyard where the workers' main demand was the renewed legalisation of the NSZZ "Solidarnosc". He also noted the situation at the Catholic University of Lublin, an institution devoid of any trade union organisation, where the Government refused to register the workers' choice of a union simply because they wanted the word "Solidarnosc" in its name. With regard to the exclusions from the right to strike of categories of enterprises or occupations, the speaker requested clarification as to what was meant in the written communication of the Government by "benefits and means necessary for the normal existence of the society". With regard to the terminology of "excessive wage increase tax" as stated in this communication, he pointed out that this provision was confiscatory five times over even though it was the enterprise which had to pay it. Essentially this was an effective wage control because an enterprise would have to be extremely profitable in order for the workers to be able to negotiate wage increases above the Government's threshold of 12 per cent. This so-called excessive wage increase tax forces compliance with the economic policy of the Government and represents serious interference in the collective bargaining process and the rights to collective bargaining as enshrined in Convention No. 98. The speaker regretted to note that in this year's Committee of Experts' report on Poland, no mention was made of the 1983-84 Committee of Inquiry set up by the ILO in 1983 regarding the application of Conventions Nos. 87 and 98.

A Worker member of the Byelorussian SSR noted that a sufficient amount of clear information had been put forward by the Government of Poland concerning the implementation of Convention No. 87. He pointed to the good co-operation of the Government of Poland with the International Labour Organisation and in this respect he referred to the very open and candid information contained in the written communications of the Government. He stated that the Government recognised certain differences which existed between national legislation and the Convention and in his view these differences were not as great as in some other cases already considered by this Committee. In respect of the legislation of Poland, and its conformity with Article 2 of the Convention No. 87, the Government had very clearly put forward its motives for its certain degree of divergence from Convention No. 87. The situation in Poland was not a simple one. At this stage, the Government had not been successful at doing everything that had been thought of or desired in order to bring national legislation into conformity with the Convention. In practice, Polish workers were guaranteed broad political rights and freedoms and they actively made use of them. This was clearly shown by the information contained in the written communication of the Government submitted to the present Committee. He noted satisfaction with the readiness of the Government to bring national legislation into conformity with the ILO Convention No. 87. He highlighted the fact that the Government had set up a national committee on reform issues of labour legislation and that a group of experts had been set up under the Ministry of Labour with similar objectives. This indicated the serious intentions of the

Government. However, more effort and time will be required. He stressed that this Committee could take note of a certain amount of progress in the position of the Government and that patience should be shown with a view to the further evolution of this situation.

The Worker member of the United Kingdom noted the very comprehensive explanations provided by the Government and submitted before this Committee. With regard to the rights of civil servants to join trade unions, the written communication of the Government contained a list of exclusions which included employees whose duties were of a confidential nature. He drew attention to the fact that the Government of Poland was using the same argument as the Government of the United Kingdom in stating that Convention No. 151 overrode Convention No. 87. Convention No. 151 did not override Convention No. 87 and he hoped that the Government of Poland would recognise this in its revision of the labour legislation. It should be remembered that civil servants had rights the same as everyone else and that those rights were enshrined in Convention No. 87. With regard to the right to strike, he noted that the exclusions contained in the written communication of the Government, including areas such as safety and defence, the normal functioning of state bodies and the fulfilment of international obligations, seemed to comprise a definition of the work of the civil service. Thus the law appeared to virtually exclude civil servants from having the right to strike. He wished to remind the Polish Government that civil servants had the same right to strike as other workers.

The Workers' members, with respect to the applications of Convention No. 98, noted their concern with regard to the questions raised by the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labour (WCL) concerning former trade unionists who have been interned, arrested or sentenced and then amnestied and who had difficulty in recovering their employment. These measures were said to have occurred for political reasons and not for reasons of involvement with a trade union. However, it was clear that when workers participated in trade union activities within the framework of Solidarnosc they were treated accordingly. Solidarnosc was a trade union organisation and it should be recognised as such and the activities of its members should not be considered political. Such discrimination against trade unions should not continue to exist. With respect of the implementation of Conventions, all Members of the ILO were beholden to the same duties irrespective of whether they were socialist or capitalistic countries. The Workers' members further noted that there was no comment made by the Polish member of the Committee of Experts concerning the observations of the Committee of Experts on Conventions Nos. 87 and 98. This may be seen as significant; efforts have been made and the Workers' members looked forward to more information and hoped for progress to be achieved in accordance with the Committee of Experts' comments.

The Worker member from the Netherlands noted his satisfaction that this year the present Committee was able to discuss the substance of the Polish case. It was important to note that this Committee stood, at the present time, at the point where the Committee of Inquiry left off. In previous years the Committee of Experts' reports contained the conclusions of the Committee of Inquiry. In this regard it would have been useful this year if the Committee of Experts' reports had made an effort to take stock of what had been realised up to the present time. Next year, he would like to see the Committee of Experts make an effort in this regard. He stated that the Polish Government had explained its present difficulties in terms of denying the right of Solidarnosc to represent the interests of its members on the basis of its economic situation. Many Governments had run into such difficulties, however, the argument in this case was not very impressive. Before Solidarnosc existed and during its existence there were major economic difficulties. Since Solidarnosc had been prohibited the economic situation had not improved. Moreover, it should be pointed out that the leadership of Solidarnosc had tried to participate in the national debate of the economic difficulties and they had taken a very responsible attitude. Therefore it was not this organisation's attitude which could have given rise to the repressive position taken by the Government. Further, the speaker regretted that the leadership of Solidarnosc had been prevented from joining delegations of international trade union organisations and from being represented at this Conference. This was also a violation of Convention No. 87.

The Government member of the USSR welcomed the return of Poland to the ILO and their participation in meetings. This proof of goodwill as well as the interesting dialogue in which they engaged demonstrated Poland's respect towards the ILO. Poland had ratified 74 Conventions, not only seven or nine Conventions. Of the 150 Members of the ILO only 11 countries had ratified as many or slightly more Conventions. In the present situation in Poland, it was not a simple matter for Poland to take on all these

responsibilities. He noted the great praise which had been addressed to Poland this year as compared to last year. In this Committee the Polish Government had given an open and candid reply concerning the situations which have arisen in its country, including in the trade union movement. The complete information supplied by Poland in the written communications was much appreciated. Moreover it should be highly valued that the Government representative of Poland addressed the comments made by the Committee of Experts. In this respect there were certain matters being studied and there was a temporary decision regarding the question of trade union pluralism. The openness with which this situation was discussed showed the degree of responsibility taken by Poland. The fact that Poland had established a special committee to review legislation showed its full awareness that the measures which have been taken were of an emergent and transitory nature. This Committee should avoid giving lessons or recommendations as to how the Polish Government should act in every specific case. The comments which had been heard today concerning what the Committee of Experts did not fully do were not of reasonable analysis and they should not exist in this Committee's dialogue. Moreover, in the past, explanations of unemployment and economic difficulties had been accepted by this Committee as to why Conventions had not been applied, therefore it should not be said in this case that economic difficulties could not provide explanations. It was also noted that the need for compliance with Convention No. 87 was emphasised by various members who came from countries which had not ratified the Convention. In concluding, the speaker stressed that account should be taken of all the different facets of the situation prevailing in Poland.

The Worker member of the German Democratic Republic agreed with the statement made by the Workers' member of the USSR. The trade unions in the German Democratic Republic had very close relations with their Polish colleagues and they knew that the trade unions in Poland defended the interests of the workers under the very difficult conditions that existed in that country. It was one of the main duties of the ILO to give its greatest support to these endeavours and such support should include the taking note of the very constructive report of the Polish Government representative.

The Government member of the United States noted the good intentions that the Government of Poland had expressed. She suggested that in its review of the labour legislation, the Polish Government might also take into account the recommendations of the Committee of Inquiry which examined the Polish trade union situation in 1984. Even though all references to the Commission of Inquiry had been purged from ILO reports, its conclusions and recommendations were as valid today as the day they had been published. With respect to ratification, she noted that ratification was no substitute for implementation of international labour standards.

The Worker member of Austria was pleased to note that Poland had ratified 74 Conventions; however, if they had only ratified 72 he would have also been happy. He expressed concern over the problems concerning the application of Conventions Nos. 87 and 98 and he hoped that the Polish Government would seriously consider the recommendations of the Committee of Experts and of the Committee on Freedom of Association so that some progress could be recorded next year.

The Government representative of Poland, concerning the application of Convention No. 98, noted that the Committee of Experts had made two observations: one concerning the field of anti-trade union discrimination, and the second regarding the procedure of registration of collective agreements in Poland. With regard to the first observation of the Committee of Experts, the speaker referred to the extensive information which had been submitted to this Committee in writing. With regard to the second observation concerning the procedure of registration of collective agreements she noted that it had been a long tradition in Poland – never contested by the ILO – that collective agreements had entered into force after being introduced in a register kept by the Minister of Labour who, before registration, controlled the conformity of the agreement with the law. Prior to the social and economic reform in Poland, both parties to the collective agreement negotiated the agreement and as far as the economic aspects of the agreement were concerned – they were controlled by their respective high-level supervisory organs. As a result of the recent social and economic reforms in Poland, both bargaining parties were independent of any high-level supervision; thus, theoretically, they were able to bargain for wages and other benefits which did not have a basis in the Polish economic situation or any accepted rules of economic reform. Yet, the Polish economy was based on social and economic plans established by negotiations and consultations between the Government and the trade union. Both of these parties – the Government and the Trade Union Alliance – were interested in ensuring that collective agreements

complied with these economic plans. She noted that that was why the law of November 1986 on collective agreements had admitted the control of the conformity of collective agreements with the law as well as with the social and economic plans. The refusal to register a collective agreement by the Minister of Labour enables him to indicate the non-conformity of a collective agreement submitted to him for registration. The final appraisal with regard to whether a collective agreement was in conformity with the law was within the competence of the Supreme Court. The final appraisal of compliance with the social and economic plans as entrusted to a special committee, half of which was comprised of representatives of the Presidium of the Government and half from the Polish Alliance of Trade Unions. This committee had to settle any dispute expeditiously, within a certain time period, and its decision was binding on the Minister of Labour. This mechanism of appraisal of the conformity of collective agreements had been the subject of long discussions and negotiations within the mixed governmental and trade union committee charged with the preparation of the draft law on collective agreements during 1985 and 1986. Following many months of controversy within this committee, the solution had finally been found and agreed to be included in the draft of this law. This solution was regarded as assuring the proper protection of rights and interests of workers, of trade unions and of the collectivity. Thus the Government appreciated the social values of this solution and at this time could not perceive any non-compliance with Convention No. 98 in this respect. The Government representative noted her satisfaction with the statements of both the Workers' and Employers' members and was particularly pleased with the Workers' declaration which proved that they understood the philosophy of the Polish strikes regulations. She wished to point out that the Polish Government did not deny the fact that the temporary suspension of trade union pluralism had raised problems of compliance with Convention No. 87. She referred to the task of the group of experts established in Poland to consult the Government and the authorities on the ways of overcoming this non-compliance. With respect to the remarks of the Worker member from the United Kingdom concerning the expression "benefits and means necessary for the normal existence of society", she explained that this included occupations such as fire brigades, state defence and security positions, manufacturing, storing and distributing foods, public health and social welfare, pharmacies and educational institutions. Moreover, with regard to civil servants, she pointed out that the law on civil servants acknowledged the right of Polish civil servants to organise in trade unions. It was not right to state that the law on civil servants imposed the monopoly of one trade union on Polish civil servants. With regard to the comments made by the Worker member of the United States, she noted that he had some legal misunderstandings or perhaps misinformation concerning the trade union situation in Poland and suggested that he discuss these with the Polish trade union member in this Committee.

Another Government representative of Poland recalled some basic facts about the trade union situation in Poland and the use of the right to associate in trade unions. There were more than 7 million members of trade union organisations in Poland and more than 27,000 trade union organisations. He noted that while pluralism in trade union organisations did not exist at the enterprise level, it could exist on a higher level, for instance on an industry-wide basis. Recent data indicated that only 50 applications had been made for the establishment of a new trade union organisation in enterprises. With respect to the problem of the so-called Solidarity organisation, he noted that it had once been recognised as a trade union organisation, but because it had diverged from its trade union aims, it had been dissolved. It was true that there were some groups that called themselves Solidarity, but he questioned whether they were trade union organisations. There were three types of situation involving trade unions and political activities. One was when a trade union took a position on some political issue and in such a case, trade unions should be allowed to publicly make their position known. The second situation was when an established trade union diverged from the trade union activities and became a political organisation. The third type of situation was when a political group pretended to have the status of a trade union and this was the situation that existed with many groups which named themselves Solidarity. For this type of activity there were forums other than trade unions. With respect to the concern as to how the Government intended to change or revise the law on trade union association, the Council of State would decide when pluralism of trade union organisations on the enterprise level should be restored. In this regard, account would be taken of the work of the expert group in Poland, the general evolution of social and political life in Poland and the economic situation. With regard to this latter factor the speaker noted that at the beginning of the 1980s Poland suffered a severe economic and social crisis, particularly with respect to their external economic relations. With respect to the questions raised concerning the participation of Mr.

Walesa in this Conference, he noted that Mr. Walesa had applied to the Ministry of Foreign Affairs for a passport and that the passports given by that office were only to persons who were on an official mission; and, as Mr. Walesa was not on such a mission, the application was not admitted.

The Workers' and Employers' members noted that it was not appropriate to bring up the past or, in other words, to give reasons for the prohibition of Solidarity. It would be better to look toward the future with the hope that there would be changes and that the past would remain the past.

The Government representative of Poland who has just spoken noted that it was not his intention to bring up the past but rather to respond to issues that had been raised. He stressed that his Government's oral and written statements before this Committee had been future-oriented.

The Committee noted the extensive written and oral information supplied by the Government and the detailed discussion which took place within the Committee. It noted that the Government of Poland did not deny that there were discrepancies between the Polish legislation and the provisions of the Conventions. It noted in this connection the assurances given by the Government as to its intention to take measures to comply with the Conventions and the establishment of a group of experts entrusted with the task of analysing the conformity of current Polish legislation with the Conventions. The Committee has to note, however, that no changes have been recorded with regard to the long-standing comments of the Committee of Experts on the non-conformity of several legislative provisions with the requirements of the Conventions. The Committee urged the Government, in the spirit of dialogue the latter has demonstrated, to take the necessary steps to ensure that the principles contained in both Conventions were fully applied in law and in practice so that next year the Committee of Experts would be able to note progress towards removing the present divergencies.

United Kingdom (ratification: 1949). A Government representative recalled that this case arose from the action taken by the Government in 1984 in regard to the staff employed at a Government establishment known as Government Communications Headquarters (GCHQ) in Cheltenham. GCHQ was one of the security and intelligence agencies upon which the United Kingdom's national security depended. The staff were, however, all civilians, members of the Civil Service and were not subject to military discipline. It was in the interests of national security that the operations and activities of GCHQ be maintained at all times without interruption and interference. The work of the individual members of the staff was of vital importance to the operational effectiveness of GCHQ as a whole. The policy of successive governments had been to encourage membership of national unions among to staff of GCHQ, to recognise such unions where appropriate and to negotiate with them. However, between 1979 and 1981 industrial action had been taken at GCHQ on several occasions leading to a loss of over 10,000 working days. Most of this industrial action arose from disputes between the Government and national unions over the pay and conditions of service applicable to civil servants generally. This disruption to the work of GCHQ was co-ordinated and encouraged by national unions. Whenever a threat of industrial action existed, GCHQ sought informally to dissuade staff from taking action which would adversely affect the conduct of operations. In 1981 the national unions refused to co-operate. The Government was convinced that industrial disruption of the kind which took place could do real damage to national security and thus decided that the conditions of service of GCHQ staff should be brought into line with those for other staff engaged on security and intelligence duties. The Prime Minister therefore issued an instruction in January 1984 under Article 4 of the Civil Service Order-in-Council, 1982, providing that civil servants employed at GCHQ should not be members of any trade union other than a departmental staff association. Various rights under employment protection legislation were also disapplied. Existing staff were given the choice between remaining at GCHQ under the new terms and seeking a transfer to other suitable posts. This decision was reached after long and careful consideration of all aspects including obligations under ILO Conventions to which, it was concluded, there was no infringement. In discussion held with the national unions following the Government announcement, the trade unions proposed a no-disruption agreement. However, the Government had to reject these proposals as they did not provide sufficient guarantee that difficulties would not arise in the future. The Government representative further recalled that these measures were considered by the courts of the United Kingdom at three separate levels and the Government's decision was upheld. The European Commission of Human Rights concluded that no breach of Article 11 of the European Convention

on Human Rights had occurred. The Government had explained to the Conference Committee in detail in 1985 why its actions did not represent a breach of Convention No. 87. The basis of the Government's position was that where a government had ratified two International Labour Conventions dealing with the same subject, the provisions of both Conventions must be considered when deciding whether the Government was meeting its obligations. In the present case the two relevant Conventions were No. 87 concerning freedom of association and protection of the right to organise and No. 151 concerning labour relations in the public service. Under Article 1(2) of Convention No. 151 the extent to which the guarantees concerning the protection of the right to organise applied to certain high level employees or to employees whose duties were of a highly confidential nature was to be determined by national laws or regulations. It was therefore clear that the protection, under Article 4 of the same Convention, against acts of anti-union discrimination should be a matter for governments to determine when employees in highly confidential work were concerned. The United Kingdom had exercised its rights under national laws to make regulations in respect of employees at GCHQ in the interests of national security and it had done so lawfully. In response to the Committee of Experts' request, the Government had regularly reported on developments in this matter, but there were no recent developments on this case.

The Worker representative of the United Kingdom pointed out the length of time this case had been before the present Committee. He stressed that any offence under Convention No. 87 was a grave offence to all workers throughout the world. This matter was particularly grave because if such a problem could not be solved in a country with an advanced economy and with a history as one of the birthplaces of trade unionism in the world, then what hope was there for workers in less developed countries, under military dictatorships or under martial law. He emphasised the difficulty in pursuing, in the Committee, a dialogue with a Government that listened but apparently had no intention whatsoever of complying with the requests of the Committee of Experts and the Committee on Freedom of Association. In his view, the Government spoke as though it had the right on its side and it was the Committee of Experts and the Conference Committee which year after year had been all wrong. Human rights could not be preached to the rest of the world without accepting the same human rights enshrined by Convention No. 87 in the United Kingdom. With respect to the history of this case he recalled that a group of civil servants employed, admittedly, on secret work at GCHQ were for more than a quarter of a century in membership of nationally recognised trade unions. They found no conflict between their work and their membership of trade unions, and trade unions found no difficulty in negotiating on their behalf. Indeed, trade union officers were given security clearance to examine part of the work, to ensure that the jobs were correctly graded and paid, to ensure that they were getting their full trade union rights. When they were originally recruited to membership of the trade unions, the Government never suggested at any stage during that period that there should be no-strike agreements. The industrial action which took place resulted from unilateral withdrawal by the Government of a 25-year standing pay agreement; this led to a series of one-day strikes in most civil service departments and a warning from employees at GCHQ that they were to take part in this action. Some years after the event the Government withdrew the right of national unions to organise at GCHQ. At this time the Government offered £1,000 to those employees who would give up their trade union rights. If the employees decided to stay with the trade union they were threatened with dismissal or transfer to other parts of the country where their special skills could no longer be used. Those who stayed with their trade unions were denied rights and suffered discrimination. The company or house union which was established was not allowed to have contact with any other union or any national centre. Convention No. 87 was agreed by all to be a keystone to the standard-setting activity. In this case there was a deliberate and conscious infringement of this Convention. The question of the relationship of this case to Convention No. 151 had in fact been considered by the Committee of Experts, which had rejected the argument put forward by the Government. Under no circumstances did Convention No. 151 override Convention No. 87, which applied to employees at GCHQ, since Article 9 allowed only for the exclusion of the armed forces and the police. In its 235th Report, the Committee on Freedom of Association had stated in its Recommendations that steps should be taken by the Government to pursue negotiations with the civil servants' unions involved, with a view to restoring the rights of freedom of association as laid down in Convention No. 87. This was a simple request and it required a simple answer which this Committee had not received. The speaker thus requested the Government representative to state whether he had the authority of his Government to agree that discussions

would be initiated by the Government urgently. If he had no such authority, then the United Kingdom had no intention of fulfilling its commitments under Convention No. 87 and thus would be a Government refusing a request both by the Committee on Freedom of Association and the Committee of Experts. Special paragraph procedures had been introduced for cases of this particular nature, and if the Government representative was unable to give assurances a special paragraph must be considered; otherwise the present Committee would be accused of discrimination.

The Employers' members noted that it was difficult to keep up with the details and committed positions in this dispute between the Government and the workers of the United Kingdom. It would be desirable if the two parties could find an internal solution to this problem as the Employers could not contribute much in this regard. The Government stated that GCHQ was part of military security, and that was why Convention No. 87 did not apply. With respect to the relationship between Convention No. 87 and Convention No. 151, the Committee of Experts had already commented upon this relationship. Previously it appeared that a practical solution had been found but this proved not to be the case. The Committee of Experts had requested the Government to report on new developments, and there was no doubt that this would be done. However, for the time being there were no new developments in this difficult case.

The Workers' members added that all the arguments restated by the Government representative had been before the Committee of Experts, which had squarely come to the conclusion that Convention No. 87 granted the right to organise and made exception only for members of the armed forces and the police. There was no exception for confidential employees, no matter how important they were. With respect to the relationship between Convention No. 151 and Convention No. 87, the Committee of Experts had concluded that Convention No. 87 guaranteed the workers, including those in public service, the right to freely establish and join organisations of their own choosing and that exceptions were not applicable to the present case. Moreover, the Committee of Experts had associated itself with the decision approved by the Governing Body in Case No. 1261 of the Freedom of Association Committee. The Committee of Experts pointed to the recommendation contained in that case, and reiterated it as their own, calling upon the Government to initiate negotiations with the trade unions of the public servants concerned.

The Government representative stated that the United Kingdom had always had, and he hoped would always have, total confidence in the integrity of the supervisory system of the ILO and that it had always tried to fully participate in that system. But any system was composed of individuals which were human beings, and on this one particular point the Committee of Experts was not correct. His Government respected their view but its opinion differed from theirs. The United Kingdom could not accept that Convention No. 87 could or should be examined in isolation from Conventions Nos. 98 and 151. It was perfectly clear from the Preamble to Convention No. 151 that it was adopted with the two earlier Conventions in mind. Convention No. 87 should not continue to apply to the public service, where it would be incompatible with the purpose of the more specific Convention No. 151. Article 1(2) of Convention No. 151 meant what it stated, namely that it was for governments to determine by national laws or regulations the extent to which the guarantees provided for in the Convention applied to public service workers who were engaged in highly confidential work. The Court of Appeal in the United Kingdom specifically held that Article 1(2) of Convention No. 151 took precedence over Convention No. 87. This decision was at odds with earlier decisions of the Committee on Freedom of Association. The Committee of Experts, while not addressing these issues, had noted elsewhere that the interpretation of Conventions involved difficulties in respect of which the international Court of Justice might more appropriately be requested to provide an opinion. This was a recognition by the Committee of Experts that the interpretation of the Conventions by the Committee on Freedom of Association was not the only sustainable one and was not necessarily definitive. In its 1985 Report the Committee of Experts specifically referred to the Recommendations of the Committee on Freedom of Association. The Government representative noted that the Committee of Experts endorsed the view that, if appropriate negotiations with the national unions had taken place, the Government's objective of guaranteeing the uninterrupted operation of the work at GCHQ could have been achieved in an atmosphere of good industrial relations and without any need to consider the compatibility of government measures with ILO Conventions. It also drew attention to the limitations which might, in accordance with ILO principles, be placed on the rights of public servants to organise and on the means of action available to public servants. The Government noted this helpful and constructive suggestion from the Committee of Experts. The Government had seriously considered whether a solution to the GCHQ

problem could be found through renewed negotiations and had decided that this would not serve a useful purpose. This position was reinforced by the trade unions' rejection of concluding a no-strike agreement. The Government concluded by stating that giving the most careful consideration to the comments both of the Committee on Freedom of Association and the present Report of the Committee of Experts, the Government remained firmly of the view, regretfully, that further negotiations with the unions would serve no useful purpose.

The Worker member of Argentina noted that this was a problem which had already been discussed in depth by a body with the highest standing in the Organisation, the Governing Body Committee on Freedom of Association. There, the matter had been studied and conclusions had been reached which were being followed up by the Committee of Experts. This case involved a Government which, after many years' collective bargaining, one day changed the entire system and prevented staff from having any trade union rights. The Government representative of the United Kingdom had clearly stated that his Government was not going to accept any conclusion other than their own interpretation. The workers in the United Kingdom were protected by Convention No. 87, Convention No. 151 was there to protect the right to organise of public servants who are not covered by Convention No. 87. The Government of the United Kingdom was trying to apply a restrictive clause contained in Convention No. 151 over the vested rights of workers under Convention No. 87. He regretted the position taken by the Employers' members that an internal solution should be found to this problem, and that they could not contribute much. If this position were taken each time public servants were involved the ILO tripartite supervisory system would no longer be operative.

The Workers' members noted that the Government representative had stated his Government's open disagreement with the Committee of Experts on this case. Therefore there was no other recourse than to highlight this as an important case presenting great difficulties in a special paragraph in the Report.

The Worker member of Austria pointed out, as a member of the Committee on Freedom of Association, that the Committee, with the support of the Governing Body, had for the past three years asked the Government to start negotiations with the trade unions in connection with GCHQ and Convention No. 87. From the outset, the Government had questioned the applicability of Convention No. 87 as compared with Convention No. 151, and the Committee on Freedom of Association had asked the Committee of Experts to bring more light into this question, which indeed was treated very clearly in their Report. The present Committee could not continue dialogue or expect to make any progress in this case when the Government representative stated that the opinion of the Committee on Freedom of Association and of the Committee of Experts was a mistake. A special paragraph would be appropriate in this case.

The Worker member of Spain noted that there should not be a national solution which contradicted the standards clearly expressed in the Convention. Convention No. 87 entitled civil servants to create and join trade unions. In this case a rather suspect interpretation with a suspect criterion such as national security was being applied at the national level, as was done in countries lacking democracy. The Committee on Freedom of Association had clearly stated that public service officials could enjoy freedom of association although there may be restrictions on the exercise of the right to strike. Therefore, in order to restrict the right to strike, the Government could not suppress freedom of association, which was what the United Kingdom Government had done. Convention No. 87 expressly prohibited this type of interference and the conclusion of the present Committee should be that either the Government representative should accept the negotiations as proposed by the Worker member of the United Kingdom or the Committee would have to adopt the special paragraph.

The Employers' members declared their abstention on the proposal that the conclusions should be contained in a special paragraph. They stated that, on this proposal, they did not hold the same opinion as the Workers' members and sometimes such small differences of view had an effect on the subsequent procedure, as would perhaps be seen next year.

The Workers' members expressed their deep regret over the Employers' members abstention. A failure to mention this case in a special paragraph could give the unfortunate impression that there were two standards operating: one for the less developed countries and another for rich European countries. They could see no point in having the Committee vote on their proposal.

The Committee noted the information supplied by the Government representative, as well as the detailed discussion within the present Committee. It noted with concern that, despite the time which had elapsed, no measures had been taken to implement fully the right to organise of workers without distinction whatsoever, as provided by the Convention. It expressed the firm hope

that discussions would be commenced rapidly between the Government and the unions concerned so as to enable solutions to the legislative and factual situation to be found. It trusted that the Government's next report to the Committee of Experts would contain information on positive developments in this respect.

Convention No. 95: Protection of Wages, 1949

Dominican Republic (ratification: 1973) See under Convention No. 105

Portugal (ratification 1983) The Government has communicated the following information: it was convinced that it should wait for the year in which the report is normally due in order to reply to the comments of the General Confederation of Portuguese Workers, Intersindical Nacional - (CGTP-IN). The information refers to that previously given and brought up to date on 31 March 1988. The Government considers that the observations made by the CGTP-IN rest on an erroneous foundation. Several annexes are furnished, particularly concerning labour inspection activities.

In addition, a Government representative stated that his Government understood the anxieties of the General Confederation of Portuguese Workers (CGTP) in regard to the regular and timely payment of wages. The 1969 Act had, in fact, conformed to the provisions of the Convention prior to its ratification in 1983. This law provided for the mandatory payment of timely and regular wages and imposed fines for non-compliance. The labour inspection system was responsible for the control of the implementation of the law. Legislative Decree 491/85 established a new system of penalties. During the 1980s his country had experienced a serious economic crisis and the non-payment of wages was one of the methods used by small enterprises to reduce their financial outlay. It was often abused and caused an excessive number of wages to be paid in arrears and brought about a serious social situation of which the present Committee knew, both from the representation made by the CGTP and by the information supplied regularly by the Government. The situation had now returned to normal and written information has been sent by his Government on this subject to the Committee of Experts. Some of the significant factors in this improvement were the upswing in economic conditions, the adoption of deterrent legislation, control by the labour inspectorate, the awareness of the population (to which the observations presented to the ILO and information published on this subject had contributed decisively), and the dynamic action taken by the trade unions and debates in Parliament. The legal provisions adopted in 1985 and 1986 had been noted with satisfaction by the Committee of Experts, who had mentioned the modifications made in the cases of progress. Although the number of workers affected by the payment of wages in arrears had decreased from some 64,000 in 1986 to some 20,000 in March 1988, that is 0.72 per cent of wage earners, the Government continued to be concerned over the situation of these workers.

Referring to the observations made by the CGTP and to the subsequent information communicated by his Government in regard to the role played by the labour inspectorate, the Government representative stated that the labour inspectorate exercised its powers in regard to both basic wages and allowances. He hoped that, in accordance with the spirit of tripartite dialogue which was the basis of the ILO, certain doubts which remained would be clarified and resolved in his country through the strengthening of contacts amongst workers' and employers' organisations and labour administration bodies.

The Employers' members believed that progress had taken place, in particular in regard to the adoption of legislation provisions, and they were pleased to note the positive attitude of Government which had allowed a true dialogue to take place. Certain questions, which the Committee of Experts had raised, remained outstanding, but the main thing was that the continuation of contact between the Government and the Committee of Experts would allow a solution to be found. Problems which arose from arrears in the payment of wages, which were sometimes considerable, remained. Although the number of wages in arrears was less, progress needed to be made. The Government had indicated that measures had already been taken or were envisaged. It was necessary that observations made by the employers' and workers' organisations be taken into account and to continue the tripartite dialogue which was established. Questions also remained on statistics, and the calculations of wages. Much information was available and this should permit the Committee of Experts to properly evaluate the situation. The Employers' members were convinced that the Government would reply to the specific questions addressed to it and would clarify those points which needed explanation.

The Workers' members considered that the statement by the Government representative showed the positive attitude and good

intentions of his Government. They were pleased to note the agreement that existed between the Government and the trade unions, which had certainly come about as a result of the representation made by the CGTP. The Government had confirmed that the situation had improved and that measures were being taken to remedy the situation. They appreciated this sign of goodwill.

The Worker member of Portugal stated that in the four years that had passed since her organisation had presented their representation to the ILO on the non-payment of wages, an observation which was based primarily on the violation of the Convention, the incidence of non-payment had decreased noticeably, although it still continued to exist. She stressed the important role played by the ILO and by the present Committee in this decrease. Currently there still remained a large number of workers whose wages had not yet been paid as the decrease in the number of workers had been mostly due to the close down of firms and the high amount of wage losses suffered by these workers. The number of workers concerned was estimated by the Government to be 20,000 but was estimated by her organisation to be 80,000, that is, 2.8 per cent of all wage earners. The figures of her organisation were based on 500 enterprises in different economic sectors throughout the country. The difference in the figures resulted from the different definitions of wages that were used. The Government excluded from their figures stagnating firms or those which had closed down, as well as those workers who were presently receiving their wages but to whom arrears were due. The situation was very serious and the figures indicated an average debt of eight to ten times the value of the minimum salary for each worker for the past two years. Unpaid wages continued to be used by employers as a means of putting on pressure, and as a check to worker protests. Unemployment had increased, and employment which was offered was often casual. The Government had tried to show that the situation was not serious, but what could be more serious for a worker than to work and to not receive his wages: it was his own and his family's life that was in question. The lenient attitude to which the Government representative had referred was unacceptable and measures should be taken in order to resolve the situation definitively. This also concerned public enterprises and the Government should, at least, redress its own shortcomings. The labour inspectorate lacked personnel and technical resources, and no measure had been taken in this area. The situation should be the subject of an examination by the Committee of Experts and the Conference Committee next year.

The Government representative stated that the observations made in 1987 by the CGTP had been sent immediately to the labour inspectorate which had presented their first report. This is adjoined to the additional information furnished by his Government to the present session of the Conference. In regard to the figures of 20,000 or 80,000, there was no document to confirm or disprove those supplied by the CGTP. He had used those supplied by the labour inspectorate. In regard to the allegations concerning the situation in a public enterprise mentioned by the Worker member of Portugal in the present Sitting, he said that as he had no information on this matter, he could not comment.

The Committee takes note of the written and oral information provided by the Government. Although legislative measures have been adopted to guarantee the payment of wages and progress noted by the Committee of Experts, the problem of arrears in payment has not been totally overcome. The Committee again must stress the importance of solving this serious problem, not only in legislation, but also in practice. It hopes that the Government will continue its efforts and will report the progress achieved.

Convention No. 98: Right to Organise and Collective Bargaining, 1949

Dominican Republic (ratification: 1953) See under Convention No. 105.

Morocco (ratification: 1957). A Government representative stated that national law and practice did not tolerate any form of anti-union discrimination. The courts considered dismissal on the ground of union activity to be abusive and required the reinstatement of the worker concerned. In addition to using appeals and the right to go to court, unions which are represented in Parliament participated directly in the supervision of government action, and, in particular, those activities which concerned the application of labour legislation. The Committee of Experts had requested that penal sanctions against those who carried out anti-union discrimination be provided for in the legislation. Although the necessity to include such provisions was not apparent from the text of the Convention, the Government had included the appropriate provisions in the draft Labour Code, which had since been adopted by the Government.

The Workers' members stated that the Government had indicated to last year's Conference Committee that a new Labour Code would include legislation in conformity with the Convention. This year, the Committee of Experts had noted that the Government had not yet sent the draft code. This meant, therefore, that another year had gone by without being able to examine whether or not the Labour Code was in conformity with the provisions of the Convention; that in this crisis period trade unionists were even more exposed to discriminatory acts and had indeed lodged complaints of such acts. There also existed problems concerning workers in agricultural enterprises with fewer than ten workers and problems concerning the intervention by the Government in collective bargaining. It was therefore necessary that the Government send the draft Labour Code as well as carry out discussions with employers' and workers' organisations on the modifications to current law and practice.

The Employers' members recalled that the Committee had discussed this case last year. They insisted that the necessary protective measures be taken and that the Government supply detailed information on the measures adopted. They pointed out that in its observations last year, the Committee of Experts had indicated that legislation must guarantee workers an adequate protection through either civil or penal sanctions. They asked what were the real requirements of the Convention. These should give workers adequate protection, require governments to fulfil this obligation, and allow the Committee of Experts to control whether the measures taken had been adequate. Whether or not sanctions should be civil or penal could not be deduced from the text of the Convention and depended on the legal system of the country. The Committee of Experts should clarify this situation.

The Government representative indicated that the draft Labour Code had been drawn up with the assistance of the ILO and that his Government had no objection to forwarding another copy. The Committee of Experts had required that sanctions be provided for and this was in fact the only point mentioned in its observations in spite of the fact that the Employers' group is not quite in agreement with the obligation of penal sanctions.

The Workers' members remarked that it was not certain that the advice given by the ILO in the drafting of the Labour Code had been followed; it was therefore necessary that the draft code be sent for examination by the Committee of Experts.

The Committee took note of the information provided by the Government representative and of the discussion which had taken place in the Committee. It noted the indications that the draft Labour Code was to be adopted by the Parliament. The Committee trusted that the adoption of this legislation would grant a full protection against acts of anti-union discrimination, as required by the Convention. It invited the Government to send the text of the Code so as to enable the Committee of Experts to make a thorough examination of the situation at its next session. The Committee expressed the firm hope that progress would be achieved soon, in law as well as in practice, and that full information would be supplied next year in this regard.

Poland: (ratification: 1957). The Government has communicated the following information: As the ILO Committee of Experts suggested an analysis of the sufficiency of the legal machinery existing in Polish legislation, i.e. in civil and penal law – which protect workers against acts of anti-union discrimination, the Government presents the legal situation in this field.

1. Reinforcement of the national legislation and machinery of protection against the acts of anti-union discrimination

Polish legislation provides for the following machinery of protection of the workers against the acts of anti-union discrimination:

- in the Polish labour law system there exists workers' protection against "unjustified" termination with notice of contracts of employment by establishments as well as an established interpretation of the term "unjustified termination" which ensures that the termination of a contract of employment caused by anti-union discrimination would be considered in legal proceedings as unjustified, and the worker may claim the reinstatement of his previous conditions (section 45 of the Labour Code);
- section 53 of the Act of 8 October 1982 (Trade Union Act) provides that "whoever, in connection with an occupied post or fulfilled function, does not fill his obligation or in any other way infringes the provisions of the Act, shall be liable to a fine..." This regulation may be also applied to infringement of section 39 of the Trade Union Act which protects the employment relationship of elected trade union officials for a period of one year after the expiration of their term and section 4 providing that "no one can bear negative consequences due to his membership of a trade union, being elected to a function in this trade union or staying outside the union. In particular it cannot be a

condition for concluding an employment contract, staying in employment or promotion, unless the provisions of the Act prohibit membership (in a trade union) of workers employed in a given enterprise or at a given post";

- section 190 of the Penal Code provides that: "Whoever, when responsible in an enterprise for matters connected with employment, malevolently or persistently infringes workers' rights resulting from the labour relationship or social insurance provisions and thus creates the danger of serious prejudice to a worker is liable to imprisonment of up to three years";
- section 415 and following of the Civil Code introducing the universal principle of responsibility: "Whoever through his fault harms another person shall redress it", may be also a ground for action in the civil procedure for redressing the damage caused by acts of anti-union discrimination against trade union leaders;
- section 281 of the Labour Code provides that "Any person acting on behalf of an enterprise who terminates an employment relationship with a worker without notice, and in doing so contravenes the provision of labour law shall be liable to a fine..."

In the light of the above it should be stated that the current legal system, also in the form of civil and penal sanctions, guarantees the prevention of anti-union discrimination of workers and their protection.

2. Registration of collective agreements (Article 4 of the Convention)

Complementing the information submitted to the 73rd Session of the International Labour Conference and the report of the Government of the Polish People's Republic (October 1987), the Government explains that, in the light of the Act of 24 November 1986, amending the Labour Code, the Minister of Labour and Social Policy, as the organ registering a collective agreement, is not an organ of the last instance in the field of appraisal of inconsistency of the contents of an agreement with the socio-economic policy of the State determined by the Sejm in the national socio-economic plan. In accordance with section 242(4) of the Labour Code, if the Minister of Labour and Social Policy discovers that a collective agreement submitted for registration is not in conformity with this policy, each of the parties to the agreement may ask for a settlement of the dispute in this regard by the Committee, half on which is made up of candidates from the Presidium of the Government and half from the competent organ of the national inter-trade union organisation. The Committee settles the dispute expeditiously within a period not exceeding three months and its decision is binding on the Minister of Labour and Social Policy.

Examination of conformity of collective agreements with the national socio-economic plan is based on the generally formulated principles of central policy of wages negotiated and agreed between the Government and the trade unions and then adopted by the Parliament (Sejm) within a national socio-economic plan; consideration is taken of the general state, the necessary directions of development and the needs of the economy, as well as ensuring the motivation function of incomes from work leading to stimulation of the growth of production and services through the increase of labour productivity and closer connection of pay with effects and results of enterprises' work. In addition, unjustified pay disproportions are eliminated through the application of objective methods of job evaluation.

The principles of implementation of the central wage policy in collective agreements are determined in Part III, Chapter 2, paragraph 4, of the parliamentary resolution of 18 December 1986 on the national socio-economic plan for the years 1986-90 (*Dziennik Ustaw* No. 45 of 1986, text 224). Chapter 2, paragraph 4, provides, inter alia, that collective agreements are an essential instrument for the implementation of the objectives of the wage policy. They should allow for the creation of proper relations between pay in different occupations and work posts in different branches and contribute to a closer connection of the level of pay with the quality and quantity of work and the conditions in which it is performed. Thus, before they conclude a collective agreement, competent ministers (heads of central offices), central co-operative organisations, central social organisations (nation-wide) as well as associations of non-socialised enterprises, should analyse in detail the financial effects of this agreement.

To sum up, in the light of legal provisions in force, the Minister of Labour and Social Policy has no final power in contesting the conformity of the agreement with the socio-economic policy of the State, and the arbitration provided for in the case of a dispute concerning registration of an agreement guarantees the protection of the workers' interests through the trade union's participation in the arbitration.

The Ministry of Labour and Social Policy wishes to add that the Group of Experts mentioned under Convention No. 87 will also consider the methods of implementation of Convention No. 98.

See also General Observations.

In addition, see Convention No. 87.

Turkey (ratification: 1952). The Government has communicated the following information:

The Government wishes to inform that the Parliament has approved on 25 and on 27 May 1988 the Laws Nos. 3449 and 3451 containing amendments proposed both by the Government and by the legislators during the legislative process to the Laws Nos. 2821 and 2822.

It explains that the work on the amendments which has been carried out on a tripartite basis started immediately after the Government took office at the end of last year. The objective followed has been to adapt the existing industrial relations legislation to Turkey's international commitments without prejudice to the need for sound industrial peace. Utmost efforts have been deployed to incorporate in the amendments, to the extent possible and within the limits allowed by the Constitution, the views of all parties and the suggestions made by the ILO mission.

The Government states that the following elements have been taken into account: the shortcomings observed during almost five years of implementation of two Acts; the amendment proposals put forward by the workers and employers and conformity with the principles laid down by relevant ILO Conventions ratified by Turkey, as well as the relevant court decisions and the views of academics. With a view to protecting industrial peace, particular attention was paid to the preservation of the balancing role of the State in the relations between workers and employers as well as the codification requirements.

Within the context of the above approach, the following changes were made to the Trade Union Act No. 2821:

- conditions required for founding members will be simplified;
- it will be possible for the executive officers of the trade unions to assume functions in the management or audit boards of public undertakings and establishments;
- conditions required for being elected to the mandatory organs of the trade unions have been further facilitated;
- continuity has been established with respect to the duration of the functions of the shop stewards;
- possibility of being re-elected to the mandatory organs of trade unions has been increased from four to eight terms;
- the scope of the mandate for auditing the trade unions has been limited and clearly defined;
- conditions required for opening new trade union branches have been facilitated;
- persons carrying out religious functions and students will be able to join trade unions;
- in cases where an employer terminates the employment contract of a worker because of his membership to a trade union, the employer shall be liable to pay compensation which shall not be less than the worker's total annual wage;
- the definition of the political activities of the trade union will be clarified;
- trade unions will be authorised to spend a part of their revenues for social purposes;
- the provision which stipulates that the assets of dissolved organisations shall be transferred to the State Treasury will be repealed; the fate of the assets of dissolved organisations will be determined by the organisations themselves. If this cannot be materialised, or if the organisation is closed by a court decision, its assets shall be transferred to a fund to be administered on a tripartite basis and these funds shall be used for occupational orientation, vocational training and rehabilitation of the workers;
- trade unions will be audited once in each election period, instead of yearly auditing;
- members' contributions will also be paid to the trade unions which have obtained the certificate of competence;
- the shortcomings observed and the abuses made in the determination of the competent trade unions will be eliminated by amending some sections in favour of trade unions;
- the controversies faced in the acquisition of membership will be removed by assuring the right to the membership. Moreover, the inconveniences encountered by the trade unions in their organisation in the workplaces will be completely eliminated by repealing the obligation of the trade unions to transmit one copy of the workers' membership registration forms to the employer;

In the Collective Bargaining Strike and Lock-out Act No. 2822 the following changes have been made:

- the collective labour agreement will not be extended in cases where a competent trade union exists and the implementation will be brought in line with the collective labour agreement system;

- the scope of strike and lock-out prohibitions on certain activities and services has been further narrowed;
- the rules to be observed by the employers during a lawful strike have been clearly defined;
- the number of authorised strike pickets has been doubled;
- the provision concerning temporary strike prohibition applicable in a state of emergency or under the martial law has been annulled;
- the prohibition of forming groups around the establishment during a lawful strike or lock-out will be annulled;
- the possibility of having access to shelter for the strike pickets will be provided;
- the amount of fines to be paid by any employer recruiting a worker during a lawful strike will be increased;
- the Parliament has also annulled the provision granting authority to the Supreme Arbitration Board to renew any expiring collective labour agreement with the changes it deems necessary, in case a strike or a lock-out is not permitted, or whenever emergency administration rules apply, as in time of war or general or partial mobilisation;
- the composition of the Supreme Arbitration Board will be changed so as to provide for equal numbers of representatives of workers, employers and government, under the chairmanship of the Chief Judge of the Labour Division of the Court of Appeal.

In addition a Government representative stated that his Government firmly believed in pursuing constructive dialogue with the ILO, and recalled that in its report, the Committee of Experts referred to Act No. 2822 on collective bargaining, strikes and lockouts, in particular to article 12 concerning numerical criteria required from unions in order to obtain collective bargaining certificates and article 33 concerning the possibility of imposing compulsory arbitration under certain conditions. These issues had been under consideration by the Conference Committee since 1984. On every occasion, the Government had informed the Committee extensively of the developments taking place in Turkey. In the dynamic process whereby important political, economic and social developments had taken place in Turkey in recent years a primary objective was giving priority attention to freedom. In this process the perfection of labour legislation had naturally been given due consideration. Within this framework, amendments were made in labour legislation in June 1986 and 1988, taking into account the views of the workers' and employers organisations. Since the International Labour Conference in 1987 Turkey had a particularly loaded political calendar which included an important national referendum in September 1987 resulting in the lifting of all the remaining restrictions on the participation of some political leaders in elections, which were in fact held immediately after this referendum. Acts Nos. 3449 and 3451 adopted on 25 and 27 May 1988 contained amendments to Acts Nos. 2821 and 2822 respectively on trade unions and on collective bargaining, strikes and lockouts. The Government representative stated that he was confident that the Committee of Experts would study these amendments carefully and refer to several of the improvements that these amendments contained in his written communications. The Government believed that the recent amendments together with the improvements already achieved in 1986 correspond to many aspects which had been previously raised in the present Committee with regard to Turkey's labour legislation. The new amendments also contained certain improvements which had not been discussed by the Conference Committee. The Government had been successful in its efforts to honour its promises of reviewing and improving the labour legislation. The Government had primarily directed its efforts towards adapting the legislation to the changing needs and the new developments in that country. The views of the ILO had also been taken into consideration. As to the numerical criteria required from unions to negotiate collective agreements (article 12 of Act No. 2822, mentioned by the Committee of Experts), the Government representative stated that his Government had duly considered this issue, and had closely consulted the workers' and employers' organisations. The Government's position was that a social consensus on this issue would be a prerequisite for any legislative initiative. In the absence of any written request either from workers' or employers' organisations to amend the existing provisions concerning numerical criteria and in view of the insistent verbal representations of those organisations to maintain the existing provisions the Government had found no grounds at this stage for initiating any legislative modifications. What mattered was that the collective bargaining process had actually reached a level of unprecedented effectiveness in Turkey. There now existed in every branch of activity a number of trade unions which met the 10 per cent requirement and that these trade unions had been able to negotiate an increasing number of collective agreements concluded in 1964-1979 before the adoption of the new legislation, was 1,751 per year, whereas since the adoption of the present law, from 1984 to 1987 an average of 2,577 collective agreements had been signed each year. This constituted

a solid indication that the machinery for voluntary negotiation of collective agreements was more fully used under the present legislation. As regards the comments of the Committee of Experts concerning the intervention of the Supreme Arbitration Board in the settlement of disputes (articles 33, Act No. 2822), the Government representative stated that this article had a very limited scope of application for the following reasons: it was provided only for exceptional cases of public health and national security; it could only be implemented if those exceptional circumstances continued to prevail; the Supreme Arbitration Board consisted of an equal number of representatives from the government and the employers' and workers' organisations, guaranteeing a balanced judgements; it did not only apply to strike but also to lockouts; and under the law, it was possible to lodge an appeal with the Administrative Court of Appeal, against the decrees of the Council of Ministers and thereby to request the suspensions of proceedings. This provision was also embodied in the national constitution. Article 33 had only been used by the Government once but before the Supreme Arbitration Court could intervene the parties concerned had reached agreement. The Government representative added that the right to strike was currently used very widely and was subject to no serious restrictions in Turkey. The Government representative provided some figures which illustrated a very considerable and gradual increase in the number of strikes since 1979. As a result of the recent amendments to Act No. 2822, 165,000 workers had obtained the right to strike following the lifting of the prohibition on strikes in certain activities. In conclusion, he stressed that freedom of association, collective bargaining and strikes had now materialised in Turkey to a much greater extent than before, and had certainly reached a respectable level compared to other member States of the ILO. He reiterated his Government's interest and determination in pursuing its efforts to achieve further progress and stated that his Government was also determined to maintain its fruitful co-operation with the ILO to achieve those objectives. The Government was confident that it could count on the ILO's constructive criticism as well as on its encouragement.

The Workers' members recalled that the issues of freedom of association and collective bargaining in Turkey had been discussed for quite a number of years. Turkey had been under martial law during which numerous trade union leaders were prosecuted and persecuted. They hoped that Turkey would shortly ratify Convention No. 87 and noted that this Convention was closely linked to Convention No. 98, the application of which was being discussed. They recalled that this case was not discussed in 1986 in view of the promises made by the Government, and that in 1987 this problem gave rise to a very long and difficult discussion that concluded with a statement that there were serious discrepancies between the Convention and national legislation and practice despite the previous promises that the Government had made on several occasions. It was stated that if these promises were not fulfilled in the near future, the Conference Committee would be obliged to use other measures. In this respect they underlined that there were still complaints against the Government of Turkey before the Committee on Freedom of Association, and that the new laws enumerated in the written communication of the Government which appeared to contain improvements, in fact perpetuated a totally deplorable situation. Finally, they requested the Worker member of Turkey to provide some additional information in this respect.

The Worker member of Turkey stated that the declaration by the Government representative did absolutely not reflect the real situation in Turkey. None of the amendments introduced responded to the comments of the supervisory bodies which had referred to basic provisions of the legislation that were not in line with the principles of the ILO. Once more the Government had not fulfilled the promises it had made in 1986 and 1987 when it had pledged to take the necessary steps to apply the Convention and the principles of freedom of association. Perhaps the Government had taken into consideration the observations of representatives of employers' and workers' organisations when it had elaborated these amendments, but it was obvious that these observations had generally been ignored and that the observations of the Confederation of Turkish Trade Unions were totally or almost totally ignored. These amendments had not solved the major problems: the exclusion of important categories of workers (public servants, teacher etc.) from the right to organise; the interference of the public authorities in trade union activities; the right to freely elect trade union representatives, the excessive restrictions on the right to strike and the problems affecting collective bargaining. As regards, for example, political activities of trade unions, or the so-called elimination of the provision that allows for temporary prohibition of strikes during emergencies or martial law – that the Government considers as amendments introducing improvements – the present situation was in fact no different at all from the one under the military government. In fact, the series of laws and decrees that had been introduced actually aggravated the situa-

tion, e.g. Decree No. 308 concerning State enterprises which prohibited their workers from exercising collective bargaining. Another government decree had established three employers' organisation for the public sector (all types of public institutions, State enterprises, etc.) and imposed compulsory affiliation to these organisations which depended on the Minister of State, and were led by high-level officials. The objective of these three organisations as mentioned in the Government's programme for 1988 was to carry out the functions previously assigned to the Government Committee for the co-ordination of Collective Agreements in the Public Sector with the aim of imposing the remuneration policy of the Government. There existed serious restrictions on the right to strike as well. The Government representative had said that the possibility of postponement of strikes had been used only on one occasion. This only proved that none of the strikes that had taken place had endangered the public health or national security. Furthermore, almost everything was considered to be essential service for the purposes of prohibiting the right to strike with the result that this right was in effect denied to about 500,000 workers. Solidarity strikes were also prohibited and so were go-slow action and general strikes. All violations of these prohibitions resulted in penal indictment. These restrictions had not existed before 1980. Finally, the speaker reiterated that nothing had improved and that there remained only empty promise. He requested the Government representative to indicate whether the Government considered itself at all bound by the principles of freedom of association embodied in the ILO Constitution.

The Workers' members considered that in the light of the supplementary information given by the Workers' member of Turkey it would have actually been better had those recent laws not been adopted at all. It was obvious that a profound change in the legislation was still necessary. The Workers' member referred to recent information from trade union sources and stressed that the new laws seriously restricted collective bargaining and trade union action. A few days ago, the European Confederation of Trade Unions had adopted a declaration on these points. The Workers' members added that Turkish trade unions were not allowed to draft their own statutes or freely elect their representatives; nor could they freely exercise their activities since it was possible to dissolve or suspend them by simple administrative order. The activity of DISK was in fact prohibited and the leaders of this organisation, who faced trial, or who were condemned because of their trade union activities, were unable to resume their trade union tasks. Under these conditions one should stress that the so-called improvements were really limited to a very small percentage of the points that had been mentioned in the course of ILO technical assistance, and that the new laws had considerably complicated the situation as regards the remaining points. Nor had there been any true tripartite consultations although this had been promised by the Government. Collective bargaining and trade union activity had been blocked through the interference of the authorities. Workers' organisations were unable to structure themselves in a logical way. Consequently, the new reforms did not really fulfil the promises of the Government and implied that the Conference Committee was back to square one.

The Employers' members summarised the questions raised in the observation of the Committee of Experts concerning the application of this Convention. The Committee of Experts had as yet not had the opportunity to examine the new laws adopted this year following tripartite consultation. In the previous year, the Committee of Experts had considered that certain improvements had been made in the legislation, but that restrictions had remained on free collective bargaining. If one compared the present situation to the one prevailing at the beginning of the discussions, it was obvious that there had been some progress. Free collective bargaining could only be achieved gradually, especially in a country that had just emerged from a very long period of martial law, a period that was radically different from the present as regards freedom of association. The Government representatives had provided recent figures that showed some results in the sense that the number of collective agreements had gradually increased. He had also stated that the procedure of compulsory arbitration had been applied only once. Under these conditions one did wonder why the Government did not repeal the provisions concerning compulsory arbitration, as requested by the Committee of Experts. In contrast, the employers did not believe that an increase in the number of strikes was a sign of progress. The Government representative and the Workers' member of Turkey had delivered radically different statements concerning the fulfilment of the promises of the Government as regards the application of the Convention, and it was not up to the Employers' members to decide who was right. It was obvious that was up to the Committee of Experts and not to the Conference Committee, to examine the new amendments in the new laws. On the other hand, the Employers' members viewed positively the lifting of the state of emergency and the holding of elections, which were linked to the

topics referred to by the Committee of Experts, and that constituted progress towards democracy. In conclusion, they stressed that the remaining restrictions on the application of Convention No. 98 should be eliminated and that this should be achieved on a tripartite basis.

The Worker member of Finland, speaking also on behalf of the Workers' members of Denmark, Norway and Sweden, recalled that the conclusions of the Committee of Experts pointed to the existence of serious limitations and contradictions between legislation and Convention No. 98, and that the Conference Committee had indicated the possibility of resorting to other measures if it found that there was lack of progress. The reply of the Government of Turkey contained some minor improvements, which were amendments to the Trade Union Act No. 2821 and to the Collective Bargaining Strike and Lockout Act No. 2822. These amendments were incorporated in Laws No. 3449 and 3451 adopted on 25 and 27 May 1988. The above-mentioned Workers' member had compared the amendments to these laws with the principles of Convention No. 98 and had concluded that these amendments did constitute some progress, but did not in any way satisfy the principles in Convention No. 98 and in the ILO Constitution relating to freedom of association and trade union rights. The Workers' member of Turkey had already pointed this out and the above-mentioned Workers' members associated themselves entirely with his comments. They reminded the present Committee that the 1982 Turkish Constitution also contained several provisions that were in contradiction to Convention No. 98 and the principle of freedom of association embodied in the ILO Constitution. As examples he cited section No. 51 prescribing that only employees with ten years' of service were entitled to be elected as trade union officials, section No. 22 prohibiting trade unions from participating in any political activities whatsoever, section No. 53 prescribing not more than one collective agreement per enterprise and section No. 54 prohibiting solidarity strikes, as well as several other provisions. In the Trade Union Act No. 2821 several provisions which were applied to trade unions subjected trade unions to supervision by governments, to police searches on union premises, and stipulated that trade union leaders had to seek the permission of the Ministry of the Interior before leaving Turkey on any trade union conference, that all press releases had to be submitted to the Public Prosecutor twenty-four hours in advance, and that all political activities were prohibited for trade unions. In conclusion, he reminded the present Committee that the Government representative had not indicated whether his Government intended to repeal these provisions; however, the above-mentioned Workers' members strongly felt this should be done as soon as possible.

The Worker member of the United Kingdom stated that when he first saw the list of amendments brought by the Government representative of Turkey, outlined in the written communication of the Government he did hope that the matter would finally be settled and that Turkey could be welcomed to the free world as a State having complete trade union freedoms. Of course, the Committee of Experts should examine all the new laws but that did not prevent the Conference Committee from expressing its views too. What the written communication of the Government revealed was interesting, but what it concealed was vital. He would like to ask several questions in this connection. First, did Turkey recognise the right of public servants to organise freely? The answer was no because the Workers' member of Turkey told the Committee that this was not so. The legal restrictions he had described affected some 1.8 million Turkish workers. To what extent were strikes affected by those restrictions? The Government representative had told the Conference Committee that only essential services were prohibited from striking. However, a closer look at the list of the essential service revealed that it covered water, electricity, gas, coal mining, land, sea and air transport systems, health services, chemist's shops, educational institutions, day nurseries, old-age homes, etc. In fact, strikes were either prohibited or seriously restricted for all public services. Second, did Turkey recognise the right of workers to choose their own trade union leaders? Perhaps it did, but he had noted one vital point. The law stipulated that a trade unionist who had spent more than six months in jail for offences under this law could not be elected as trade union leader or as trade union founder. Yet some of the most courageous, heroic and devoted trade unionists he had known had spent more than six months in jail, fighting for what they believed in. Third, did Turkey recognise the right of trade unions to establish their own constitutions, laws and regulations? The answer was, again, no. The Trade Unions Act in Turkey provided detailed model laws and rules that trade unions had to follow. In his opinion, this was contrary to the principles of freedom and trade union rights. So the Committee of Experts might eventually examine those new laws and give its opinion on them, but the present Committee could already state that they did not fully meet the request made by the Committee of Experts in its report. There had been great hope that after a period of dictatorship, one of the first things that

Turkey would do as a free country, would be to restore trade union rights, because that was the hallmark of a true democracy. Yet he had to express his deep concern that the omens were not very good for trade unions in Turkey. The Government of Turkey was exhibiting the new laws almost like a proud father, but in his opinion, the legitimacy of the offspring had yet to be established. The Government had still a long way to go towards real progress, and one tentative, timid step in this direction was not enough.

The Worker member of Greece recalled that at this very time the Prime Minister of Turkey was on an official visit to Athens, and that everyone could imagine the significance of this event for the relations between Greece and Turkey. The Greek workers supported an improvement in these relations. Yet this spirit would not prevent the speaker from supporting the Workers' member of Turkey in its comments regarding legal restrictions and prohibitions on trade union activities in Turkey. In this respect he noted that a joint declaration had been adopted on 10 June 1988 in which the two main trade union organisations in Turkey, TURK-İS and DISK, declared that trade union organisations in Turkey were prohibited from functioning normally, and called for the presumption of all activities of DISK. The Government representative had told the Committee that the right to strike existed, that progress had been made, and that trade union freedoms existed as well in Turkey. The speaker asked whether the Government could indicate when DISK would be able to function again, and when would its assets that had been confiscated by the dictatorship be returned to it.

The Worker member of the United States was impelled to make several comments after the statements of the Vice-Chairman of the Workers' members and the Worker member of Turkey. The Workers' members always welcomed remedial measures to rectify persistent offences to international labour Conventions, and so they welcomed the steps taken by the Government of Turkey. Yet such remedial measures often contained hidden dangers, namely, that they were more cosmetic than real. An example was the provision enabling the Government of Turkey to prohibit or postpone any strike that appeared to be harmful to public health and national security. The Government representative stated that this provision had never been used, and should not give rise to concern. Yet the speaker felt deeply ill at ease with such a provision. He pointed to the existence of the Supreme Arbitration Court and its powers under Article 54 of the Turkish Constitution and stated that the very existence of this provision had a chilling effect and was a deterrent for any strikes. For that reason all those laws should be repealed.

The Worker member of Austria recalled that at about the same time that the Parliament of Turkey had adopted the two laws in May 1988, the report of the Committee on Freedom of Association was approved by the Governing Body of the ILO. This report cited Act No. 2821 among the laws needing review in order to bring it into line with Convention No. 98. Thus, the Committee on Freedom of Association expressed the same concerns as the Conference Committee. Consequently, when the Committee of Experts would analyse these laws, its conclusions would be obvious, that these laws go only half way towards meeting the recommendations of the Committee on Freedom of Association and that the Government had only partly met these recommendations. In conclusion, he recalled that a number of public service trade unionists had been condemned under this law, yet no motives for this condemnation had been published, and they could not defend themselves. He asked the Government representative when these motives would be published.

The Employer member of Turkey considered that the criticisms which had been expressed during the discussion had not been justified. In this regard he cited two observations made by the Committee of Experts in their report: (1) that the Government should adopt legislative amendments to promote collective bargaining; and, (2) the Government should furnish information on the evolution of the situation in this regard. The speaker noted that on the one hand a new law amending several provisions of the law on collective agreements had just come into force. Therefore, the first request of the Committee of Experts had been acted upon. On the other hand, it was necessary to await the opinion of the Committee of Experts on this new law before adopting Conclusions in this respect. He felt that it was preferable to await the information furnished by the Committee of Experts next year on the legitimacy of these new laws.

The Worker member of the Netherlands noted the information given by the Government in its written communication, particularly the long list of changes made to the Trade Union Act, No. 2821. He observed that this list did not contain the repealing of restrictions on trade union freedoms; it contained only the easing of such restrictions. In this regard he pointed to terms such as "conditions will be simplified" and "further facilitated". This easing of impediments was not enough when the legislation was tested against the provisions of Convention No. 98. He further noted with respect to

the experiences of the last few years in this Committee that some Governments had received a special paragraph while others, whose behaviour had not been much better, had avoided this special paragraph by handing in lengthy replies, by participating in the dialogue in a soft spoken and sympathetic way and by making one small promise or expressing vague expectations. He stressed that governments should be evaluated on the basis of facts and not on the basis of their presentation.

The Government representative noted that, with respect to the observations of the Committee of Experts, tripartite consultations had been undertaken with regard to the points raised in the report. The Minister of Labour and the Prime Minister had discussed these matters with representatives of the Workers' and Employers' organisations. The outcome of these consultations had not had an impact on the two points raised in the report of the Committee of Experts because: firstly, both the Workers' and Employers' organisations had insisted that the Government maintain the positions of numerical criteria for qualifying for collective bargaining; and, secondly, with regard to the Supreme Arbitration Board intervention, the constitutional provision could not be amended until due process had been completed. With regard to the observations raised outside the scope of Convention No. 98, a very distorted picture had been painted before this Committee. Important progress had been made in the laws and it would be premature in this Committee to pass any judgement on the merits of the new amendments before the Committee of Experts had actually examined their contents in a very objective and impartial way. In concluding, he cited figures which indicated the extent to which the tripartite consultations actually reflected the Turkish workers' views in the new amendments. In Law No. 2821, out of a total of 18 recommendations made by the Turkish workers' associations, 11 had been accommodated, either partially or completely, in the new amendments. Furthermore, the Government brought four amendments which had not been raised by the workers' associations. Under Act No. 2822, out of 17 recommendations made by the workers' associations, seven of them had been accommodated. Furthermore the Government brought four other improvements which had not been raised by the workers' associations. Therefore, 52 per cent of the workers' recommendations had been accommodated in the new amendments.

The Workers' members welcomed the frank and open dialogue which occurred in the present Committee in this case. The Workers' members therefore proposed, in the light of the interventions by the Employers' members and the Employer member of Turkey, the following conclusion:

The members of the Committee had been able to have a dialogue on the subject of two Acts adopted at the end of May which should provide solutions to the majority of concerns that had been expressed over a period of years. The discussion in the Committee showed that there was a number of positive elements but also a large number of unsatisfactory points. As the Acts had not been in force until May, the Committee of Experts was requested to examine them closely and compare them with the promises made earlier with the recommendations of the Committee on Freedom of Association as well as with those of the ILO which provided assistance in this respect. Real tripartite consultation should be resumed and the Government should be prepared to revise the present Acts to align them more fully with Convention No. 98 as well as with the principle of freedom of association. The Workers' members formally proposed that these conclusions be included in a special paragraph. This request was justified in light of the importance of this case which had been the subject of discussion for a number of years. A special paragraph did not contain a judgement or condemnation; it contained positive as well as negative aspects. The objective of these conclusions and their inclusion in a special paragraph was to give a mission to the Committee of Experts and to indicate clearly to the Government the orientation of new tripartite dialogue.

The Employers' members noted that a number of questions that had been raised concerning this case had still not been completely solved. However, the focal point in this case was now the new Acts which had been adopted and they would have to be examined by the Committee of Experts. The Employers' members were convinced that the Committee of Experts, when examining this case next time, would not only look at the Acts but would also bear in mind the views and information mentioned in the course of this discussion. With regard to the conclusions proposed by the Workers' members, the Employers' members were not able to support the proposal in its present form, especially if it was to be included in a special paragraph, because it contained an evaluation of a new Act which the Experts had not been able to examine.

The Workers expressed their regret over the Employers' members' failure to agree to the proposed conclusion and its inclusion in a special paragraph. Although they would not call for a vote, they indicated their intention to initiate an information campaign,

through regional and international trade unions, on their position concerning this situation and its examination in this Committee.

The Government representative could not fully agree with the merits of the proposal. Firstly, because there had been no conclusion reached in this Committee on the matters contained in the proposal. Secondly, because it would not contribute to the undertaking of tripartite consultations as such consultations would be pursued in any case.

The Worker member of Austria addressed a question to the Government representative of Turkey concerning information as to when the grounds for the ruling on the dissolution of the DISC organisation would be published.

The Government representative replied that, according to relevant authorities, the text of the decisions together with the justifications would be published by the end of the summer, 1988.

The Committee noted the written and oral information supplied by the Government and the detailed discussion which took place within the Committee. It noted, in particular, that Parliament recently had approved amendments to the trade union legislation, which will be examined by the Committee of Experts on the basis of the previous discussions held in this Committee, the recommendations of the ILO missions, the promises made by the Government and the conclusions of the Committee on Freedom of Association. It hoped that these amendments would meet the concerns expressed last year by the Committee of the Conference. It further expressed the firm hope that, in view of the fact that serious divergencies had existed for many years, the Government would soon take all necessary measures, after real tripartite consultation, to give full satisfaction to the comments of the Committee of Experts and to ensure full compliance with the Convention, both in law and practice.

Convention No. 100: Equal Remuneration, 1951

India (ratification: 1959). A Government representative stated that the Equal Remuneration Amendment Act 1987 had entered into force on 17 December 1987. Section 10 of the Act had been amended to provide enhanced penalties. In cases of serious violations of the law, fines up to 20,000 rupees or imprisonment up to one year could be imposed, and up to two years' imprisonment for a subsequent offence. According to section 12 of the amended Act, complaints could be made by any recognised welfare institution or organisation as well as by the individual concerned. The problems raised in paragraph 2, point (a) to (d) and point (f) of the Committee of Experts observations concerned certain state governments which had been requested to provide information. Of these Governments, Maharashtra, West Bengal and Uttar Pradesh had sent information on the submission of complaints concerning the violation of minimum wage and equal pay requirements in the agricultural and construction sectors. The Government of Maharashtra had taken measures to reinforce the supervisory machinery and the application of the provisions of the Equal Remuneration Act. Since the above mentioned sectors are scheduled employments under the Minimum Wage Act, 1948, the Government has fixed or revised minimum wages. The wages were the same for women and men and claims could be filed if lower wages were paid. In regard to paragraph 2, point (e) of the observations by the Committee of Experts, 129 out of the 134 casual women workers employed in the South Central Railway had been registered for regular employment. The number of registered workers who had been given regular employment was being examined. He emphasised the importance that his Government attached to the observations of the Committee of Experts and the comments and requests of the Conference Committee, as well as to the correct application of ratified Conventions. The Government has requested the state governments to strengthen their supervisory machinery to ensure that female and male workers receive their wages. Efforts have been made to improve the situation in the unorganised sector where difficulties existed and the 20-point programme announced in 1986 included the enforcement of the minimum wage for agricultural workers. A National Commission on Rural Labour had been set up which would report on fixing a minimum wage and on the supervisory machinery.

The Employers' members remarked that the difficulties in the application of the principle of equal wages was due in part to gaps in the legislation, but mainly to difficulties in the practical application of the law. It was the duty of a member State to ensure that ratified Conventions were being applied. The Government, which had not denied its difficulties, was endeavouring to overcome them and to resolve the problems which, in this country take increased proportions. The statement by the Government representative fostered positive expectations. As the Committee of Experts had stated, the Government should re-examine the question, and send a detailed written report on the measures being taken to close the gaps in law and practice.

The Workers' members emphasised the importance that they attached to the principle of equal treatment and of equal wages for work of equal value. They noted that the Government had recognised that inequalities did exist for women and that efforts were necessary to eliminate the discrimination which the Centre of Indian Trade Unions had referred to in its observations. These were particularly serious in the case of rural workers, and especially for women. The trade union and the Committee of Experts should verify if the new penalties would be sufficiently high and effective. They feared that women would not dare to complain on an individual basis to obtain compensation for harm suffered, and believed that it would be important that trade unions could lodge complaints on behalf of the complainant. By strengthening employers' and workers' organisations, and, consequently collective bargaining and tripartism, equal pay would be attained progressively.

The Government representative emphasised again the willingness of his Government to supervise the full and strict application of the laws on equal pay and minimum wages. He repeated that legislative amendments had been made recently, and stressed that imprisonment was obligatory for subsequent violations and that the value of the fines had been increased 20 times. The practical application of the legal provisions on equal pay had encountered numerous difficulties; women did not have bargaining power and feared reprisals. It was therefore necessary to attack this exploitative system in various ways. The co-operation of employers' and workers' organisations and non-governmental organisations was vital. The help of these organisations was indispensable for supervising that legal provisions were applied fully, creating an awareness of this problem, and helping organise the workers so that they had the necessary bargaining strength. In reply to the Workers' members' question he replied that India had ratified Convention No. 144 and that the advisory committee set up under the Equal Remuneration Act included employers' and workers' representatives. The National Commission on Rural Labour would examine all problems in depth and would, as well, consult with employers and workers.

The Committee noted with interest the detailed and positive information supplied by the Government representative on the various points, raised in the observation of the Committee of Experts, in which reference is also made to comments received from Indian workers' organisations, as regards the practical application of the Convention. It hoped that the Government will continue to furnish information on measures taken towards further progress in respect of all the points raised as regards the enforcement of legislation on equal pay, particularly in the rural sector.

Switzerland (ratification: 1972). A Government representative stated that his Government which had presented a detailed report on the application of the present Convention in October 1987, was ready to pursue the dialogue on the application of this Convention. The working group on equal remuneration, created by the Federal Department of Justice and Police, consisted of officials from the Swiss federal administration, and representatives of employers and workers. It studied not only the different aspects of equal pay but also other areas where inequalities could still persist. The results of this study concerned inter alia the following topics: the ability for associations, and not only individual women, as as the case nowadays, to initiate legal action so as to assert the right of equal pay for work of equal value. There was much room for improvement in this area; the possibility of creating cantonal public offices responsible for promoting equality between men and women; these offices could provide information on legal practice and act as experts at courts in cases of disputes; government encouragement for the social partners to include provisions promoting equal remuneration for men and women in collective agreements. The collective agreements could provide for the creation of arbitration bodies for settling individual cases submitted to them. These measures would be in the spirit of the preceding recommendations made by the Committee of Experts. The report that would be drafted on the basis of this research will incorporate proposals that the working group will submit to the Federal Council and which would have to be followed up by concrete measures to ensure the application of the principle of equal pay between men and women. It was too early to know what these concrete measures were and one had to wait for the report. The Government member believed that the Committee of Experts was right in pointing out that the explicit application in Switzerland of the principle of equal remuneration for work of equal value between men and women in collective agreements was incomplete, and subject to reservations. Distinctions on grounds of sex could reappear or persist in other forms. The principle of equal pay for work of equal value which was embodied in the Federal Constitution constituted an individual right that every woman worker could directly invoke before the courts. The small number of legal

actions initiated with the aim of ensuring the full application of this right, even in cases of applying collective labour agreements, had been the motive for creating the above-mentioned working group. However, given the current situation of the national legal system, collective labour agreements were contracts governed by private law, concluded and implemented by the social partners. Public authorities took no part in negotiating them and had no power to influence their contents or application. Only agreements whose extension was requested by the contracting parties were subject to a certain control on the part of the authorities, but this control was only formal. The agreements so extended remained private law contracts whose application was the responsibility of the parties concerned alone, and if necessary, the civil courts. The possibility of state intervention in order to put pressure on the social partners remained relatively limited. In this respect the Government believed that the social partners had at their disposal a wide range of intervention possibilities under Convention No. 100 for setting up traditional machineries. It was regrettable that they had not resorted to this more extensively. The Government would make available to the ILO the texts of all the decision taken by the courts concerning the application of the principles of the Convention.

The Worker member of Switzerland recalled that since 1981 the Swiss Constitution had included a provision that prescribed equality of remuneration between men and women, that could be invoked directly by men and women alike. The dialogue in the present Committee had started in 1986 and would not end today. This showed how long and difficult was the application of the principle of equality of treatment, and how it was directly linked in most of the arguments and conclusions to the discussion on Convention No. 111. The constitutional provision had brought about some progress but was still far short of resolving all problems. As mentioned by the Committee of Experts in its report and confirmed by the Government member, a working group had been created to formulate proposals on the need for, and nature of, measures for accelerating the application of the constitutional provision. The conclusions of this group, the proposals it would make to the Federal Council and above all the effect given to those proposals were not yet known. The Government representative had mentioned some possibilities, but the proof of the pudding was in the eating. The speaker then drew attention to certain important points for applying equality of remuneration. First, the practical impact of legal provisions; rules were valuable only to the extent that they were applied. In practice, women workers would either hesitate to or refrain from asserting their rights if by doing so they had to fear some disadvantages in their labour relations, such as dismissal, being refused promotion, etc. Parallel provisions such as protection against dismissal for the duration of the court or arbitration procedures, or the possibility mentioned by the Government member that workers' or women's organisations could lodge complaints were therefore of the highest importance. Another problem exposed in detail by the Workers' member of Norway on the discussion of Convention No. 111, was that women workers would face great difficulty in the majority of cases if they had to assume the burden of proof when lodging a complaint. It was therefore urgently needed to find other solutions such as the reversal of the burden of proof in cases of complaints concerning equal treatment in remuneration. Convention No. 100 demanded equal remuneration for work of equal value. In practice there were still jobs which were traditionally occupied by women and which also by tradition were linked to a lower level of remuneration than the so-called masculine occupations. Great attention should therefore be paid to re-evaluating these jobs. Likewise, equality of remuneration could only be implemented in the context of equality of opportunity between men and women. Accordingly it was necessary to harmonise all the legislation in such areas as social security and taxation in order to eliminate all types of direct disadvantages based on sex as well as indirect disadvantages which affected women workers, particularly those with family responsibilities. Several of those indirect disadvantages were caused by the lower level of training of women and in this respect urgent legislative and practical measures should be considered, with the aim of giving grants and eliminating age restrictions on vocational training. As an employer, the State should set an example to other employers by adopting such means of promotion. Collective bargaining and collective agreements played an important role in equality of remuneration since remuneration was part of bargaining. Equality of remuneration was part of a gradual process and workers, employers and governments should act in concert to implement these objectives. The intermediate phases should be subject to regular control. Finally the speaker reiterated the importance of having effective proposals for the application of constitutional standards concerning equality of remuneration. The Workers' members wished again on this occasion, on the basis of a concrete case, to draw the attention not only of Switzerland but of many other countries to the discussion of the General Survey

concerning Convention No. 111 during which the inequalities, discrimination and difficulties faced by women workers had been mentioned. The application of Convention No. 100 in Switzerland had been discussed in 1982, 1984 and 1986. Three problems stood in the way of the full application of this Convention. First, collective agreements which sometimes included job classifications that established distinctions based on sex under other names. Second, rates of remuneration which could also become sources of discrimination on grounds of sex and finally, as mentioned by the Worker member of Switzerland, the burden of proof. Due to the existing difference of views and shortcomings in the application of the Convention No. 100 a tripartite working group had been set up and its report was expected in the very near future. In this context the Workers' members expressed the hope that existing and future possible discrimination would be eliminated both in legislation and in practice.

The Employers' members replied first to the comments made by the Workers' member of Switzerland. They had had some doubts initially as to the actual purpose of those comments but now understood that they dealt with the problem of equal treatment in general. All those who had heard the Employers' statements in previous debates knew that they could agree to some of those comments but not to all of them. The reversal of the burden of proof had been amply discussed several days ago and the Employers' members had already cautioned against considering this problem in too global and simplistic a manner. They noted that the observation of the Committee of Experts was divided into five points. The first was a brief statement of fact which appeared to cause no problems. The second had been dealt with by the Government representative who informed the present Committee that a working group was now examining a number of questions in detail. The present Committee should await the findings of this working group and then check its report on the need for further action. They had some difficulties with point 3 of the observation of the Committee of Experts which stated that a Worker member at the Conference Committee in 1986 had stated that there were no longer any sex-based salary clauses in collective agreements which, however, covered only minimum wages. The Employers' members saw nothing unusual in the fact that collective agreements referred only to minimum wages. In this respect the collective bargaining system of Switzerland seemed in no way different from those of its neighbours and it appeared to be normal for collective agreements to apply only to minimum wages. However, perhaps they misunderstood something there. Further, the Committee of Experts had stated that direct discrimination based on sex had disappeared only to reappear in different forms. This point was not developed any further, and it was only said that women were excluded from collective agreements, as a matter of principle, but again the Employers' members could not really understand how, so perhaps the report was not sufficiently clear on this. They also had difficulty with the statement in the report of the Committee of Experts that the principle of equality of remuneration was not expressly mentioned in collective agreements. In their opinion that did not mean that inequality of remuneration was established in collective agreements. However, the Workers' member of Switzerland did not elaborate on that point, so perhaps that was not a major problem. Generally the Convention certainly required positive action, but here the Employers' members saw a difficulty in reconciling the promotion of equal remuneration which was the purpose of Convention No. 100, and the promotion of free and autonomous collective bargaining. There were always two signatures in a collective agreement and the possibility of third parties – that of the State – to intervene was very limited. There was a conflict of purpose here which had to be kept in mind. As regards points 4 and 5 in the observation of the Committee of Experts, the Employers' members considered that the two rulings issued by the Swiss Federal Tribunal were specific cases and they doubted whether general conclusions could be drawn from them. They were grateful to the Government representative for expressing his readiness to make available any additional tribunal rulings. Only then it would be possible to judge whether general conclusions should be drawn from those rulings for further legislative or other action. The Employers' members agreed that this complex problem with its numerous aspects would probably come up in the Conference Committee many times in the future, and that no country was exempt from promoting equal remuneration. There was always room for progress in this field.

The Worker member of Switzerland wished to make a few supplementary comments on the report of the Committee of Experts. For the present, her organisation had addressed no specific demands to the Government of Switzerland. They preferred to wait for the proposals of the Government which could relate to legislation and to promotional measures. In their opinion there should not be any state intervention in collective agreements or collective bargaining, and the Government member shared this opinion. The two rulings issued by the Federal Tribunal indeed

concerned individual cases and since they were not yet available it was too early to conclude whether they could be taken as a precedent for general legislation. As regards the situation of women and collective agreements, the speaker had not meant to say that women were generally excluded from collective agreements, but that women were very often recruited in conditions that were not covered by collective agreements and therefore were in practice often excluded from the scope of collective agreements. As regards collective agreements proper, they did sometimes include job descriptions which in themselves did not contain any direct discrimination against women. However, in job classifications there could be indirect discrimination, and in practice women did suffer from this. For that reason her organisation had asked that the practice of job descriptions and job evaluation be reconsidered.

The Committee noted with interest the various measures and decisions taken by the Government of Switzerland concerning the application of the Convention, and described in detail in the report of the Committee of Experts. It also noted the supplementary explanations given by the Government and the discussion which took place which would be transmitted to the Committee of Experts, so that it could re-examine the question more deeply, taking into account this discussion. The Committee also hoped that the Government would be able to report further measures taken and progress achieved in the application of the Convention.

United Kingdom (ratification: 1971). A Government representative noted that three separate points in the Committee of Experts' observation called for a response. The Committee of Experts had referred to the repeated concerns expressed by the TUC that class actions were not admissible in the United Kingdom and that tribunals may therefore have to consider large numbers of applications by individuals. This issue had been fully considered by the Conference Committee in 1986. He emphasised that his Government saw major problems of both principle and practice in providing for class actions. By the term class actions he referred to the possibility of challenging an allegedly discriminatory condition of employment embodied in a collective agreement by taking proceedings based on the circumstances of a single person which if successful would apply to the whole class of workers covered by the collective agreement. To provide for class actions would require a fundamental change in the United Kingdom's judicial procedure. Moreover there would be a general difficulty of ensuring that a plaintiff in a class action was wholly representative of all the individuals in that class. His Government therefore believed that the traditional, established "test case" procedure was a more satisfactory way of approaching this problem. Under the 1986 Sex Discrimination Act, provisions in non-legally binding collective agreements and rules of undertakings which provided for acts unlawful under either the Equal Pay Act or the Sex Discrimination Act were to be automatically void. In view of this Act and of his Government's views on class actions, it was difficult to see what purpose would now be served by giving the Central Arbitration Committee new powers to consider equal value cases. Reference to the Central Arbitration Committee could, in fact, slow down the process. Equal value issues were complex and there were different ways of removing this particular form of discrimination, such as negotiation. The Central Arbitration Committee was not likely to attempt to solve issues of equal remuneration in collective agreements at great speed or without extensive consultation. It would therefore be much quicker and far more satisfactory for the parties to get together and sort out their own solution, if necessary with a variety of different arrangements at local level. The Government representative did not accept the TUC's comments that there would be a need for numerous applications following a decision that a term in a collective agreement was discriminatory and therefore void. This suggested that employers would deliberately refuse to amend agreements unless faced by large numbers of individual applications to an industrial tribunal. Employers who would do this would be foolhardy as they would incur costs as well as pressure from the unions which were parties to the collective agreement. The Government representative stated that his Government would be most pleased to continue to supply copies of all appropriate decisions, both of tribunals and of the higher courts as requested by the Committee of Experts. Another point referred to in the Committee of Experts' report concerned the concept of the hypothetical man or hypothetical woman; this issue also had been fully discussed by the Conference Committee in 1986. The Government representative indicated, as he had done in 1986, that he would be very pleased to hear of any situation where the concept of the hypothetical man had been successfully applied. His Government was quite confident that the arrangements established in the United Kingdom for applying the principle of equal pay were in full compliance with the Convention.

The Worker member of the United Kingdom, speaking on behalf of the Workers' members, noted that the principle of equal

pay was at present accepted in many countries, but its application had proven to be somewhat difficult and the issues involved were complex. He emphasised that Convention No. 100 could usefully be served by tripartism. It was unhelpful to have discussions on very complex issues in the present Committee if they had not been preceded by intensive tripartite discussions at the national level. There had been some tripartite discussions on the Convention but they had taken place before or during a general election period when the civil servant representing the Government was not in a position to make any commitment. The Workers' members therefore requested the Government to reintroduce tripartite discussions on this particular Convention in the hope of solving the issue.

The Employer member of the United Kingdom, speaking on behalf of the Employers' members, indicated that while the employers in the United Kingdom subscribed to the virtues of tripartite discussions, the issues which were presently before the present Committee would not necessarily benefit from further tripartite discussion. The issues which the trade unions had referred to this Committee and the Committee of Experts were in fact already satisfactorily resolved by the existing legislation in the United Kingdom. With respect to class actions she pointed out that they depended upon the validity of the membership of the class of persons who sought to be included within it. Employers might well wish to challenge that validity and this would take just as long as repeated and unnecessary tribunal cases. With respect to the concept of the hypothetical man, she could not support the notion of using the hypothesis that a man exists who does the same work or work of equal value as that of a woman and who gets more money for doing it when in fact there was no such man. On the basis of experience, she supported the law in existence which would not be improved by the proposals put forward by the trade unions, and she asked the present Committee to consider carefully before accepting the seemingly innocuous and obviously very tempting solution put before it by the Workers' members.

The Committee noted the measures taken in the field of equal remuneration which had been the subject of the Government's report and comments by the TUC on complex matters, reflected in the Committee of Experts' observation. It also noted the exchange of views on these measures which had taken place in the present Committee. It hoped that the Government would give further consideration in tripartite consultation to the possibility of adopting additional positive action and that it would supply information on measures taken or contemplated.

Convention No. 105: Abolition of Forced Labour, 1957

Bahamas (ratification: 1976). The Government has communicated the following information:

The Legal Officers will be consulted as to how the necessary amendments can be made. Meanwhile the provisions in question are not applied.

The Industrial Relations Act is now up for review in the Legal Department, which is also considering provisions as to recognition, strikes, lock-outs. Section 73 will be reconsidered in this context. Section 72 is impossible to apply in practice.

Central African Republic (ratification: 1964).

The Government has communicated the following information:

The responses to observations concerning Conventions Nos. 29 and 105 which were provided in earlier reports remain valid to the extent that, within the context of significant institutional changes within the country, the draft texts have been taken up anew and submitted to the competent authorities. The draft texts are following the procedures used by national authorities for adoption of legislation.

The Government will provide new information concerning development of the situation in due time.

In addition a Government representative acknowledged that the Committee of Experts' observations on Conventions Nos. 29 and 105 addressed analogous subjects, but they did not necessarily overlap. In relation to Convention No. 105 the Committee had referred to legislative texts on intellectual freedom dating from 1960, 1963 and 1969. Moreover, the 1986 Constitution guaranteed fundamental freedoms to individuals and to groups, albeit within the framework of laws and regulations. In reply to the Committee of Experts' request for a copy of texts relating to the dissolution of the "MESAN" national movement, the Government representative noted that this movement had been a party and then a state organ under the regime of the former Emperor. The movement had been automatically dissolved upon the fall of the Emperor's regime and the abrogation of its Constitution. Since two different problems were involved, the Government did not believe that the

conclusions under Convention No. 105 could be identical to those reached under Convention No. 29.

The Workers' and Employers' members expressed the wish that the conclusions of the present Committee concerning Convention No. 29 apply also to this Convention.

The Committee took note of the information provided by the Government representative as well as the written information which had been communicated by the Government. The Committee had examined this case on many occasions and had noted considerable divergencies between the Convention and the legislation and practice in the Central African Republic. The Committee noted with regret that considerable difficulties still remained. The Committee hoped that the Government would, in the near future, take all necessary measures, with the assistance of the ILO if appropriate, to comply fully with its obligations under Convention No. 105. The Committee hoped that the next report would show that real progress had been made.

Dominican Republic (ratification: 1958). A Government representative stated that since 16 August 1986 his country had entered into a different political and economic period and that they were now concerned to correct fundamental errors and to reconstruct the nation's forces. This did not imply recognition of the accusation made with respect to non-compliance with Conventions Nos. 98 and 105. In relation to Convention No. 105. In relation to Convention No. 105 it had not ruled out that violations of this Convention had been committed in the past, but the Government had now adopted remedial measures which respected human rights. Amongst others these included the need to seek out and repress the recruitment of foreign workers and their clandestine employment. At present, they were carrying out periodic investigations in regard to clandestine employment in the sugar plantations. Illegal immigration from Haiti was very difficult to control. His country did not wish to carry out mass repatriation in applying, with police help, the laws concerning migration and health. Clandestine employment and its inherent wrongs derived from the social and economic conditions of Haiti.

In regard to Convention No. 98, he stated that no legal text prevented a worker, national or foreign, from enjoying the rights to live and to work, or to join a trade union, the organisation of which was provided for in the Labour Code. Haitian workers were, in every respect, entitled to the same rights in regard to employment as foreign or Dominican workers. Labour legislation was applied without any difference to foreign workers. Given that the 1983 Commission of Inquiry had taken place in an era in which Government authorities neglected to show the attention that it should have to a number of crucial problems, his Government had made a request to the Director-General of the ILO for a direct contacts mission to be undertaken in the Dominican Republic as soon as possible.

The Workers' members stated that this case had been discussed for several years but that the situation remained unchanged. A new and interesting element in this case was the official request by the Government for a high-level direct contacts mission to be carried out. This mission should look into all problems, it should involve the Government, employers' organisations and trade unions, and it should draw up recommendations in order to bring about the necessary changes in law and practice. Referring to Convention No. 95 they stated that this Convention represented protection for people who lived in acute poverty. As yet no satisfactory reply had been given, either to the observations of the Committee of Experts or to the recommendations of the Commission of Inquiry in regard to this intolerable situation. In regard to Convention No. 98, they regretted the violation of the trade union rights of rural workers who had been excluded from the provisions of the Labour Code, and that the Government had merely given a promise to consider draft legislation. They stressed the importance of the agricultural sector which in their opinion merited special attention. In relation to Convention No. 105 they referred to the unacceptable situation of Haitian plantation workers, which, although frequently illegal, was tolerated by the Government as well as exploited by employers. Having taken into consideration the good will that the Government had shown, they proposed that the case be mentioned in a special paragraph in order to emphasise the importance both of the problem and the Government's willingness to resolve it. They hoped that the mission requested by the Government would contribute to the improvement of the situation in the two countries.

The Employers' members observed that this case had been under discussion since 1973 and that according to the report of the Committee of Experts specific replies to important questions had still not been received. In regard to Convention No. 95, the 1983 Commission of Inquiry had made specific recommendations for wage protection. In particular, this concerned the payment of wages in negotiable vouchers, and the observance of minimum

wages on sugar plantations where wages were based on output, that is, on the quantity of sugar cane harvested. The Government representative had not replied in a specific manner to any of these questions. The situation was the same for Convention No. 98. The Commission of Inquiry had drawn up a series of recommendations in regard to the application of this Convention to Haitian workers who were employed on sugar cane plantations. No specific measures had been taken in response to these, and the statement by the Government representative confirmed previous statements on the difficulty in controlling those people who had entered the country illegally. In reference to Convention No. 105 the Report of the Committee of Experts indicated that although Haitian workers were not legally hired but were obliged by force to carry out the work in the Dominican Republic. The Government had mentioned illegal immigration and the problems therein, but had not given any information on whether or not new agreements between Haiti and the Dominican Republic had been concluded. The Employers' members considered that the only new item in the discussion had been the proposal to send a direct contacts mission, but this did not alter the fact that the Government representative had not mentioned anything which had actually changed the situation or would change it in the future. They remarked that three important Conventions had been violated in the Dominican Republic and regretted the discrepancy that existed between the standards and their application.

The Government representative of Haiti announced his satisfaction with the statement made by the Government representative of the Dominican Republic in which he spoke of the willingness of his Government to put an end to the errors which had been made in the past. However, he was surprised that the requirement to observe the Conventions was considered to be a punishment and that Haitians had benefited from the good will of the Dominican Republic when this behaviour was in any case required by the Conventions. The case caused great anxiety to his Government and was of great interest to Haitian citizens. He considered it opportune that a direct contacts mission was to be undertaken but stressed that the carrying out of this mission should not end the discussion of this case by the Committee.

The Worker member of the Dominican Republic stated that Convention No. 98 continued to be violated by private and public employers and that the Labour Code contained provisions which did not comply with the Convention. As well, in one specific case, in the Dominican Republic the Executive Power had frozen the application of a collective agreement. Notwithstanding this, the present Government could not be accused of having an anti-trade union attitude. Recently tripartite dialogue had taken place and had led to a draft amendment being presented to the National Congress to change those provisions which did not comply with Convention No. 98. She stated that Haitian workers were members of trade unions, with rights to vote and be elected. The problem which did exist affected all workers and concerned the establishment of trade unions.

Referring to Convention No. 95 she said that the problem of the exclusion of agricultural workers from the Labour Code continued to exist. In relation to Convention No. 105 she remarked that there was a problem, which was widely known. She believed that if the Dominican Republic was traditionally going to seek Haitian workers for sugar cane harvesting, the Government was obliged to offer these workers normal and adequate living and working conditions. She stated she was satisfied with the present positive attitude of the Government, which was aware of the problem and had proposed that a mission visit the country in order to find a solution to the problem.

The Worker member for the United States of America emphasised the importance of the case which had now been discussed by the present Committee for the fifth consecutive time. Noting that the case concerning Convention No. 105 had appeared in a special paragraph in 1984 and 1987, he insisted on the necessity to undertake action, which could take the form of a direct mission.

The Workers' members proposed that the text of the conclusion appear in a special paragraph of the report of the present Committee. They stated that they were satisfied with the frank and constructive discussion which had taken place.

The Employers' members agreed to the Workers' members' proposal. They repeated that the special paragraph was not a penalty but highlighted a particular problem. They hoped that the text of the special paragraph would reflect the hopes that the direct contacts mission had given rise to.

The Committee took note of the information provided by the Government representative, as well as the extensive and detailed discussion which took place in the Committee while expressing its concern as regards the situation. The Committee welcomed the proposal made by the Government to invite an ILO direct contacts mission. The Committee expressed the hope that this mission would assist in removing the various discrepancies which existed regarding the application of these Conventions as well as others

covered by the Commission of Inquiry in 1983, and that the Government would be able to report progress in law and practice the following year. The Committee decided to include this case in a special paragraph of its general report.

Ecuador (ratification: 1962). A Government representative stated that his country had ratified the Convention freely and in good faith, with no reservations whatsoever, since both the wording and the spirit fully coincided with national legislation and with the guiding principles of its democratic life. From the very beginning of its existence as an independent and sovereign State in the first part of the 19th century, Ecuador had proceeded to abolish and penalise all forms of slavery. During 150 years it had developed its institutions in such a way as to render impossible any form of forced or compulsory labour in its territory. The legal system and Constitution of Ecuador guaranteed the exercise of all political rights and the basis human rights to all citizens. Nevertheless, work was considered to be a right, a duty and a social honour which was not imposed on anyone except in cases of *force majeure* that might affect the community and ought not, could not, be considered as forced labour. This was in line with Convention No. 29, which his country has ratified as well. The right to strike was constitutionally guaranteed and fully protected by Ecuador's labour legislation, which was one of the most advanced in the world. Striking workers had the right to remain in the enterprises; the public authorities were obliged to protect them and stop any strike busters. Job security was also guaranteed by legislation for strikers, and if the strike was declared legitimate the employers was obliged to pay his workers their wages for the duration of the strikes. When Ecuador has ratified the Convention no one had any idea that this instrument could be used as a pretext for destabilising the legal order of the State as regards the provisions protecting internal public order and guaranteeing the practical exercise of human rights. If the legal provisions enabling the State to exercise its authority in guaranteeing social order were eliminated, the rule of chaos and violence would only be hastened. The Committee of Experts had requested the repeal of Decree No. 105 which prohibited and penalised acts of rebellion, sedition or resistance to the authorities. The Government representative stated that this Decree applied to situations in which individuals obstructed public roads by setting up obstacles, lighting fires, throwing incendiary bombs, etc., and forcing workers to leave their jobs against their will. This had nothing to do with the right to strike. There were offences, yet the penal law of Ecuador actually sanctioned such acts in a very benevolent manner. The Government representative noted with satisfaction that the report of the Committee of Experts no longer required, as it had previously, that the articles stipulating the sanctions which could be applied to such acts should be deleted from the Penal Code. He explained that these sanctions allowed the re-education of the convicted person, hastened their probation and contributed to their rapid reinsertion into society through freely chosen work. The demands of the Committee of Experts were tantamount to pressure for dismantling the State and were based on an exaggerated interpretation of the Convention's provision. He asserted, that by refusing to consider these unfounded claims, his Government, whose term of office would end in a few days, had only done its duty of safeguarding the national interest. As regards the request for deleting Article 165 from the Maritime Police Code, the Government had already informed the Committee a few years ago that a new Code was in preparation. This was a complex and technical topic which was of special interest and relevance for the national armed forces. The Government did not wish to obstruct this delicate process which should end before the National Congress, but wanted to make it known that it was in favour of eliminating the article in question. Nevertheless, merchant marine crews were subject to the Labour Code as regards their working conditions, including the right to resign subject to giving due notice to their employer. Only when the ship was away from its home port would the crew be subject to Article 165 which prohibited them from deserting and required them to obtain their captain's consent before leaving ship in a foreign port.

The Employers' members noted that the report of the Committee of Experts raised two questions on Convention No. 105. The first which was closely linked to Convention No. 87 was discussed this morning. A 1967 Decree (No. 105) allowed for the imposition of prison or forced labour sentences for all offences related to collective stoppage of work. The prerequisites for invoking this Decree were paralysis of communication networks and similar anti-social acts. The Decree therefore allowed for a vast number of possibilities for imposing such sanctions if the Government wished to do so. The Employers' members were obviously not in favour of unlimited freedom to strike, but Decree 105 imposed rather excessive restrictions on trade union activities. For this reason, the Committee on Freedom of Association had also recommended the abrogation of this Decree, although it seemed that

the Government of Ecuador was rather reluctant to do so. The Employers' members could not accept the position of the Government and fully supported the conclusions of the Committee of Experts that the Decree contained excessive possibilities for imposing prison labour and forced labour sentences, in contradiction with Convention No. 105. The second question concerned the prohibition for crew members to ask to leave ship in any port; offences were punishable by forced labour or prison sentences. For obvious safety reasons desertions should be prevented or stopped but this could be done through dismissals or other sanctions, and not necessarily by automatically imposing prison or forced labour sentences. It would be desirable to modify this Decree during the revision of the Maritime Police Code; all the more so because such a modification had been announced in 1971. If they understood the Government representative correctly, his Government was favourably inclined to consider such a modification. The Employers' members therefore believed that the Government should provide more precise information on its intention. They expressed the wish that these modifications would be introduced in the Maritime Police Code.

The Workers' members also referred to the same two points and recalled the conclusions of the Committee on Freedom of Association on Decree No. 105. They noted that the Government of Ecuador had already been mentioned in a special paragraph last year in connection with Conventions No. 98, 105 and 87. On that occasion the Committee had requested the Government to take all the necessary steps to modify the relevant provisions in national legislation in order to ensure conformity with the Convention. In the meantime, the Committee of Experts, having considered the comments supplied by the Government, had made a further appeal to the Government to amend Decree No. 105. The Government representative had not indicated in this discussion that this would be done. They also hoped that the Government would give effect to the recommendations of the Committee of Experts and the Committee on Freedom of Association to modify Decree No. 105. As regards the second point, the Government representative had stated that his Government was preparing a new version of the Maritime Police Code but that it had not been finalised. He had also insisted that the supervision of the application of international Conventions should not have a negative effect on this process. The Workers' members regretted this statement, because the Committee's work was intended to help governments bring their legislation into conformity with ILO Conventions and not to obstruct such efforts. They hoped for progress in the very near future on the Maritime Police Code.

The Employers' members, in the light of the preceding discussion concerning the Government's position and the lack of progress noted with regard to the recommendations of the Committee of Experts and of the Committee on Freedom of Association, requested that this case be mentioned in a special paragraph.

The Workers' members supported the request of the Employers' members.

The Employers' members, in the light of the preceding discussions, the position of the Government, and the lack of progress observed with regard to the recommendations of the Committee of Experts and the Committee on Freedom of Association, requested that their case be mentioned in a special paragraph.

The Worker member of Ecuador thanked the Employers' and Workers' members for their statement which faithfully reflected the real problems in his country. Referring to the statement by the Government representative, he indicated that legislation in his country did provide for the right to strike, except for public servants, but in order to strike it was necessary to follow a tortuous procedure provided for in the Labour Code. Even when strikes were legal, employers had used mercenaries to remove workers on several occasions. In 1986 when the workers of Plásticos Naciones were on strike, a trade unionist named Bernardo Soledispa was killed while escaping from mercenaries. As regards Decree No. 105, he stated that many of its provisions had been inserted in another decree concerning national security. Since political violence was punishable under that latter decree, it was necessary to repeal Decree No. 105 which had been applied in particular against strikes by teachers in 1975, and workers of the Astra sugar refinery in 1976.

The Worker member of Argentina stated that he supported the request of the Committee of Experts to remove Article 165 from the Maritime Police Code. This article, which required workers to obtain the captain's consent before leaving ship, gave rise to situations of forced labour. In Ecuador's case the situation was all the more serious because Ecuador had ratified only a few ILO maritime Conventions, if any at all. He stressed that if a crew member left ship or resigned this did not endanger the lives of the crew, the cargo or the boat since regulations provided that any member of the crew should be replaced. Moreover, Article 165 was inhumanitarian as it took no account of family or other personal reasons that might cause a crew member to leave ship.

The Government representative was pleased that it was possible to continue the dialogue on the application of the Convention, but recalled that last year he had been unable to speak on the issue since he had not been given the floor. He stressed that Article 165 of the Maritime Police Code had nothing to do with the Convention. ILO Conventions were interlinked and Convention No. 29, Article 2, stipulated that the expression "forced or compulsory labour" did not any work or service that was required of any person as a consequence of a conviction include in court, provided that the said work or service would be carried out under the supervision and control of a public authorities, and that the said person would not be hired or placed at the disposal of private individuals, companies or associations. Consequently he could not understand why the Committee of Experts had considered as forced labour what Convention No. 29 did not consider as such. The special law for the application of sanctions had modified the corresponding provisions of the Penal Code, and this special law prescribed work as a tool of rehabilitation. The convicted person could maintain the upkeep of his family with the remuneration he received for his work, and obtain probation before the end of his sentence. Such work was also humanitarian as it allowed the convicted person to be busy and reinsert himself into society after he had served his sentence. Consequently, work was something that was beneficial for the convicted person. Decree No. 105 applied to situations of collective violence and collective work stoppages. In regard to prescribed sentences Article 606 of the Penal Code, which concerned third-class offences, was applied. In conclusion he stated that the debate had drifted into areas which were completely outside the terms of the Convention.

The Committee took note of the information given by the Government representative. It recalled that this case had been discussed in 1987 and on many previous occasions. It noted that the current information showed that the Government was not willing to amend one aspect of the shortcomings mentioned by the Committee of Experts. The Committee expressed the hope that the Government would soon take the necessary measures to amend Decree No. 105 and the Maritime Police Code so as to ensure full conformity with the Convention, and that at the next Conference it would be possible to note real progress. The Committee decided to mention this case in a special paragraph of its report.

The Government representatives made the following declaration: The Government of Ecuador could only express its concern with the fact that it was possible to use Conventions such as this so as to interpret them in a spurious fashion, outside the obligations established in the text in order to demand idiosyncratic reforms to national legislation, by exerting pressure through inquisition-like procedures.

Haiti (ratification: 1958). A Government representative wished to recall that the direct contacts mission had been sought by the Government, which believed that the best means of obtaining results lay within a precise legal framework, such as the procedure, standards and practice of the Committee offered. Concerning the question of the recruitment of Haitian workers for the Dominican Republic for work in sugar cane fields, no accord existed between the two countries since 1986.

The Workers' members lamented the fact that despite consistent examination of the problems through direct contacts and the Commission of Inquiry in 1983, and full discussion of the matter in the Conference Committee, there had been a tortuous succession of grievous infractions of this Convention. In 1986 the Workers' members had emphasised the serious conditions which persisted in spite of the political change which had taken place. Understanding that the Government had now formally requested direct contacts, they called for real progress in this particularly egregious case.

The Employers' members did not think that the Government representative had provided much information, and no report had been provided by the Government. The Government was making things somewhat too simple for itself; when this case was last under discussion in 1986, it had already stated that there was no more recruitment of Haitian workers to work in the Dominican Republic. Then in October 1986 the Minister of Labour had amplified this by saying that no more migration programmes were to be organised. Yet without doubt there were still many Haitian workers in the Dominican Republic. The point was not whether a legal migration programme for seasonal workers was to be organised; it was the existence of considerable problems involving Haitian workers in the Dominican Republic that mattered. The citizens of Haiti need the protection of their Government. The Employers' members urged the Government to reach an agreement with the Dominican Republic aimed at protecting these workers. In their view, the matter had not been satisfactorily settled.

The Worker member of the Byelorussian Soviet Socialist Republic thought that the view of the Workers' members had been

put forward well enough. He believed that the present Committee should not confine itself to a discussion of Conventions Nos. 87 and 105 since, as pointed out in the Director-General's report to this session of the Conference, the situation involving freedom of association under Convention No. 87 was very closely connected with the over-all human rights situation in a given country.

The Government representative repeated his Government's concern regarding the question of Haitian workers in the Dominican Republic. Its citizens were, after all, at stake. A suggestion had been made that reaching an accord with the Dominican Republic would solve the problem; he wondered how that could be so when the reprehensible events took place principally on the other side of the border. His Government wished to have such an accord and thought that the direct contacts mission would clear the way for one to be reached. One approach did not exclude another.

The Committee took note of the statement made by the Government representative. The Committee noted that although no recruitment was being organised in Haiti, there remained grave problems affecting Haitian cane-cutters in the Dominican Republic. The Committee therefore welcomed the request for a direct contacts mission and hoped that it would be possible to make arrangements for the Government to be informed about the situation of Haitian cane-cutters in the Dominican Republic, and to intervene for their protection. The Committee hoped that the Government would be able to report positive development in this respect in the near future.

Pakistan (ratification: 1960). A Government representative stated that, under the provisions of the Industrial Relations Ordinance 1965, violations of collective agreements by employers and workers alike were punishable by law. He reiterated the position of his Government that nobody had been punished in the recent past under the provisions of that Ordinance. The penalties provided therein were only to ensure that employers and workers respected the collective agreements they concluded through the process of collective bargaining. As regards the observations of the Committee of Experts on the provisions of section 298(b) and 298(c) of the Pakistan Penal Code, he explained that forced labour as a result of religious discrimination did not exist and was forbidden under the Constitution and laws of Pakistan. With regard to the observations of the Committee of Experts on certain provisions of the West Pakistan Press and Public Ordinance 1963, he reiterated the view of the Government as stated in its latest report that the conviction of offenders by courts of law for specific offences did not fall within the scope of the Convention. The courts therefore had discretion in awarding punishment according to the gravity of the offence.

The Workers' members observed that, once again, the statement of the Government representative was disappointing, being identical to the ones given in the preceding sessions of the Conference Committee. They could see no progress, not even in the co-operation with the Conference Committee. The Committee of Experts had specifically recommended to the Government of Pakistan to revise sections 298(b) and (c) of the Penal Code, yet the present Committee had been given no indication about any follow-up to this recommendation. The situation in this case was no different from the one regarding Convention No. 29 and the Workers' members suggested that this case be mentioned in a special paragraph in the report together with the indication that other measures would have to be taken at the next session should no change occur by then.

The Employers' members stated that they agreed with the Workers' members. The Government representative of Pakistan did not provide any satisfactory reply to the four separate questions listed in the Committee of Experts' report. First, there were excessive powers of the authorities which could lead to forced labour, in particular on political grounds; the Committee of Experts had requested details on the practical application of this law. No such details had been given, in spite of the declaration that the law was not being applied to impose forced labour. At the very least, the Government should have provided copies of court decisions that had been made in practice. Second, compulsory labour could be imposed to enforce labour discipline under various provisions of the Industrial Relations Ordinance and the Merchant Shipping Act. If, as the Government stated, this was not applied, then the law should be modified accordingly. As regards the Merchant Shipping Act, amendments had even been envisaged previously but there had been no more reference to these at the present sitting of the Committee, so there was a step back. As regards the sanctions concerning anti-Islamic activities, the Government had stated that there did not exist any practice leading to forced labour as a result of religious discrimination; in that case also, the law should consequently be revised if it was not used, but no such plans had been announced by the Government. Therefore, the Employers' members shared the view of the Workers' members that no progress had been accomplished, and that the

present Committee had to maintain its position as in the previous year.

The Government representative reiterated his Government's declaration that the Constitution of the Islamic Republic of Pakistan guaranteed certain fundamental rights. As regards sections 298(b) and 298(c) of the Penal Code, the Constitution forbade discrimination on grounds of race, religion, etc. The Superior Courts had judicial review powers and if any party claimed that certain laws were discriminatory they could challenge those laws in court. He had already explained that forced labour as a result of religious discrimination was non-existent and forbidden under the Constitution and the laws of Pakistan. As regards the Merchant Shipping Act, a Bill had been introduced in the National Assembly to amend the relevant sections (100-103), but, due to the dissolution of the Assembly and the forthcoming elections, no progress could be made. He concluded by stating that the position of his Government had already been explained in its latest report, so he felt no need to repeat something that had already been submitted to the Committee in that report.

The Committee noted the explanations given by the Government representative. As the main issues raised had been repeatedly discussed previously, the Committee again expressed its serious concern and urged the Government to take very shortly the necessary measures to put its legislation and practice into conformity with the Convention, and to supply the detailed information requested by the Committee of Experts. The Committee decided to mention this case in a special paragraph of its General Report.

Convention No. 106: Weekly Rest (Commerce and Offices), 1957

Syrian Arab Republic (ratification: 1958). A Government representative recalled that in its observation the Committee of Experts had taken note of Article 43, of the State Personnel Act No. 1, 1985, which referred to the weekly rest of such personnel. On the other hand the Committee of Experts had regretted that the Government's report provided no new elements on Article No. 120 of the Labour Code concerning the temporary exceptions to the weekly rest and insisted on the necessity to ensure compensatory rest to all the workers affected by such exceptions. The question here was simple and clear. The Government representative asserted that the legislative provisions in the Syrian Arab Republic totally conformed to the provisions of the Convention. In support of this information he referred in great detail to the various laws that concerned the problem of weekly rest, the violations of which were punishable according to the Labour Code. The Committee of Experts had only requested that Article 120 be modified in order to establish clearly the obligation to grant one day of compensatory rest to workers working on the weekly day of rest. The Government representative referred to a series of considerations in relation with the interpretation of Article 120 stating that it was in conformity with the Convention. He added that in response to the Committee's request, a draft amendment to Article 120 has been introduced in 1984 and that it was still being examined. The Committee of Experts would be informed of the results of this examination.

The Employers' members thanked the Government representative for his statement and observed that, as he said, this was indeed a very simple matter: ensure compensatory rest to workers affected by the provisions of Article 120 of the Labour Code concerning temporary exceptions to weekly rest. This matter was dealt with by the Committee of Experts for a long time and it was still not clear that the compensatory rest was guaranteed. The very detailed information on the legal provisions and their interpretation provided by the Government representative should be communicated by the Government to the Committee of Experts, which dealt with the complex legal questions that the Conference Committee was unable to examine. The Government has indicated, and this was confirmed by the Government representative, that a draft modification of Article 120 was being examined to clarify the matter of compensatory rest. The Employers' members expressed the hope that the Government could carry out its intention of clarifying the matter of compensatory rest and that it could soon be able to indicate this to the Committee of Experts so that the present Committee would finally be able to decide to terminate the debate on this matter, after so many years. In the present circumstances the Committee was unable to say that there was no need to bring this question up again for discussion.

The Workers' members associated themselves with the comments made by the Employers' members. They were surprised by the statement of the Government representative that there was total conformity between the legislation and the Convention since it concurred neither with the observations of the Committee of Experts, nor with the fact that a draft modification to Article 120 of the Labour Code was being examined in his country. They underlined that this matter had been discussed for many years and

although the Government had stated on several occasions to the Committee of Experts that it would give effect to paragraph 3, Article 8 of the Convention, it had still not adopted the measures required to guarantee the application of this Convention. Referring to the complex legal topics mentioned by the Government representative, the Workers' members stated that these comments should have been considered by the Committee of Experts prior to being discussed by the present Committee.

The Government representative stated that the draft amendment of Article 120 of the Labour Code had first to go through the Council of Ministers and then through the People's Council. That was why, just like in other countries, this modification could not be done overnight. Nevertheless, the Government was following this question very closely.

The Employers' members thanked the Government representative for having clarified that his Government was taking the necessary measures to modify the legislation with a view to bringing it in conformity with the Convention. They requested him to transmit to the Government their wish that this process be accelerated.

The Committee took note of the details and explanations given by the Government representative. Since the Committee of Experts had referred for many years to discrepancies in the national legislation, it hoped that the Government would soon take the necessary measures in the light of the comments of the Committee of Experts.

Convention No. 107: Indigenous and Tribal Populations, 1957

Bolivia (ratification: 1962). A Government representative recalled that the Committee of Experts requested information in reply to questions on the situation of forest-dwelling indigenous populations and expressed its concern with the ownership rights of these populations and on the demarcation of lands occupied by them. He stated that the detailed information requested by the Committee of Experts had not been processed yet but would be dispatched within the period ending 30 June 1988, as requested by the Committee of Experts. They could nevertheless give some information of a general nature. Bolivia was a pioneer country in helping and protecting rural populations. In 1952 it proceeded with an agrarian reform which constituted one of the most significant and extensive actions in the region. In this manner ownership rights were granted to indigenous populations and this coincided with the introduction of universal vote in the country, through which unqualified rights of citizenship were granted to indigenous populations in order to enable them to preserve their culture, and their economic, political and social rights. This reform enabled the country to evolve out of its semi-feudal situation. The agrarian reform was very successfully applied especially in the Andes and the valleys, where 95 per cent of the indigenous populations were living. In the eastern zones of the Amazon, inhabited by few indigenous communities, the agrarian reform had not been applied, due to structural reasons, in particular insufficient state resources, the vastness of these Amazonian regions, and the dispersion of indigenous groups which were mostly nomads. There was therefore a lot to do still in the Amazon regions. The President of the Republic followed this matter with interest as illustrated by the dialogue he recently held with representatives of the populations concerned, and he proposed to complete the agrarian reform that he himself had begun in 1952. Following a meeting of the President of the Republic with the Centre of Indigenous People and Communities of the Bolivian people in December 1987, a joint committee was set up, consisting of representatives of the Government and of the Amazon groups with the aim of undertaking the necessary action for solving the problems of populations in the Amazon regions. The Government had also requested the technical assistance of the Inter-American Indigenous Institute, organised by the Organisation of American States (OAS), in order to attend to the demands of the Amazon population. Finally, he thanked the ILO for having assigned an expert on indigenous population to the regional office in Lima. His country would certainly be able to benefit from the technical assistance of this expert.

The Employers' members recalled that the Government's report for 1986 had not provided full replies to the detailed questions raised by the Committee of Experts, although these questions had been discussed since 1982, and regretted that the Government did not have enough time during that period to prepare detailed reports. They expressed their concern with the impact of the agrarian reform on the drawing of land and property boundaries in forest areas inhabited by indigenous populations. The situation had become more complicated in view of the existence of programmes of colonisation and settlement for other non-indigenous populations in the same regions. They stressed the importance of drawing up clear borders so as to respect the rights of the indige-

nous populations and their ownership of their land. The Employers' members understood from the declaration by the Government representative that the Government of Bolivia was undertaking global efforts to solve this problem in the country in general, but the concern focused on regions that presented difficulties for the application of the present Convention such as the Amazon. They pointed out that the Government representative himself had recognised the existence of problems in that region and therefore invited the Government to provide a complete report on this issue, which should be solved as soon as possible, if necessary with external help. The ILO assistance requested by the Government in the framework of Convention No. 5, and in particular the direct contacts, should also cover Convention No. 107 so as to study this problem and take the measures required to apply the Convention in that region. They hoped that they would be able to note an improvement in the situation next year. In conclusion they noted that the problem was mainly due to a combination of discrepancies in the legislation and practice of the country and there could be no solution without taking account of the traditional rights of the natives. The ILO should contribute its experience and help in this. As the Government had provided no information in reply to the questions of the Committee of Experts, the Employers' members proposed that the application of the present Convention should be placed on the agenda of the seminar, as was mentioned in the discussion on Convention No. 105, so that progress could be observed next year.

The Workers' members regretted to have to discuss the application of the present Convention yet again this year. The situation is not satisfactory, since media reports testified as to how the indigenous and tribal populations were being chased away from lands they had occupied for a long time, because they had no ownership deeds. However, Article 7 of the Convention mentioned custom law. The situation was therefore not satisfactory. For several years, the Committee had stated that both legislation and practice had to be modified. This year, the General Survey on Convention No. 111 had described minority groups that were subject to discrimination, and a special Committee of the present Conference was reviewing Convention No. 107. They regretted that both legislation and practice were not in conformity with the Convention. On the basis of information received they feared that the agrarian reform would help certain illicit trades and cultivations that were causing great harm to the world, rather than help indigenous populations. The Workers' members asked the Government representative whether the future seminar referred to in the discussion on Convention No. 5, would also cover Convention No. 107. If these two activities were aimed at clarifying standards, it was absolutely necessary not only to discuss Convention No. 5, but also Convention No. 107 and Convention No. 111, for which a General Survey on discrimination had been prepared.

The Government representative stated that the agrarian reform undertaken in 1952 had granted land to 95 per cent of the rural population. The fact that the rest of the indigenous population had been unable to benefit from this reform was due to the vastness of the territory they inhabited, which was as big as France, for example. It was also due to the very difficult economic period that the country had experienced until 1985 with a hyper-inflation of 2,400 per cent a year. This situation had been overcome but has then been seriously shaken by the collapse of tin prices which had eroded 25 per cent of the national exports. He also underlined that coca did not grow in the Amazon regions. The Government had every intention of solving the problems of indigenous populations in the Amazon and therefore the President of the Republic had ordered the creation of a committee to study the matter. In reply to the question of the Workers' members, he indicated that in principle Convention No. 107 will be dealt with in the national tripartite seminar, but would not be its main theme. It would be dealt with in the same way as the other Conventions. He recalled again that the Government had asked the Inter-American Indigenous Institute for technical assistance and stated that his Government was thinking of establishing contacts with the ILO Regional Office in Lima to set up a new special programme concrete for Bolivia, benefiting from the appointment of an expert in indigenous populations.

The Workers' members hoped that the national tripartite seminar would give particular attention to all the important Conventions whose application presents difficulties, including Convention No. 107.

The Committee took note of the detailed information provided by the Government representative. It expressed its concern about the situation and hoped that the Government, taking into account the comments of the Committee of Experts, would take all necessary measures, with the help of the ILO and other organisations to protect the rights of the indigenous populations concerned in conformity with the requirements of the Convention. The Committee hoped that the Government would soon provide full information in this regard. The Committee hoped that the proposed

tripartite seminar would also pay attention to this Convention and would permit progress to be achieved.

Brazil (ratification : 1965). The Government has communicated the following information :

The National Indian Foundation (FUNAI) is assisting 221,194 Indians at the present time. It is pursuing two systems for protecting isolated Indians. The by-laws of FUNAI provide for the establishment of an indigenous council as a scientific and cultural advisory body to the President. However, this council has not yet been established. The aim of decentralisation is to initiate projects designed by the community concerned.

There are various regulatory standards applicable to access to indigenous areas. In general, the authorisation of the President of FUNAI, following the express agreement of the leaders of the indigenous community affected, is required. The means of granting authorisation differ when the exploitation of minerals or natural resources or the presence of religious missions or missionaries are involved.

In the case of new requests for emancipation, the procedure is the same as in the case of IBIRAMA. Any Indian who observes the requirements of the Brazilian Electoral Code may be a candidate for elective office, whether federal, state or municipal.

The draft Code will be voted upon only once the new Constitution has been promulgated. Various articles (some approved, some not) of that Constitution deal with indigenous populations. The Constituent Assembly has been concerned with the rights to land, the exploitation and exploration of resources and energy sources, the protection of the integrity and development of indigenous cultures, etc. There is effective participation of Indians in the local and regional administration of FUNAI. They are or may be consulted at all levels, including the legislative level. Parliamentary committees dealing with indigenous matters have suspended their activities for the moment.

FUNAI works actively in studying the repercussions of projects concerning indigenous populations and in finding solutions to problems. Projects developed by licensees of the Electric Company now involve FUNAI participation from the outset.

FUNAI has initiated legal proceedings seeking to restore land to the Pataxo Indians. The General Directorate of Lands (SUAF/FUNAI) is responsible for matters relating to clearing up land titles. With the aim of limiting the risks of invasion of land, FUNAI is seeking to prohibit entry to the areas of the indigenous populations and to install watchkeeping posts. FUNAI is actively participating in the process of marking boundaries of indigenous lands. There is no general standard for determining the form of indemnity.

Regulations have been issued under Decree No. 88,985. Various means of protection of indigenous communities have been adopted. The agrarian reform programme cannot affect indigenous lands in relation to the redistribution of national lands.

At the present time, there are 66 associations directed by Indians and advised by FUNAI which assess the value of rubber production, paying better wages and providing merchandise at lower prices. FUNAI does not encourage work by Indians outside the indigenous areas; it affords legal protection when necessary.

There has been no proposal drawn up for realising the objectives of the JURUMA Institute in concrete terms.

In addition a Government representative informed the Committee that the Brazilian Government had submitted its comments on the 1988 direct request of the Committee of Experts to the International Labour Standard Department. Referring to paragraph 4 of the observation of the Committee of Experts concerning the application of the present Convention he stated with the National Federation of Industry (CNI) considered that the Convention included principles the application of which would be extremely difficult, in particular, those provisions that referred to national sovereignty. Taking into account the fact that the CNI in Brazil was a very prestigious institution and represented a very important section of Brazilian society, its criticisms of Convention No. 107 clearly demonstrated the difficulties facing the Brazilian Government in applying a number of its provisions and in developing a consistent and appropriate policy regarding indigenous communities. The Brazilian Government did, however, not agree with the comments made by the CNI as regards the occupation of the indigenous lands. Such comments, on the contrary, indicated the correctness of the Government policy which, in its application, very often would run counter to strong interests. This was evident if one thought that the Government's goal was to guarantee about 80 million hectares of territory to the indigenous communities. The CNI mentioned that the conflicts with respect to the occupation of indigenous lands were due, *inter alia*, to the lack of proof of immemorial possession of many areas by indigenous populations which in his opinion was incorrect. The territory of an indigenous community was determined by a finding, prepared by anthropologists which defined the area to be delimited, taking into

account a number of factors, such as the area occupied over the past years, archeological sites and cemeteries, hunting lodges, and raw materials necessary for the cultural activities of indigenous groups, the area over which they ranged, etc. On the basis of this finding, a decree by the executive power declared the territory as indigenous in order to guarantee it as a lifetime usufruct for the indigenous community. The problem of the legal situation of the indigenous lands was something that provoked many comments. Consequently it was not superfluous to clarify that according to the Constitution all indigenous territories belonged to the Federal State. Such territories were inalienable and their permanent usufruct was only attributed to the indigenous communities.

Paragraph 5 of the observation of the Committee of Experts dealt with the comments made by the National Confederation of Industrial Workers (CNTI) according to which it recognised that the work of delimitation of the indigenous lands was continuing in Brazil, but it mentioned slowness of the process. It was a priority of the Government to guarantee the indigenous lands, whose delimitation was essential. Between 1910 and 1984 about 12 million hectares were delimited. Between 1985 and 1987 another 20 million hectares were delimited, which demonstrated the priority that the Government gave to this problem, especially considering the conflicts and the occupation of indigenous lands. It had to be taken into account that the continental dimensions of Brazil in many cases made efficient and rapid action of the Government difficult. Furthermore delimitation was an onerous process that often required financial resources which were not readily available. It also was a complex process because it meant that first the ever increasing number of invaders had to be removed, which sometimes made it necessary to have recourse to the support of the public forces. In many cases it was also necessary to displace the occupiers of the indigenous lands to other areas of the national territory, in a co-ordinated action between the National Indian Foundation FUNAI and the Ministry of Agrarian Reform.

Referring to the establishment of the Yanomami reserve (section 6 of the report of the Committee of Experts) he stated that its delimitation was not an easy task which would not be completed with the desired speed. He pointed out that this community was not to be found only on Brazilian territory; he affirmed that the process of delimitation was well advanced, in the concluding stage. The recognition of the territory which would be delimited by an Act of the Federal Government was concluded. The Government had adopted measures to guarantee the integrity of the Yanomami. To this end about 1,200 invaders had been removed who had occupied the area, and to this effect, the Government had to have recourse to the support of the military forces. The Government was fully conscious of the threats against the existence of the Yanomami. To the extent of its possibilities it would not allow this sort of threat to continue and with this objective, the delimitation and the conservation of the reserve, in spite of its cost, had priority for FUNAI. One project that recently was the subject of observations regarding Government action was the "Calha Norte" project. This project comprised the co-ordinated action of a number of Federal Government bodies. The goal of which was to implement a rational and integrated development process. Contrary to the concern of the ICFTU, the project would not have as a consequence the expulsion of the indigenous populations from their territories which were in the extreme north of the country, but would guarantee their permanency on those lands and would protect them from undue invasion. In the framework of the project, the FUNAI had been able to guarantee the demarcation of the indigenous lands as was the case of the lands of the Yanomami Indians. This process of demarcation had never been suspended as was affirmed by the ICFTU.

As regards paragraph 7 of the observation of the Committee of Experts, the speaker stated that the Presidential Decree to which the ICFTU referred, defined the demarcation activity of all indigenous lands of the country as a priority. The reference that was made to the fact that it was impossible to modify indigenous lands that had already been demarked before this process had been concluded resorted from the concern of the Government to develop intensive demarcation work and to use in the best possible way the resources available for this purpose.

As regards paragraph 8 of the observation of the Committee of Experts, he stressed that the "Calha Norte" project in no way banned indigenous presence in the frontier strip of 150 kilometres, but that this was destined to promote the demarcation of these lands. The principle of the preservation of this strip was not an innovation in the Brazilian legislation. Since the last century this strip was already provided for as a national security zone. Consequently, there was no intention of the Government to remove groups of indigenous populations from the frontier strips. Therefore, the permanence of the Yanomami in a territory of eight million hectares was guaranteed.

With regard to the observations made by the ICFTU in relation to the construction of highway BR-364 (paragraphs 9 and 10 of the

report of the Committee of Experts), the Government representative stated that contrary to what was affirmed, the construction of this highway had made the demarcation of the indigenous lands possible and had not provoked their expropriation. Furthermore, the Brazilian legislation did not permit the indigenous areas being summarily expropriated for purposes of building roads. As regarded the suspension of financing of the road project by the Inter-American Development Bank, he pointed out that what in fact took place was the reprogramming of the Bank's resources with respect to the demarcation of the indigenous lands, for action in the fields of education.

Finally, with reference to paragraph 14 of the report of the Committee of Experts, the speaker indicated that the new Constitution which was being drawn up at the moment and the promulgation of which could occur in the next few weeks, provided for a specific chapter on indigenous populations and their rights. The already approved draft recorded important achievements for the indigenous populations which, if they were maintained, would represent tangible progress as regarded the indigenous problem in Brazil. Amongst the measures which already were approved he mentioned the following: (a) the guarantee of demarcation of the entire area traditionally occupied by indigenous groups; (b) the possibility given to the indigenous groups to decide themselves on any activities that would take place on their lands; the right to charge royalties for the exploitation of mineral resources on their lands, which may occur with the approval of the indigenous populations concerned and with the approval of the National Congress; (c) the possibility was granted to the indigenous persons to have recourse to justice for defending their rights, free of charge, through the Federal Public Ministry; (d) the Federal Government committed itself to preventing any process of social disorganisation which could result in the loss of the indigenous communities' identity.

The Employers' members thanked the Government for the detailed information furnished but at the same time indicated that unfortunately this information could not substitute a report to the Committee of Experts which had not been presented for the second consecutive year. It was not the present Committee's task to examine such detailed information. The observation of the Expert Committee showed a great number of problems which undoubtedly were related to the country's dimension. In fact, 14 points had been raised which finally could be summarised in one sentence: the protection of the indigenous population. The details which were brought forward by the Government representative should be examined by the Committee of Experts. It was a problem as big as the size of the country; a question of organisation and delimitation of regions reserved for the indigenous population, and the supervision of the borders of these lands. It seemed that delimitation had not yet completely been carried out. Supervision was in the competency of the National Security Council. The 150 kilometres strip in the frontier zone in which, according to the Government representative, the presence of the indigenous population was at no time prohibited, also was in the competency of that Council. The information which should be sent to the Committee of Experts should be extremely accurate on this point. The protection of indigenous populations should be a permanent task. The increasing industrialisation of a country made this task even more difficult and the more this industrialisation developed the better measures of protection were required. According to the report of the Committee of Experts much was left to be done. Consequently, this problem required much energy and resources. Information on the adoption of the new Constitution had been presented and it was to be hoped that it would indeed be an improvement and not lead to further deterioration of the situation of the indigenous population. Once again, even though legal texts were important, they were of no use if they were not accompanied by concrete measures. For that reason they hoped that the Government would supply detailed information that would permit the Experts once again to examine the case and to note positive changes.

The Workers' members expressed their concern for the situation of the indigenous population. A Conference Committee is responsible for the revision of Convention No. 107 on Indigenous and Tribal Populations and they were confident that their work would advance quickly. Just as the Employers' members, they regretted that the oral information furnished by the Government had not been sent in good time to the Committee of Experts since at present it was not possible to examine it in total. The problem of indigenous populations particularly preoccupied the Workers' members since these minorities were subjected to ill-treatment not only in Brazil but in many other countries too. Very often, they were badly protected, their lands were invaded and they were killed. He referred to two telegrams in which the assassination of indigenous persons and the invasion of their lands by 20,000 people were reported. The problem of saving and protecting them did not only consist of delimitating the land but to ensure that this

was respected, and that the invaders were chased out and punished. Together with "Survival International", "Amnesty International", the National Federation Industrial Workers and the ICFTU they were concerned about the daily danger facing these populations and they agreed that the lands had to be delimited. It was necessary to adopt very concrete measures. The country was immense and there was a desire from many sides to exploit the natural resources very quickly. Thus it was to be hoped that the Brazilian Government would collaborate with the Committee revising Convention No. 107 and that it would not wait with delimitating the lands and protecting the indigenous populations until the Constitution would be adopted. They hoped that the Government would furnish better information than they had up to now.

The Worker member of the United Kingdom considered that it would have been more helpful for the present Committee if the Government representative, instead of giving his statement orally before the Committee, would have sent his report to the Committee of Experts. He regretted the Government's failure, over a member of years, to reply to the observations made by employers, trade unions, national and international, and the Committee of Experts itself. He also expressed his concern about the changing fate of the National Indian Foundation (FUNAI) since from time to time the Committee heard from the Government representative that the foundation had been strengthened, sometimes that offices had been sacked and that it had been reorganised. He also expressed his concern that there had been and there was a serious threat to the existence of Indians due to the occupation of their lands by mining concerns and other exploiters. To underline his concern, he quoted a letter from Amnesty International which he had received only recently:

On 8 January 1988, 60 Indian chiefs sent a joint letter to the President and to all members of the Brazilian Congress complaining about the FUNAI's improper handling of Indian affairs. They accused FUNAI of completely failing to assist the Indian communities which they complained are in a state of total neglect and destitution. Medical assistance is almost totally non-existent and work, health and education projects have virtually all be dropped. Apart from this, in Indian Communities there is increasing danger from invasion of their reservations by miner prospectors, timber merchants and small farmers. They also accuse FUNAI of misusing funds allocated by the International Development Bank for Indian assistance for paying overly generous expenses to their employees. In addition, the Chiefs allege that corruption is widespread and that many FUNAI staff receive bribes from mining and timber companies installed in the areas.

By quoting this letter he did not want to accuse the Government of perpetrating the crimes, but they existed and he felt bound to ask whether the Government was doing everything possible under the Convention to prevent abuses to the indigenous population. He requested the report to be placed on record because he thought that the Committee of Experts should examine that statement. It seemed to him that the case continued to be filled with contradictions and that despite the Government's statement both this year and on previous occasions the Indian population was still suffering. Even if these people were unable to speak for themselves and would not hear what was said in the present Committee, he hoped that the Committee could apply the necessary pressure on the Government to introduce the much needed reforms. The Government representative stressed that his Government was aware of the difficulties and problems involved in this matter but it was also firmly determined to face and resolve them.

The Committee noted the written and oral information supplied by the Government. In discussing this case last year, the Committee had expressed its concern about the situation. This year, the observation of the Committee of Experts referred again to comments received from national and international workers' organisations concerning allegations of serious violations of the rights of indigenous populations. The Committee noted the assurances of the Government that some positive developments were in the final stages of discussion as regarded constitutional arrangements for indigenous populations affairs. It must, however, again express its deep concern at the allegations of serious abuses and firmly hoped that the Government would provide full information on all the points raised in the comments of the Committee of Experts so as to enable the supervisory bodies to determine whether the requirements of the Convention were observed as regarded the legal and in particular physical protection of the indigenous populations concerned, and would take the measures necessary to ensure this protection.

India (ratification: 1958). A Government representative stated that the Government was keen to see that tribals displaced as a result of the Sardar Sarover Dam and Power Project were, as far as possible, being properly rehabilitated according to their wishes.

In regard to Article 6 of the Convention, the Committee of Experts had observed that it was too early to judge whether or not arrangements met with requirements of the Article. No comment was therefore required at this time. In regard to the observations based on Articles 11, 12(1), and 14 the Government did not agree with the view expressed by the Committee of Experts that recent occupation of government-owned lands did not mean that tribals had no land rights. The Government considered that traditional occupation of lands was different to the unauthorised occupation of clearly defined government or forest lands. Encroachment could not be considered either as "traditional occupation" in the meaning of Article 11, or as "habitational territories" in the meaning of Article 12(1) of the Convention. Ownership rights of the tribal populations for lands which they had traditionally occupied were recognised, but tribals who have illegally encroached upon government or forest lands could not now claim ownership rights under the Convention. As far as Article 14 was concerned the Government was fully committed to the provisions of the Convention and did not believe that there was any ground for complaint. Nevertheless the Government of Gujarat had been generous in regard to compensation. Under the Liberalised Rehabilitation Policy (dated 14 December, 1987) tribals who were illegally cultivating government or forest lands have been given substantial concessions. This policy has been well received by non-governmental organisations. The Governments of Maharashtra and Madhya Pradesh have updated their rehabilitation policies along similar lines. In reply to the points raised by the letters sent by the International Federation of Plantation, Agricultural and Allied Workers (IFPAAW) to the ILO, and by Survival International to the World Bank, he stated that all tribals willing to settle in Gujarat would be treated on par. The standard of living of oustees would be improved until they were integrated with the host population. Compensation for assets lost would be based on fair evidence and in accordance to current laws and individual grievances arising from resettlement would be looked into by the Narmada Control Authority. Efforts were being made by the three state governments to buy large tracts of land of acceptable quality so that resettlement of the oustees would not be fragmentary and that their communities would not be dispersed. Relocation to Gujarat had been proposed as it was there that new lands were to be brought under irrigation, but oustees would be resettled in their own state if they preferred. Encumbered land had not been sold to oustees except in one case which was now resolved. Land transfer to oustees was transferred to them in full and legal documents were only retained to safeguard them from further transfers.

The Workers' members stated that it was difficult to give an immediate response to the wealth of information which had been given by the Government representative. This information should be examined by the Committee of Experts. The various projects should be discussed with the interested organisations and with the representatives of the people directly affected by resettlement. They stated that it was of concern that those who were occupying land illegally had been excluded from making claims for the land being offered in compensation. They were also concerned that the three states were offering different solutions to the problem. The Government should ensure that treatment of the oustees by the three governments was uniform.

The Employers' members stated that a final evaluation could not yet be made on this issue. The dialogue on these numerous and complex problems should continue, especially in regard to the ownership of land and to compensation. It was not clear whether the provisions of the Convention were being respected or what concrete measures were being taken to ensure that adequate levels of protection and compensation were being offered. They emphasised that more detailed information and further discussion were needed.

The Government representative replied that the distinction between occupation over a long period and recent occupation must be maintained. Nevertheless, in Gujarat, oustees who were unauthorisedly cultivating land would be paid compensation and offered land, for which the cost would be recovered from the compensation paid. Landless oustees would also be entitled to land free of cost. The details of these measures would be given to the Office.

The Committee notes the detailed information supplied by the Government representative. It notes the very important human issues raised in the observation of the Committee of Experts which referred to comments received from the International Federation of Plantation, Agricultural and Allied Workers, and also to the real and considerable efforts made by the Government to alleviate the effects of displacement and settlement on the tribal populations affected by the dam project. It hopes that the Government will continue to supply information on measures taken with a view to ensuring the full application of the Convention in respect of all the points raised, taking into account the views and needs of the populations concerned and the comments received from the Inter-

national Federation of Plantation, Agricultural and Allied Workers.

Convention No. 111: Discrimination (Employment and Occupation), 1958

Chile (ratification: 1971). A Government representative stated that the Constitution of his country prohibited any form of discrimination which was not based upon individual capacity or ability and that this prohibition was guaranteed by an effective right to appeal to the courts. He recalled that Chile had appeared in the list of cases of progress in relation to this Convention, in view of the repeal of legal provisions which had in the past been the object of comments by the Committee of Experts. Referring to section 157(6) of the Labour Code, which the Committee of Experts had cited in its observation, he stated that this particular reason for termination of an employment contract referred to acts which had an effect on work and that there had been persons found guilty of having violated Act No. 12927 on state security whose employment contracts had remained in force even in state enterprises. In reference to article 8 of the Constitution, he stated that, in the eight years that provision had been in force, it had been applied only once to a person who was not an official and who had been found by the Constitutional Court to have engaged in constitutionally impermissible acts following a trial on charges of agitating for basic change by means of the use of force. As regards Act No. 18662 which issued regulations under article 8 of the Constitution, he indicated that this Act had the very purpose of defining the scope of the constitutional provision with greater clarity and precision. He then gave indications which, in the view of his Government, would clarify the concerns voiced in relation to article 8 and its regulatory Act. The first referred to freedom of opinion which existed in Chile and which extended as well to persons proposing significant reforms of the Constitution and of the institutions established under it. He then gave indications which, in the view of his Government, would clarify the concerns voiced in relation to article 8 and its regulatory Act. The first referred to freedom of opinion which existed in Chile and which extended as well to persons proposing significant reform of the Constitution and of the institutions established under it. He recalled that ten or so political parties, mostly opposition parties, had been founded in Chile. He stated in the second place that exclusions resulting from article 8 always required a court ruling and, in the third place, that article 8 penalised acts and not a person's intent. With regard to the powers granted to university rectors under certain decrees whose repeal the Committee of Experts had called for, he stated that, although there was no uncertainty in the situation, the Government would submit the matter to the competent authorities for consideration. In the case of the University of Chile, he affirmed that the rector of the university had given guarantees in relation to the just and equitable exercise of the powers conferred and that the special powers would be repealed automatically before the end of 1988. In reference to section 55 of the Statute of the University of Chile, he stated that in Chile no one was expelled from the university on the grounds of his or her political opinion, since that would be incompatible with the legal standards in force.

The Workers' members recalled that the application of this Convention by Chile had long been discussed by the Conference Committee, just as it had long been of concern to the Committee of Experts. The dialogue had been going on since at least 1978. The acceptance of dialogue was positive, but the situation in the country with regard to freedoms in general, and the application of this Convention in particular, were a cause for serious concern. While from time to time some progress or other act of goodwill could be noted from one year to the next, the situation remained truly worrisome. The Workers' members congratulated the National Grouping of Workers (CNT), who knew the situation from inside, for daring, under current political circumstances, to present comments which could in turn assist the Committee of Experts in relation to the application of the Convention. Where the Workers' members had looked for possible changes, the Government had instead confirmed a number of points. They could not accept the Government's argument that a legal provision which was recognised as being in non-conformity with the Convention was not being applied in practice and therefore had been tacitly repealed. As long as such legislation remained on the books, its misuse remained a possibility. This meant that article 8 of the Constitution (prohibiting any act of any person or group intended to propagate, *inter alia*, a doctrine advocating a conception of society, the State or law "of a totalitarian character or based on class warfare") was a catch-all for anyone who did not agree with the regime in power. The Workers' members, well aware of the dangers of applying criteria of political opposition in access to

training, employment or occupation, would continue to object to such provisions as long as they remained in force. In Chile, there was unfortunately still a risk that a person who did not agree with the president, the party or the trade union did not have access to appropriate employment and could be dismissed on that basis. Article 8 of the Constitution also provided that persons who had committed such offences were barred for ten years from access to any public post or position, and so forth. As the Committee of Experts had noted, this was in contradiction to the Convention. Although the Government representative had said that the provisions were not applied, and only involved persons excluded for reasons of security, individuals had in fact been affected by these provisions. Moreover, under section 157(6) of the 1987 Labour Code, an employer could terminate a contract of employment, without entitlement to compensation, on the grounds that an offence had been committed under the Act on state security. The Workers' members found the very possibility of resorting to such abuses to be unacceptable. In addition, the Government had said that there was nothing irregular going on in the universities, yet decrees granted broad powers to university rectors to terminate professors' and officials' contracts and to expel students without having to give any reason for the decision. The Workers' members would not be satisfied until such legislative provisions had been amended and the concrete facts had changed. They once again called upon the Government to take the steps necessary to ensure that, in accordance with the Convention, no one could be denied access to the university or other institution, or be expelled therefrom, for having expressed a political opinion. They asked the Government to state when and how the modifications in various laws and in practice would be made.

The Employers' members noted that in the course of the periodic discussions of this case the Conference Committee had always been able to see changes. Last year, in view of the adoption of a new law principally governing the public service, Chile had been cited as a case of progress in relation to this Convention. The remaining concerns the Committee of Experts had expressed in its pending observation began with article 8 of the Constitution, and a state security provision which did not seem to be self-executing but rather was applied by means of court decisions. The Government representative had confirmed that this has been applied in only one case to date. The Employers' members supported the Committee of Experts' request for information about any decisions reached in practice under those provisions and on any measure taken or contemplated to amend or repeal article 8 of the Constitution and Act No. 18662. The Employers' members also drew attention to the provision in the new Labour Code permitting termination of an employment contract under circumstances regarding which the Committee of Experts had expressed concern over the danger that political opinion could be the basis for such a decision. The Government representative had stated that this related only to punishable offences which had a direct bearing on work. The Employers' members seconded the Committee of Experts' doubts as to whether this provision was precise enough, and joined in the request for additional information. They recalled that the Committee had urged the government to re-examine provisions allowing for the termination of a worker's contract for conduct which had no bearing on the performance of duties arising from the employment relationship. In relation to the two points in the Committee of Experts' observations concerning universities, the Employers' members noted the Government representative's statements that the rectors' powers were confined to academic affairs and that no student had been expelled under the provisions in question. They welcomed the Government's assurance that it was open to re-examining this matter and hoped that the text of any new rules would be forwarded. They also supported the Committee of Experts' request for copies of court decisions; these would help to clarify the scope of application of the various legislative provisions at issue. The Employers' members noted that changes had taken place in the past. They took note of the Government's pledge to re-examine certain matters and of its mention of new rules to be drafted. Recalling the important referendum scheduled for late 1988 which might have an indirect effect on the application of this essential human rights convention, they looked forward to continuing the dialogue and to seeing positive developments in connection with ensuring full application of the Convention.

The Worker member of Colombia stated that taking account of the clear, precise comments of the Committee of Experts, the arguments presented by the Government representative of Chile were unacceptable. He considered that once again a statement of goodwill and promises was being made which, as experience had shown, would to a large extent remain unfulfilled. He considered that article 8 of the Constitution of Chile violated not only Convention No. 111 but also Conventions on freedom of association. He stressed that in the year marking the 40th anniversary of the Universal Declaration on Human Rights, violations of these rights

in Chile could not be passed over lightly. He referred to the case of the Socialist Party leader Clodomiro Almeyda, who had been found by the constitutional court to have personally violated article 8 of the Constitution and who had been made subject to the occupational prohibitions provided for in that article. He also thought that the provision of the Labour Code which permitted a worker to be dismissed without compensation on the basis of having committed a crime under the Act on national security, even if there was no direct bearing on work, also violated Conventions Nos 87 and 98 since a call for collective public action could be a crime under that Act. He noted that the provision referred to had not been amended when the new Labour Code was adopted.

The Worker member of Spain, referring to the Labour Code provision which permitted termination of a workers' employment contract on the basis of the commission of a crime under the Act on national security, esteemed the explanations provided by the Government representative to be insufficient. In fact, if exercise of trade union activities and the calling of strikes or work stoppages led to dismissal, this was in contradiction to the Convention ratified by Chile. This was also the case if workers were dismissed because they had been absent from work owing to their arrest or interrogation as a result of their political activities. He sought clarification of the situation of Messrs. Bustos, Labraña and Martínez, members of the national Grouping of Workers (CNT), who had been arrested for organising a strike in 1987, and of the present situation of about a 100 workers, including 17 trade union leaders, who had been dismissed from employment with the public railway company during negotiations seeking to have the company remain a public enterprise. He also referred to the Constitutional Court ruling involving Clodomiro Almeyda under article 8 of the Constitution, which amounted to a violation of Convention No. 111. He asked the Government representative to indicate if the Government would be in a position to amend article 8 and requested explanations in regard to the facts surrounding the killings of various teachers and trade unionists.

The Government representative reiterated his Government's position to the effect that the dialogue should lead to concrete action in terms of progress regarding harmonisation of the national legislation with international labour Conventions. Referring to the risk, mentioned by the Workers' members, that article 8 could be applied to anyone who expressed disagreement with the regime, he stated that this article penalised acts contrary to the legal and constitutional order and not criticism of the regime. He insisted that the Labour Code provision on reasons for terminating employment contracts was applied strictly within the framework of the labour relations system. He stated that in his country the workers enjoyed the right to strike, which, however, could be declared illegal if not exercised within the framework of collective bargaining; in such a case, the workers could always appeal. He indicated that a referendum on the presidency of the Republic was scheduled to take place at the end of 1988. As regards the three trade unionists referred to by the Workers' member of Spain, he stated that the Santiago Court of Appeals had overruled the decision of the court of first instance and that these people were now free. In connection with the strike at the railway company, which had taken place outside the context of collective bargaining, he confirmed that a certain number of workers had in fact been dismissed but that an appeals court was now examining their situation. He reaffirmed the willingness of his Government to hear the opinions of the Committee of Experts and the present Committee so that their views could be transmitted to the competent bodies with the aim of ensuring respect for international labour standards within the framework of national legislation.

The Workers' members had been very concerned about this case for a number of years, and their concern persisted. The Conference Committee had discussed the case in 1976, mentioned it in a special paragraph of its report in 1977 and 1978, discussed it again in 1979 and mentioned it in a special paragraph in 1981 and 1982. A mission had taken place in 1983 and the discussion had continued thereafter. On some occasions, it had been possible to note some progress. The Workers' members maintained their serious concern, however, particularly in view of the comments made by the National Grouping of Workers to which the Committee of Experts' report had referred. Despite all that the Government representative had said to minimise the possible application of article 8 of the Constitution, the danger remained that political criteria would be used to penalise workers in the social sphere. For this reason, the Workers' members wished the Committee's conclusion to be firm and crystal clear. If serious progress could not be noted next year, there would be a need to apply more stringent criteria in this case.

The Worker member of Chile referred to the extensive discussions which had taken place in the present Committee on the application of this Convention in his country. He recalled that many international instruments enshrined the protection of human rights: the Universal Declaration on Human Rights of 1948, the

International Covenant on Social, Economic and Cultural Rights, the International Covenant on Civil and Political Rights and, at the regional level, the Declaration of Bogotá. He thought the 1987 Labour Code contained provisions contrary to the Convention and should be amended. He believed that the constitutional provision that it took a plebiscite to amend the Constitution should be repealed.

The Worker member of Uruguay agreed with the statements made by the Workers' members of Colombia and Spain as well as by the Workers' members collectively. It would have been desirable to have present in the Committee the representatives of the National Grouping of Workers (CNT) who had made the comments regarding the non-observance of the Convention, but he was familiar with such situations since not so long ago his country had been under a dictatorship and at that time, the representatives who came from his country did not in fact represent anyone. In addition, he indicated that in Chile workers were dismissed for exercising the right to strike, as was very well known. He referred to the Government representative's statement that an appeals court had overturned the decision of the court of first instance in relation to the three trade union members of the National Grouping of Workers (CNT); the Government representative had failed, however, to mention that the Government had insisted upon going ahead with the proceedings. He wondered whether true representatives of Chilean workers would be able to participate in the Conference Committee next year.

The Committee took note of the information supplied by the Government representative. It recalled that this case had been discussed in 1987 and on many previous occasions. It noted with regret that recently adopted legislation had not eliminated existing problems, but had introduced further discrepancies with provisions of the Convention. The Committee again expressed its great concern about the serious problems that remained in legislation and in practice. The Committee again expressed the firm hope that the Government would very soon adopt the measures necessary to ensure full conformity with the Convention in respect of all the point raised, and that next year it would provide full information in this regard.

Czechoslovakia (ratification: 1964). A Government representative expressed the hope that the discussion would clarify a number of points which remained outstanding. His Government was not sure that the rather lengthy observation by the Committee of Experts provided the present Committee with sufficient insight concerning the issues under discussion. The Government did not object to the fact that the report concentrated on those partial aspects of implementation of the Convention where certain doubts had been expressed. Nor did it have objections to points 1(a) and (b) of the observation, which contained a chronological summary of the dialogue which had taken place over the past ten years. Subject to minor inaccuracies, that summary was an objective one. However, it referred to a situation which had been discussed a number of years ago. For the sake of the deliberations of the present Committee, his Government wished to explain briefly the nature of the problems involved. In reference to point 1(a) of the observation, involving the possible dismissal of a worker for engaging in activities prejudicial to the security of the State, as provided under section 53(1)(c) of the Labour Code, the problem had arisen in the past when, in a few instances, certain employers had interpreted this provision incorrectly. The Government had taken steps to avoid future misinterpretation. The only persons who could be dismissed under this provision were those who "endanger the integrity of the state order, the integrity of the state territory, defence capacity, international relations of the State and of state bodies and state secrets." In the Government's view, this definition was sufficiently narrow. This reason for dismissal had been intended for use in entirely exceptional cases connected with penal proceedings. Since the Government believed the respective provision of the Labour Code and the practice to be fully consistent with the exceptions provided for under Article 4 of the Convention, it saw no need for further discussion on this particular subject. Under point 1(b) of the observation, the Committee of Experts had referred to dismissal on the basis of a worker's failure to meet the criteria laid down by law for the performance of the job or for his or her non-fulfilment of requirements essential for the proper performance of his or her work. It was true that in the past certain wage regulations had contained a reference to political engagement. The Government had reviewed these regulations and certain other instruments. Copies of the respective texts had been sent to the Secretary-General and the Committee of Experts had taken them into account. The Government was disappointed that these amendments to legislation had not been cited as cases of progress by that Committee. As regards requirements of employment, the Government's position was that they were connected with the nature of the various jobs existing and could not therefore be laid down by law. Non-fulfilment of these particular require-

ments, that is, of the inherent requirements of the job, led to non-fulfilment of the tasks at work and could become a reason for dismissal. One problem had arisen in this respect: was the employer entitled to put forward, in addition to requirements manifesting themselves immediately in results at work, other types of requirements such as a moral or even political qualities? The Supreme Court of the Socialist Republic of Czechoslovakia had made a relevant interpretation concerning section 46(1)(e) of the Labour Code to the effect that in exceptional cases it was indeed possible, depending upon the nature of the job concerned, and that in a dispute submitted to a court of law, the employer had to prove that the fulfilment of such requirements constituted an essential condition for the proper performance of the job. Since that ruling, no cases had been handled by the courts, suggesting that for practical reasons employers were not using such reasons for dismissal. For a number of years the Government had had no problem with inherent requirements of the job, either in legislation or in practice. Turning to the newly introduced item appearing under point 1(c) of the observation, the Government noted that its attention had been drawn to the fact that in the Labour Code, "an improvement in ideological and occupational standards..." was mentioned in connection with labour discipline. It had never occurred to the Government that this statement of a general nature in section 72 could be related to section 77 of the Code, which dealt with penalties for breaches of labour discipline, or to section 46, which dealt with dismissals. The Director of the Labour Legislation Department of the Ministry of Labour had given firm assurance that there were no such cases in practice. The Committee of Experts had referred in this connection to the programme proclamation of the Government of the Slovak Socialist Republic in which adherence to the long-term political line was underscored. Although the Government failed to see any direct or remote link here with the issues of labour discipline, it understood that the Committee of Experts attached some importance to the matter. A discussion was now going on in the country concerning various changes to be made in the Labour Code as a consequence of current economic changes. In order to prevent various possible interpretations, an amendment concerning sections 72 and 74 dealing with labour discipline and with the matters referred to by the Committee of Experts was now under consideration. In conclusion to this section of the observation, the Committee of Experts had requested the Government to continue to supply information on statutory instruments, administrative instructions and court decisions made under the relevant provisions of the Labour Code. The Government would comply with that request. The Government had already looked into instruments governing the remuneration of workers who were excluded from the scope of the decree concerning technical and economic employees, and it would take up this subject in its next report under article 22 of the ILO Constitution. The Government did not, however, understand the request to indicate the measures taken or contemplated to repeal or amend all provisions which were inconsistent with the policies of equal opportunity and treatment. In the Government's view, this suggested that such provisions existed, whereas it was not aware of any. Nor apparently was the Committee of Experts; otherwise the observation would have mentioned them explicitly. The speaker then referred to point 2 of the observation, which had mentioned the Resolution of the Presidium of the Central Committee of the Czechoslovak Communist Party on cadres and personnel work. The Government wished to note that the Committee of Experts had not been unanimous in its view on this point. As stated by the Government in 1984 and 1985, both in writing and orally before the Conference Committee, in its opinion questions concerning the personnel policies of political parties did not fall within the scope of the present Convention. The Government's view was that its obligations under the Convention referred to national policies, that is, to the policies of the Government which found expression in legislation and practice (understood to mean the day-to-day implementation of legislation, the results of which were reflected, *inter alia*, in judicial decisions). All these areas were covered by the Government's regular reports under article 22 of the ILO Constitution. The Government did not believe that any reasonable conclusion would be reached by trying to develop the discussion any further in the present Committee. The Government considered that resolutions adopted by political parties had never been subject to scrutiny by supervisory bodies of the ILO, and it did not see why Czechoslovakia should be an exception. The Government therefore appealed to the members of this Committee not to discuss the role of political parties in personnel policies in connection with the case of Czechoslovakia. Such a discussion could take place, if at all, in a general framework, and should not relate to one selected country.

The Workers' members welcomed the opportunity to engage once again in a dialogue with the Government. It should come as a surprise to no one that the application of this Convention was coming under examination. Everyone agreed on the general prin-

ciples, but in practice there were still serious difficulties to overcome. As the Government had noted, this case had been under discussion for many years, during which certain progress had occurred through the adoption of a certain number of amendments to legislation and regulations. There was a growing openness in Czechoslovakia, but the situation remained delicate. This was perhaps due to the unitary political system or to the political party. It was difficult to keep quality of opportunity in employment distinct from problems arising on account of politics or political attitudes. There remained a major problem, in spite of the fact considerable efforts had been made. The dividing line between security of the State on the one hand and purely political opposition on the other was a fine one. The Workers' members questioned whether reasons involving the security of the State were really involved here; if they were, the Government was correct. But if it was a matter of political opposition which was punishable in the fields of vocational training, employment or professional qualifications, a contradiction with the Convention had to be recognised. The Government, in its report, had attempted to show that when problems existed, they were linked to inherent job requirements. In any country, it was the quality of work and occupational qualifications – purely occupational qualifications – which mattered; these had nothing to do with violations of the Convention. But once officials, i.e. persons having a certain level of professional responsibility, were considered, there was a problem if a person were deemed to be less qualified because of his or her political outlook. Being a good foreman or manager should have nothing to do with ideology or faithfulness to a party. Obviously, when persons were being hired by a political party itself, the Workers' members recognised that the party could not be forced to accept persons who were not loyal to it. But the Convention concerned all sorts of employment, in industry, services and administration, in which equality of opportunity had to be respected. As the Committee of Experts had noted, the situation in relation to officials had to be examined in regard to both law and practice. The Workers' members then cited section 72 of the Labour Code, which referred to "an improvement in ideological and occupational standards," *inter alia*, as a corollary of labour discipline. They could not swallow such a text. The Committee of Experts had clearly stated that a reference to ideological standards among the criteria for assessing compliance with labour discipline involved the possibility of discrimination based upon political opinion. Thus in spite of all that had been done by the Government, there was still a need to reflect on this matter as well as on the question of job requirements involving political or moral qualities. The Workers' members called all concerned to remain attentive to these problems which, they acknowledged, were delicate. But the Convention remained the Convention, and its interpretation could not vary from country to country. The adaptations already made by the Government were a good sign, as was the fact that the case could be discussed. The Workers' members considered that there were reasons for continuing to consider it in more depth.

The Employers' members pointed out that the case under discussion had long-standing origins, but recalled that there had been interruptions in the dialogue. The question had been discussed often but the heart of the matter remained unchanged: equality of treatment in occupation and employment without discrimination on the basis of political opinion. If the Employers' members had understood the Government representative correctly, the portion of the observation which provided a historical review was essentially accurately presented. The starting point had been the dismissal of workers because they had signed a document criticising the Government. The question was then posed as to the grounds on which workers could be dismissed. Three factors involving dismissals were noted under point 1 of the observation: (a) activity endangering the security of the State, (b) requirements of service and employment and (c) labour discipline questions. As regards requirements of employment, although the legislative provisions cited in point 1 (b) of the observation were almost neutral, the 1978 Supreme Court decision had stated that employees' civic engagement and moral and political qualities could be taken into account in relationship to employment. The Court had also indicated that the majority of cases related to requirements of a permanent character, such as moral and political qualities. In this connection the Employers' members disagreed with the Government; these points should not be neglected, because in many cases these requirements could play an important role. They believed the question posed by the Committee of Experts in seeking a more precise definition of the nature of the jobs for which there were requirements regarding civic engagement and moral and political qualities was entirely justified. The report of the Committee of Experts had also taken note of a clarification provided by the Government which had formally distinguished "criteria" from "requirements" in relation to the recruitment of workers. Here again were the criteria of political engagement, civic engagement and

political and moral qualities. The Government had stated on many occasions that this only concerned top management and only exceptionally other functions, thus somewhat minimising the political requirements. The Committee of Experts had rightly called for a more precise definition, and for a specification of the activities concerned here, and had therefore requested that the present provisions, rules and regulations be amended. In reference to point 1 (c) of the observation, regarding what is termed socialist labour discipline, the Employers' members drew attention to the fact that here, too, ideological standards were used. This warranted further reflection. The Employers' members had welcomed the Government's statement that provisions concerning labour discipline were under review. In contrast to denials made in the past, this showed that consideration was being given to improving the situation. They wished to hear more details about the direction the changes were going to take, their timing and so forth. Taking up point 2 of the observation, concerning the effect given to the Resolution of the Presidium of the Central Committee of the Czechoslovak Communist Party of 1970 on officials and personnel management, the Employers' members pointed out that the notion of officials, in relation to which political standards were applied, could be quite broad. In addition, its application was not limited in scope to party offices or highest political functions, but there were a number of decisions to give effect to the views of the party in other fields too. Addressing this topic, the Government had merely repeated its previous position: that this matter should not be under discussion because it was up to political parties to govern their own affairs. However, as the Committee of Experts had pointed out, party resolutions were given application far beyond the sphere of the party throughout society. This could hardly be otherwise in a country Constitution of which provides that the Communist Party plays the leading role in the State and in society. There was a close inter-relationship between the issues dealt with in point 2 and the labour law questions of job requirements and labour discipline considered in point 1. Separate treatment of point 1 and point 2 in the observation had given a distorted picture, which might be redressed in the future. When seen in context, political requirements in relation to labour discipline and party resolutions played a great role in the whole field of labour. As regards the comments mentioned in point 3 of the observation, it was no secret that it concerned job vacancy notices showing that adherence to a political line was required for altogether ordinary employment. The Employers' members were awaiting changes. For the moment, they had to settle for the Government's announcement that an examination of discrimination in employment was being undertaken – a very modest result. They hoped for improvements in the near future.

The Worker member of the United States associated himself with the remarks made by the Workers' and Employers' members. In relation to the comments received from the International Confederation of Free Trade Unions (ICFTU) on the application of the Convention in Czechoslovakia, he drew attention to Case No. 1402 of the Committee on Freedom of Association (253rd Report, November 1987). The Committee had reached conclusions, which were interim at the time, that the Government had dissolved a certain section of the Musicians' Union and had detained members and leaders of that section for continuing to engage in trade union activities. There had also been a seizure of the union's files and membership lists and the dismissal from employment of the chairman of that section. The speaker then reviewed the points the Committee of Experts had raised in relation to the leading role of the Communist Party, including responsibility for the selection and deployment of personnel and top management, which was however encroaching on other than policy-making functions and permeating other employment. He wished to have further elaboration from the Government on these points.

The Government representative stated that comments made in this discussion would be taken into account when the Government drew up its report under article 22 of the ILO Constitution. In regard to the dissolution of the section mentioned by the Workers' member of the United States, the Government of Czechoslovakia had submitted a detailed written reply to the Committee on Freedom of Association, and the case had been discussed at some length in the Governing Body. The Government considered it had demonstrated that the association in question was not a trade union and had never engaged in trade union activities. The dismissal from employment of the leader referred to had occurred in connection with penal proceedings for tax evasion and similar offences. In relation to the remarks made concerning requirements, and especially political requirements, his Government believed this had generated so much discussion because Czechoslovak labour legislation contained a concept concerning termination of employment which was different in comparison to that contained in the respective ILO Conventions and also that of most of the market-economy countries. Czechoslovak labour law did not

refer to the concept of valid reason for dismissal. Instead, a number of reasons were specifically enumerated in sections 46 and 53 of the Labour Code and only these reasons – and no others – could be invoked in letters of dismissal. On the one hand this was a guarantee for workers; on the other hand there were some difficulties. If the few reasons for dismissal provided for in the Labour Code were to cover the diversity of all the valid reasons, the provisions had to be worded in a fairly general manner. This involved the risk that they might be interpreted too broadly in practice. As the Employers' members had mentioned, past experience in the country had provided a few examples of this. Ever since Czechoslovakia had been regarded as having difficulties with discharging its obligations ensuing from ratification of the Convention, the courts, and especially the Supreme Court, had recognised the danger of a too extensive interpretation and had formulated an opinion or a clarification showing how the text of the law should be interpreted correctly. The crux of that interpretation appeared in the Committee of Experts' observation. To make things more complicated, that interpretation had been misunderstood by the ICFTU, and it had taken some time for the Government to explain and clarify the various elements contained in it. The Government hoped that the Supreme Court had now been able to achieve its objective of confining the practice of enterprises or organisations within the boundaries of the ILO concept of valid reason for dismissal. There was an additional guarantee of non-discrimination, namely that in judicial proceedings concerning a dismissal, the burden of proof always lay on the employer. On the distinction between requirements and criteria, one had to consider that criteria were laid down in legal instruments, for example in those covering the remuneration of workers. It was the job of the Government, in co-operation with employers and workers, to see to it that there were no criteria of a political nature in these legal instruments. With the amendments already referred to, these instruments now contained only occupational requirements for the performance of specific jobs, such as a diploma, occupational safety training and a minimum period of practice. Such criteria should be for specific jobs or for which jobs the political requirements were admissible or not. In 1985 the Government had tried to describe very generally the nature of jobs for which the requirements of political qualities and similar requirements might exist or be considered by the employers concerned. It could not be said that such requirements existed or not; this must always be decided on a case-by-case basis. As an example, many employees had access to state secrets but certainly not all of these jobs were subject to requirements of this type. It was the role and duty of the courts of law to decide, after full consideration of the cases involved, whether a specific requirement was inherent to the job or whether such a requirement was discriminatory in nature. With reference to the provisions of the Labour Code concerning labour discipline, the Government reiterated that an amendment was under consideration; it hoped to be able to report favourably on this in the next written report on the application of the Convention. On the remarks regarding the policy of cadres and of the Communist Party of Czechoslovakia, the Government representative stated that he was not authorised to discuss internal procedures of the Communist Party and of its organs. The comments made would, however, be brought to the attention of the people concerned. It should be taken into account in general that resolutions and other documents of political parties were not legally enforceable. They could not be treated on the same basis and on the same level as laws. If such resolutions or documents were to be evaluated by the supervisory bodies of the ILO, no member State would have a clear idea of the obligations it was undertaking when ratifying a Convention or of what it was supposed to do. The Government therefore asked the Committee of Experts to clarify in a general manner, for example in the general part of its report, the issue of relevance of political party documents with respect to the application of Conventions. His Government hoped that the dialogue had contributed to a better understanding of the situation in Czechoslovakia, that certain misunderstandings had been clarified and that some concerns had been dispelled.

The Workers' members thanked the Government representative for replying to most of the questions posed. The issue of cadres was admittedly delicate, but the Party also had to respect legal texts and the Convention. It should be borne in mind that certain job requirements were being imposed on some persons in relation to political, civic and moral aspects. There should be no confusion of these aspects; nor should there be abuses. The Workers' members strongly believed that a full application of this

Convention contributed to the economic efficiency of a country, since it was the professional efficiency and productivity of workers which should count above all.

The Committee took note of the information and explanations supplied by the Government in the discussion which had taken place. It noted that this discussion had begun many years ago. It also noted that progress had occurred over the years concerning some legislative provisions. However, the Committee noted, with the Committee of Experts, that there remained certain legislative and other provisions and government programmes in force in the field of employment which raised questions concerning the implementation of the policy giving effect to the Convention. The Committee noted with interest the assurance given by the Government representative that certain legislative provisions referred to would be re-examined with a view to their amendment. It hoped that the question raised with regard to government policy and administrative practice concerning officials would also be re-examined, in the light of the comments of the Committee of Experts, with a view to taking appropriate measures to ensure full compliance with the provisions of the Convention. The Committee hoped that the Government would soon be able to indicate measures taken or contemplated to this end.

Federal Republic of Germany (ratification: 1961). A Government representative welcomed the chance to answer on behalf of his Government the questions raised in regard to Convention No. 111, and to once again discuss this important issue which concerned human rights and which was a central concern in the Constitution in his country. The theme of human rights had received special attention this year as it was the 40th anniversary of important human rights instruments and was the subject of the Director-General's report. In the case of individual human rights questions it was necessary to take account of its relationship to other human rights instruments. The discussion with the Committee offered the occasion to analyse again, through dialogue, the multiple aspects of this complex questions. His Government had always made it clear that it considered that co-operation and dialogue with the supervisory bodies on standards were the decisive elements of the entire supervisory procedure, and its participation in this dialogue was not merely a formality. The Government respected the high political and moral level of the considerations and evaluations of the supervisory bodies, including those of the Commissions of Inquiry. The purpose and aim of such a dialogue was justified by the fact that by continuing and enlarging exchange of views all arguments would be taken duly into consideration. The Government was ready to participate in the necessary comprehensive dialogue but wondered whether the base required for such a full discussion existed already this year, mainly for the following three reasons: in the first place the Committee of Experts' report deals principally with the Governments' report which covers at the request of the Committee of Experts, the period ending 30 June 1987. However, it was only on 23 May 1987 that the Governing Body took note of the report of the Commission of Inquiry under article 26 of the ILO Constitution. The Government was therefore only given the opportunity to report on a period of five weeks. Secondly, the Commission of Inquiry did not fix a deadline according to article 28 of the Constitution and thus decided not to impose a deadline on the Government for the implementation of measures. It recommended, inter alia, that the Government supply detailed information in its annual reports on all the developments which had taken place, and the Government would fulfill its obligations to report. Thirdly the questions before the Committee were not only vitally important to his country, but were also of an extremely complex nature, which could be seen in the different evaluations made in the framework of the supervisory machinery. A first representation in 1979 did not lead to a negative evaluation of the legal situation. After a second representation, in 1985, the Governing Body, within the scope of its own competence, also was unable to establish that his country had infringed the Convention, but due to the complexity of the problem, it referred the question to a Commission of Inquiry. This Inquiry, carried out by three eminent international experts, failed to yield an unanimous result. Two of the experts considered that the practice at the federal level and in certain Länder was not in complete conformity with the Convention. The third expert stated that he was unable to accept these observations, conclusions and recommendations, as he felt that the Commission should have examined whether the measures adopted in the Federal Republic of Germany had been taken in order to protect basic human rights. His objection therefore fundamentally brought into question the basic findings of the other members of the Commission. In view of these fundamental contradictions it was not possible to conclude the dialogue by formally referring to the fact that there was majority opinion. The fundamental issues in question should also be discussed extensively in this Committee.

The Government hoped that a dialogue, based on detailed annual reports as the Commission of Inquiry had recommended, could be pursued in the future. Future reports would cover a longer period and offer the opportunity to discuss again all of the issues in order that this Committee would be fully conversant with the arguments of the Government and the manner in which the Government appreciates and respects the arguments of the supervisory bodies.

The Workers' member of the Federal Republic of Germany recalled that the Government had already had to reply to the present Committee on the application of the Convention; in 1981, 1982 and 1983, national practice in the application of provisions to examine observance of the duty of faithfulness to the free democratic basic order had been the subject of dialogue. The discussions on this questions were suspended while the issue was being examined under the representation procedure according to article 24 of the Constitution, and subsequently by a Commission of Inquiry set up under article 26 of the Constitution. The results of this in-depth inquiry were presented in February 1987. The Commission concluded that in several respects, measures taken to implement the duty of faithfulness to a free democratic basic order in regard to employment in the public services were not within limits authorised in Article 1, paragraph 2, of the Convention, which referred to inherent requirements of a particular job. Furthermore, the report noted that in all the cases examined there had been discrimination on the basis of political opinion and none involved anti-constitutional acts, let alone activities prejudicial to the security of the State.

The German Trade Union Confederation (DGB), following the publication of the report, asked the Federal Government as well as the Länder governments to bring their administrative practices into conformity with the provisions of the Convention, and it called on policy makers to amend national legislation, where necessary, if its application did not comply with the requirements noted by the Commission of Inquiry. At the same time, it emphasised that mere membership of a political party alleged to pursue aims hostile to the Constitution did not warrant general doubts about faithfulness to the Constitution. Likewise mere activities or candidacy for such a party could not, on its own, be considered as a violation of duties which it would justify exclusion from the public service. In order that disciplinary measures could be taken, it must be a necessary prerequisite to prove that the person concerned had engaged in activities which were concretely directed against a free democratic basic order. Political activity by public service employees should not be protected if violent or unconstitutional methods were used or advocated. This comment was communicated to the Federal Government in May 1987. In regard to the possibility of having a discussion at the present time, he believed that the report of the Commission of Inquiry, on which the report of the Committee of Experts had been based, provided an adequate basis for the discussion as it was the most complete and thorough documentation on these difficult problems. It had to be acknowledged that the Government had always supported the work of the Commission of Inquiry and had not only accepted the procedure but had also arranged contacts with all concerned. The DGB as well as its member unions of teachers and of persons employed in the postal service had had an opportunity to express their point of views. The DGB did not doubt that the Government had a legitimate interest to protect itself against activities turned directly against state security; these activities fell anyhow within the exclusion provided for in Article 4 of the Convention. However, the issue of security had never been concerned in the cases examined by the Commission of Inquiry.

The DGB was, however, concerned about the absence of action by the Federal Government, certain Länder, as well as subordinate authorities to heed the conclusions from the report and to remove those restrictions from employment which did not comply with the provisions of the Convention. In its report for the period 1 July 1986 to 30 June 1987, the Government reconfirmed its legal position without showing an intention to draw consequences from the report of the Commission of Inquiry. On the contrary, it had once again tried to demean the binding nature of the recommendations by referring to the minority position taken by one member of the Commission. The Government representative had done this again today. The DGB recognised that a fundamental change in practice could not be implemented rapidly in all cases, but it noted that in certain Länder where the parliamentary majority and governmental responsibility were held by other parties than at the federal level, practice did conform to the Convention, and following recent elections in one Land, the former opposition had, on assuming governmental responsibility immediately introduced changes to modify the practices which had been followed up to that date.

The DGB thus looked for a practice which was in conformity with the Convention to be extended to other Länder and to the Federal Government as well. It was up to the Government to

indicate that it recognised its obligation to change administrative practice and to show up a way towards the adoption of rules which take account of the recommendations of the Commission of Inquiry. If according to the Government, that would require legislative amendments, these should be introduced. The Government could not hide behind the interpretation of present statutes by independent courts. This was not to place to explain the positions of the different constitutional bodies in the country, but legislation as applied by the courts must be in conformity with the Convention which, following ratification, forms part of the law in force in the country. However, it was precisely the decision by the Labour Court of Oldenburg that had been referred to by the Committee of Experts in a positive sense which was quashed by a superior Court, and the Federal Administrative Court maintained its previous practice which denied the obligations noted in the report of the Commission of Inquiry. A considerable number of concrete cases were actually before the courts, but unfortunately developments should no tendency towards improvement. Moreover, if persons concerned had not gone before the Federal Constitutional Court it was because this Court had refused to consider similar complaints over the last years, as had been pointed out by the Commission of Inquiry in paragraph 456 of the report.

However, the Government representative might explain why the Government had not gone before the International Court of Justice in accordance with article 29 of the ILO Constitution, under which a government which did not accept the recommendations of the Commission of Inquiry could submit its case to the Court. Furthermore, the subject-matter of Convention No. 111 had not been considered in the decision of the European Court of Human Rights to which the Government had referred.

As the Committee of Experts noted in their conclusions, the Government had not taken any measures towards the amendment of existing legislation or current practices and it had stated the view that it was not bound by the recommendations of the Commission of Inquiry either in international law or in domestic law. A similar position had been taken by certain Länder governments. He stressed that a clear indication was expected now from the Federal Government that it recognised the conclusions and recommendations of the Commission of Inquiry as binding. It was for the Government to apply these recommendations and to change national practice. These recommendations could be applied in different ways but if the choice of means belonged to the Government, it was the result which counted, and the Commission had the right to expect that the Government would indicate basically a direction chosen which would show its willingness to overcome the existing difficulties. In the general debate on the Convention, the spokesman for the Employers' members stated that it was a principle of enlightened humanism that discrimination based on political opinion would not be tolerated. The trade unions would welcome that an administrative practice which had damaged the reputation of the country would finally be ended. In his report the Director-General had asked the member States to show a willingness within a common effort to respect the obligations which they had freely undertaken. This should also be valid for the elimination of discrimination in employment and occupation in the Federal Republic of Germany.

The Workers' members stated that they treated the problems raised by the application of Convention No. 111 by the Federal Republic of Germany with great seriousness and grave concern. Unfortunately violations of human rights did occur in democratic countries even where there was a will to protect them well. This question had been discussed in this Committee since 1981. Discussion was suspended in 1983 while the issue was first examined under the representation procedure and then by a Commission of Inquiry under article 26 of the Constitution. The Commission of Inquiry, which presented its detailed and complete report in February 1987, concluded that Convention No. 111 had not been fully complied with. It was unfortunate to have to note that as new cases had occurred after the adoption of the Commission's conclusions, the Convention was still not being complied with, and the problem remained. There existed notable differences in the manner in which the legislation was implemented in regard to the duty of faithfulness to a free democratic order imposed on public servants and applicants to public service. The Commission of Inquiry had concluded that actual practice in certain Länder and by certain federal authorities amounted to exclusions from the public service which could not be justified either by the inherent requirement of a particular job (Article 1, paragraph 2, of the Convention) or on the basis of activities prejudicial to the security of the State (Article 4). Although the Government had referred to the minority opinion expressed by one member of the Commission, the fact remained that all the supervisory bodies which had examined the case, and this comprised the Committee of Experts, the Conference Committee when it examined the case previously, the Governing Body Committee and the Commission of Inquiry, had consistently reached the same conclusion on the matter.

The Workers' members recalled that the Government had confirmed its support for the supervisory machinery of the ILO and its wish to co-operate. However, it did not accept the conclusions of the Commission of Inquiry. If it disagreed with the conclusions it could have submitted the matter to the International Court of Justice in accordance with the Constitution, but it has decided not to avail itself of that possibility. The position of the Government was not satisfactory. A State which claims to be a State ruled by law should either use the avenue of appeal open to it or should accept and implement the conclusions of the Commission of Inquiry. There was no other choice. A Government which only participated in the supervisory procedures as a formality and which ignored the outcome undermined these procedures. For declarations of support to ILO supervisory procedures to have real significance, they must include willingness to take account of conclusions adopted. The Workers' members expected solutions from the Government; these were diverse but the Government should propose appropriate legislation to the Federal Parliament. That the problem was complex because of the federal structure of the country was acknowledged, but this complexity did not reduce principles to nothing. It was, after all, the federal State that had ratified the Convention and it must therefore take responsibility. It could not content itself with vague promises of information. It was necessary that information be given on intentions, on steps to be followed, on the means by which the objective was to be achieved and on a time-table, and the Workers' members, who were extremely concerned by this issue, wanted to see concrete results in the near future.

The Workers' members were in complete agreement with what had been very clearly stated by the Committee of Experts in this regard in paragraph 7(g) of their observations. The Workers' members joined in the hope expressed by the Committee of Experts that the Government should re-examine the situation as a whole with representatives from the workers' organisations involved and, taking account of the Convention and the remarks made by the Commission of Inquiry in its report, should adopt appropriate measures to eliminate the remaining difficulties in the application of the Convention. They stressed the importance of discussion for democracy in general, for the application of the Convention, and for equal opportunity.

The Employers' members recalled that no principle was more important than non-discrimination and certainly with respect to political opinion. On the other side a State must be able to count on the loyalty of its own employees. This was an important and difficult case. For the first time in the ILO's history a commission of inquiry had not been unanimous in its decision. The case had a long history beginning in the mid-1970s and it had been discussed regularly in the Committee in 1981, 1982 and 1983, and the issue concerning the requirement of all public employees to abide by a duty of faithfulness to a free and democratic society had resisted resolution over a long time. This was a positive example of how the ILO's supervisory machinery should work; while at this time the difficult problem had not been solved, the Government had co-operated at all stages by providing information and consenting to a commission of inquiry on its soil. The Employers' members noted that the Commission of Inquiry recommended that the existing measures relating to the duty of faithfulness be re-examined by the Federal Republic and they took it from the statement of the Government representative that it was the Government's intention to do so, although in the English translation they did not hear him say that, so they asked the Government representative to make clear that, in the context of annual reports, the Government intended to do so. The issue in this case really related to the broad brush the Government had applied to public service applicants and employees without following, as the Commission of Inquiry had criticised, the principle of proportionality found in national law and practice. From the employer perspective, the issue came down to the proper balance of the first paragraph of Article 1 of the Convention, dealing with the principle of non-discrimination on the basis of amongst other things, political opinion, and the second paragraph, which made room for distinctions and exclusions based on the inherent requirements of a particular job. In her statement to the Conference, Mrs. Aquino had referred to the benefits and liabilities of free and democratic societies and the problem of spaces created when there was freedom for good and evil, and the question here seemed to be the amount of space provided in free societies for evil. These were complicated issues; the Employers' members had looked at the entire record of the case in some detail, and while it had been repeated that the Committee's task was not to make fine judicial decisions, they considered that in view of the split of the Commission of Inquiry and the decisions of the European Court of Human Rights, there was room for disagreement on the result in this case. Moreover there was a question relating to the uniformity of application of all human rights instruments including Convention No. 111. The Employers' members knew in particular the Government's unique

historical and geographical position and they also noted that applicants for employment who were denied that employment and officials who were disciplined or discharged were provided with extensive due process rights including the resort to the courts, as shown in the Commission of Inquiry report. Article 2 of the Convention provided for a number of alternative methods of implementing its requirements, one of which was through the courts, and this was also recognised in paragraph 558 of the Commission of Inquiry report. Reference had been made to court decisions which were applying current legislation in a way that protected employee rights, so legislation was not the only way to approach the case. Moreover the highest court in the Federal Republic had not considered an application on the cases involved. The Employers' members were encouraged that the Government had agreed to provide detailed reports for consideration by the Committee of Experts in the future, and they hoped that measures for implementing the Convention would indeed sincerely be re-examined and that this would lead to solutions to the problem in the near future through appropriate action, in consultation with employers' as well as workers' organisations.

The representative of the World Federation of Trade Unions reminded the Conference of the representation his organisation had made in 1984 and the recommendations of the Commission of Inquiry which had invited the Government to take the necessary measures to implement this Convention. These recommendations which were binding had been reconfirmed by the Committee of Experts in its report. His organisation fully supported the observations made by the Committee of Experts and asked the Government to take appropriate action. They noted, as had the Committee of Experts, that over the past year since the Commission of Inquiry had presented its report, the Government had made no step in the direction of the changes required, and the continued practice of "work bans" was confirmed by developments in individual cases over the last few months, notably those concerning official H. Bastian and the teachers M. Schachtschneider, U. Foltz, U. Lepa, R. Schön and Mrs. I. Schachtschneider, and many others. The latest case concerned Mr. K. O. Eckartsberg, an English and sports teacher and active trade unionist, whose case had already been mentioned in the report of the Commission of Inquiry and who had been banned for life from the public service in May 1988 by the Hanover Administrative Tribunal which refused to consider comprehensive evidence of the professional and democratic commitment of the accused. His organisation supported the requested made by the Committee of Experts and the DGB that the recommendations made by the Commission of Inquiry be applied without delay.

The representative of the International Federation of Free Teachers' Unions stressed the importance of the report of the Commission of Inquiry for the whole field of education, since most of the individual cases examined concerned teachers or applicants for teachers' posts. Moreover, that report contained in paragraphs 566 *et seq.* very important indications concerning the political rights of teachers, drawn from the UNESCO/ILO Recommendation concerning the Status of Teachers, adopted in 1966. This Recommendation indicated, in particular, "that the participation of teachers in social and public life should be encouraged in the interests of the teachers' personal development, of the educational service, and of society as a whole" and that "teachers should be free to exercise all civic rights generally enjoyed by citizens and should be eligible for public office". His organisation welcomed the results and the detailed and well informed reasoning of the report of the Committee of Inquiry, and stressed the importance of the procedure provided for in article 26 of the Constitution and the legal force of the recommendations. It expressed its great concern that the Government had not yet taken the necessary measures to implement these recommendations; this had to be taken as contempt for international legal standards. Dismissals continued and had been confirmed by the courts without regard to the recommendations of the Commission. Although the generally negative situation regarding recruitment of teachers tended to hide the dimension of the problem, new cases, for instance in Baden-Württemberg, showed that the authorities had not abandoned their position of principle, which consisted of excluding from employment those people who for example stood as candidates for certain legal political parties. His organisation called upon the Government to put into practice, as quickly as possible, the recommendations of the Commission of Inquiry.

The Workers' member of Norway stated that the Government of the Federal Republic of Germany, by opposing the conclusions of the Commission of Inquiry, had behaved flagrantly in contradiction to the Constitution of the ILO and the basic rules on which the ILO supervisory machinery was based. This fundamental lack of respect for the ILO supervisory bodies represented a serious attack on the very authority and integrity of the ILO as a tripartite organisation established by States. The Committee of Experts had in an independent, objective and impartial manner clarified in its

report the issues on which the Federal Republic of Germany had not acted in accordance with the law, by neglecting the ILO legal system for supervision and by not complying with Convention No. 111. The Government had expressed its agreement with a member of the Commission of Inquiry who represented a minority opinion, thus showing that Germany was not willing to co-operate with ILO supervisory bodies in accordance with the ILO Constitution. It was not accepted in any civilised legal system that the respondent who had been found failing was entitled to escape from legally-binding conclusions drawn up by a juridical organ in a majority decision by holding to the minority which had expressed the views of the respondent. The Government by flagrantly neglecting the ILO legal system on grounds of political convenience, joined others who had previously sought to undermine the present Committee's confidence in the ILO supervisory bodies and its respect for opinions on legal questions given by these bodies. In a statement made in July 1987 to the Federal Diet the Government stated that the recommendations of the Commission of Inquiry had no binding force either in international law or in domestic law. The Committee of Experts refuted that view, in stating in its report that while a Government retained considerable freedom in choosing the means of ensuring compliance with a ratified Convention, this did not diminish its obligations under article 19 of the ILO Constitution, to make the provisions of the Convention effective. By these comments the Committee of Experts expressed the opinion that the conclusions drawn by the Commission of Inquiry are based on the provisions of the Convention No. 111 which must be implemented in the domestic law of the Federal Republic of Germany. This could not be questioned by the Federal Republic of Germany by any other means than by the procedure established in article 29 of the Constitution, by requesting an interpretation from the International Court of Justice, and as long as the Government had not done so, it had to act in accordance with the conclusions of the Commission of Inquiry. Given the negative consequences of the Government's attitude for the legal status of civil servants in the Federal Republic of Germany, and for the whole supervisory machinery of the ILO, he proposed that the Committee should discuss next year whether the case of the Federal Republic of Germany should be mentioned in a special paragraph.

The Workers' member of the Byelorussian SSR noted with satisfaction the readiness of the Government to co-operate with the Committee but he felt that the explanations which had been given were entirely unsatisfactory. The administrative practice of the country did not comply with the Convention, violated fundamental human rights and did not correspond to the standards of modern civilised society. He agreed with the statements of the Workers' members from the Federal Republic of Germany and other countries who had spoken before him, and hoped that the Government was ready not only to participate in a dialogue but also to take the necessary measures which would eliminate the discrepancies pointed out in this Committee, and that it would explain concretely what measures it intended to take in the near future to bring administrative practice into conformity with the Convention.

The Workers' member of Spain welcomed the scope of Convention No. 111 which was larger than that of the International Covenant on Civil and Political Rights. Convention No. 111 protected even those who expressed political ideas or opinions which were in contradiction with the constitutional legal order. An applicant or official should therefore benefit from this protection unless he occupied a post of a highly confidential nature which was an exception in all political systems.

The Worker's member of the Federal Republic of Germany, referring to the statement by the Employers' spokesman that persons concerned could seek legal redress, noted that the persons concerned had indeed turned to independent courts but, in many instances, they had lost their cases. The principle of independent courts was important for the German trade unions, but a formal legal question should not cover an unlawful practice, and the legislation, as applied by the courts, should comply with the Convention. As the Labour Court of Oldenburg had noted in a decision quoted by the Committee of Experts in its observation, national legislation and even the national Constitution of the country should, as far as possible, be interpreted in a manner which would ensure respect of obligations under international law. Having considered the provisions of Convention No. 111 and the conclusions of the commission of inquiry, the court examined the case in the light of inherent requirements of the particular job and made a decision in favour of the complainant. It must be stressed that this decision was quashed by the Land Labour Court. Also, the Federal Administrative Tribunal has not changed its earlier case law.

The Workers' member of the United Kingdom had had no intention of joining in the debate because the case had been expressed admirably both by the Workers' member of the Federal

Republic of Germany and the spokesman of the Workers' members, but elements were emerging in the discussion which concerned and indeed provoked him. This particular case was not going to be solved by fudging, by talking about geography, by talking about spaces in which freedom can operate, or other equivocations. The Committee was dealing with hard facts and it had to deal with the situations as revealed by the Committee of Experts. Of course the issue was complex. Issues always seemed to be complex when a government did not want to implement a Convention. There were difficulties sometimes because governments were unable to make legislative changes because the legislature would not allow them to do so. That could be understood, but it could not be condoned by the Committee. Employers' and Workers' members were not to make excuses for governments, nor did it help in the work of the Committee if some criticised other governments but did not join in when their own government was being criticised. In some countries there was a requirement to respect a democratic society before getting a public service job; in other countries, there were particular cadre requirements before getting a public service job; in yet others one must not be a Baha'i or a freemason if one wanted a job. These were all difficulties the Committee had to deal with and it was not to deal gently with one case and lash out in another. Gentlemanly behaviour by a Government representative was no substitute for action, nor could governments be congratulated merely because they turned up to the Committee. What was important was in fact observing the Convention, listening to the Committee of Experts, having a dialogue with the present Committee. Of course this dialogue would have to be continued by the Committee in this most difficult case, but it should be conducted with a measure of honesty. He agreed with the Workers' member of Norway in recognising the difficulties in accepting on this occasion that the case was not yet going to be solved as could be seen from the statements made. But as the workers had had to remind many governments before, there had to be an end to the discussion at some stage or other, and a solution had to be found, and the Committee was rapidly approaching that position in this case.

The Government representative of the Federal Republic of Germany stated that it followed from the discussion that none of the speakers had questioned that the Federal Republic of Germany was a free democratic and social constitutional State. This State provided every citizen the right to go before court and, where constitutional issues were involved, to seek redress from the Federal Constitutional Court. As he had indicated in his introductory statement, there was indeed a fundamental question concerning the Constitution involved here. Precisely because the Federal Republic of Germany was a State under the rule of law, citizens should defend their rights. The Constitution of the Federal Republic of Germany contained an anti-discrimination provision which applied to free political opinion as well, the scope of which was equivalent to the legal protection given in Convention No. 111. Why have the individuals concerned not exercised their democratic rights and gone before the Federal Constitutional Court, which last happened in 1975. It has been said that the parties of which they were members were not outlawed. This was merely an expression of the liberal political system in the country.

The fact that the parties of which the officials concerned were members were not pronounced unconstitutional could not be turned round and used as an argument to say that they were not being liberal. Parties could stand for elections and it was up to the voters to decide. This party privilege, i.e. that parties could freely stand for elections unless they are outlawed, could not be invoked by an individual civil servant because he was not a party. The majority opinion of the Commission of Inquiry stated that on the whole the laws of the Federal Republic of Germany were in order but that there were shortcomings in practice. Even if practice was not uniform it should be asked who was responsible for ensuring legal unity in practice. This was within the competence of the Constitutional court of the Federal Republic and had not been done yet in all the cases mentioned by the previous speakers.

It has been claimed that the Government has not complied with procedures or conclusions or that it has only adopted a formal position. However, the Government has taken actively part in the procedures and it did believe in the moral force of the supervisory system, including the recommendations of a Commission of Inquiry. With regard to the quality of these recommendations, no one had claimed that the recommendations of a Commission of Inquiry under article 26 had the same effect as court rulings. In the discussion at the 1984 International Labour Conference, when the entire supervisory machinery was discussed, the Office stated in concluding the discussion that none of the supervisory bodies of the ILO were tribunals. This should not be interpreted as an attempt to devalue the recommendations and conclusions which had an important moral force.

The Government held a great deal of respect for them in the same way that it had a great deal of respect for the findings of the

majority of the Commission of Inquiry in its report. It also respected, however, the minority view within the Commission and believed that dialogue should be continued when a supervisory body such as this one was unable to reach agreement in the Inquiry concerning the Federal Republic. The Government would continue the dialogue, abiding by the procedures, and it would provide all the necessary information so that an appropriate conclusion could be reached on the substance of the case which the Government felt was not yet possible at this stage.

The Workers' members noted that their previous statements would be reflected in the report and in the conclusions. They recalled the great importance of the problem, not only within the Federal Republic of Germany, but also because of its possible repercussions at the level of the European Communities. If case law was not yet well established because the higher courts had not yet had to give an opinion, this should be done quickly. However, besides the legislation and case law there were other methods which could permit results to be reached in the application of the Convention. The Committee of Experts had referred there to in its report in stating that it was necessary to try to find a solution with all the parties concerned, if not at the legal legislative level at least in practice to reach compliance with the Convention. The Workers' members hoped that this would take place soon. The Government had a moral obligation. Dialogue would be resumed in the present Committee next year.

The Employers' members stated their agreement with the Workers' members.

The Committee took note of the detailed information supplied by the Government representative and of the extensive discussion that took place. The Committee noted that the Government referred to its desire to support the ILO procedures of supervision and to promote the dialogue with the supervisory bodies. The Committee noted, however, with regret, that the Government maintained its position of disagreement with the conclusions of the Commission of Inquiry. The Committee shared the views expressed by the Committee of Experts that the Government's position did not affect the validity of the conclusion of the Commission of Inquiry. While welcoming the opportunity to resume the dialogue with the Government, it associated itself with the hope expressed by the Committee of Experts that the Government would review the situation in consultation with the workers' organisations concerned and the employers' organisations and would adopt appropriate measures to overcome the existing difficulties, having due regard to the recommendations of the Commission of Inquiry, to the comments of the supervisory bodies of the ILO and to the dialogue within the Conference Committee.

Islamic Republic of Iran (ratification: 1964). The Government has communicated the following information:

According to the Constitution of the ILO and the spirit of non-interference in the political affairs of independent member States, involvement in political affairs deviates from technical, professional and progressive objectives of the ILO. Unfortunately, the Committee of Experts on the Application of Conventions and Recommendations, acting beyond its competence, has protected groups which plot to prejudice the national security and overthrow the legitimate and lawful Government of the Islamic Republic of Iran. This approach has led the members of the Committee of Experts to make unjust observations, which is unexpected from such an experienced and high-level legal body. This attitude is also partially followed in tripartite discussions at the Conference.

Laws and regulations in the Islamic Republic of Iran are compatible with the national Constitution, of which article 3, paragraphs 9 and 14 and articles 19, 20, 23 and 28 prohibit all forms of discrimination and are completely applied.

Also, article 173 of the Constitution provides that "in order to review appeals, complaints and grievances of people against authorities, public departments and rules, and to enjoy their rights, the Court of Administrative Justice is established under the auspices of the Supreme Judicial Council ...". Fortunately, these bodies have been performing their duties successfully for years. Further, Article 174 provides that "based on the supervision right of the Judicial Power to ensure the proper performance and application of laws and regulations in the public administration sector, an organisation entitled the Organisation of Inspection of the Country is also organised under the auspices of the Supreme Judicial Council ...". This Organisation has carried out its responsibilities since 1981. It will be noted that essential guarantees are thus provided to review the appeals, complaints and grievances of misguided groups such as the Bahai'is; cases have been considered, and complainants may, if they desire, appeal to the competent courts. Legal procedures recognised around the world require that the identity and other particulars of plaintiffs bringing lawsuits to a court should be publicly known and that the defendant be informed of it before a case is determined. The anonymity of

those who have referred their cases to the ILO makes those cases suspicious; reviewing such cases, even allowing preliminary examination of them by the Experts of the Committee, is far from expected. Notwithstanding the competence of national courts, these complaints have been appealed to the ILO; they are wholly motivated by policies.

The misguided group of Bahai'is not only patronised the former regime in Iran but also benefited from the oppression of elements within our nation during the beginning of the Islamic Revolution in 1963. It should be known that more than 15,000 Moslems were martyred and massacred in that revolt. Since then, this misguided group has collaborated and assisted in holding the anniversary ceremonies of 2,500 years of the notorious Imperial dynasty in Iran in 1971, during which billions of dollars were spent for ceremonies and festivities with the financial support of the Bahai'i group. These sums were spent despite the large population of disadvantaged persons living in rural areas of the country, who are deprived, for example, even of drinking water. In addition to propagating corruption and sedition in our country, this group has been directly involved in arresting, depressing and torturing revolutionaries and agents of the revolution. Further, they have been at the head of the ruling party of the former Iranian Government, a government which prejudiced the country's sovereign independence and, during the last days of the deposed regime in 1979, caused severe deterioration of the national economy by the illegal transfer abroad of hundreds of millions of dollars.

At the international level, this misguided group has had, from the beginning, illegitimate relationships with Great Britain; its founder was one of the obedient servants of the King of Britain, who granted him the title of "Sir".

An article of the Bahai'i group's constitution promotes relations with the regime occupying Palestine, as evidenced by a letter written by the Leader of the Group (Shoqi Afandi) to Ben Gurion (founder of Israel). Along with these developments, during the Arab-Israeli Wars, Bahai'i pilots intended to shell Arab positions. New documentary evidence indicates close and friendly relationships between the Bahai'i and the United States (great Satan). Current international assistance provided to this misguided group by arrogant world powers should not be ignored by the ILO.

Today, the above-mentioned group is a serious threat to Islam and Moslem people in all Islamic countries. Along with combating the atheistic group, the organisation of Islamic countries has called on the affiliated International Council for Islamic Theology to investigate the threat posed by Bahaism. Fortunately, this Council, in a recent session, adopted resolution (9) D4/8/88 on Condemnation of the Bahai'i Group.

The provisions of Convention No. 111, in particular Article 4, provide that measures taken against those who prejudice the security of the State ought not be regarded as discriminatory. The Bahai'i Group has so acted and is acting against the security of millions of Moslems. Unfortunately, the Committee of Experts has not carried out investigations of the nature of this group and has thus unintentionally supported their aims in a manner which is unexpected for such experienced experts. Before the establishment of the Islamic Republic of Iran, arbitrary dismissals, employment terminations and actual discrimination during the ex-regime were considered fair by the Committee of Experts. Matters such as these raise questions about the Committee's activities.

At present, there are no restrictions applied to education in the Islamic Republic of Iran; all are entitled to a free education without any discrimination. In the Iranian system, through a system of divided powers, the principle of non-discrimination is enforced in all fields by the Court of Justice, as well as the Court of Administrative Justice and National Inspection Organisation.

Hasty decisions by the Committee of Experts (including some with a Western-bias), made *in absentia* and without a view of the conditions and practices in the Islamic Republic of Iran, will not resolve existing problems or help maintain justice in member countries.

On the other hand, the Islamic Teachings, the Constitution of the Islamic Republic of Iran and other laws are founded on abolition of all forms of discrimination based on colour, race, sex, creed and on other material advantages.

In addition a Government representative expressed the opinion that the discussion on discrimination in employment and occupation in the present Committee had gone beyond the normal technical and legal grounds that otherwise formed the basis for discussion. He felt that the issue had originally been raised with political motives behind it which had made it difficult to engage in a normal dialogue. Nevertheless, he was prepared to engage in a debate on grounds of common understanding. He noted that the Committee of Experts' report had been drawn up on the basis of three major sources of reference, namely the Government's report on the application of the present Convention, the discussions held at the Conference Committee in 1987, and the Economic and Social Council report on the human rights situation in the Islamic Repub-

lic of Iran submitted to the United Nations General Assembly, document A/42/C48. He felt that since a direct reference had been made to document A/42/C48 the Committee of Experts should have made direct reference also to the statements made by the Government to the same United Nations organs and which had been documented by them. Referring to the Committee of Experts' request that his Government should supply full particulars to the Conference Committee, he stated that this had been done through the written communication which was presently available. The speaker then turned to Section 3 of the Committee of Experts' report in which the Committee had requested the Government to provide copies of any statutory instruments concerning the exclusion of certain categories of persons from governmental organisations. In another section of the report, however, the Committee had considered that the general provisions of the laws and regulations of the country indicated clearly that the dismissal of certain persons from their posts in the public service and State-controlled bodies was based on their adoption of and holding onto a certain faith. The Committee had then requested the Government to repeal all the statutory provisions which were inconsistent with the policy of non-discrimination. To the Speaker, it was not clear on what grounds the Committee of Experts had come to the conclusion that certain statutory provisions of the national laws were not consistent with the present Convention. For if the national legislation had been available to the Committee of Experts there would have been no point in requesting the Government to supply copies of other texts; and if these texts had not been available to the Committee of Experts its judgements have been passed in vacuum or on the basis of certain preoccupations. In the same part of the report reference had also been made to article 163, paragraph 1, of the Constitution of the Islamic Republic of Iran under which, according to the Committee of Experts, women were barred from serving as judges. The speaker informed the present Committee that there was no such stipulation in that article and that the text of the Constitution could be made immediately available. He added that in practice women were engaged in and pursued their occupations in the national juridical apparatus. Referring to Section 2 of the report according to which primary and secondary schools were gradually being opened to Baha'i children but that the latter were subject to pressure unless they renounced their faith, and that admission to universities or any other higher education establishment was prohibited to Baha'is, the Government representative affirmed that no primary or secondary, nor any other levels of training and education, had ever been closed to any children on the grounds of their holding to a certain opinion and that no measures of harassment based on religion had been or were intended to be taken by the Islamic Republic of Iran. Turning to Section 1 of the report, the Government representative stated that the directive of the Ministry of Labour and Social Affairs according to which "the courts were bound to withhold the issuance of any judgment in favour of dismissed employees whose membership of the "misguided Baha'i group" or the organisations whose constitution implied atheism had been ascertained", had been misunderstood by the Committee of Experts. In fact, following the victory of the Islamic Revolution, in a considerable number of productive undertakings certain persons' mostly holding key positions had decided to leave their jobs. These resignations and arbitrary work stoppages had resulted in a difficult situation for the national economy and were later coupled with a large number of appeals to the conciliation and arbitration bodies claiming compensations under the pretext of dismissal from work. This had resulted in even more economic and political pressure against the newly established Government. Under these circumstances, the Ministry issued the said circular to ascertain that claims under the guise of appeal for the consideration of dismissal from work would not distract its affiliated organs from their work. He stressed that the right of appeal did exist in accordance with constitutional provisions as well as other international laws and regulations and that pertinent organs had been created and were available to all those who chose to petition to them. The decision to maintain ratification of the present Convention was made by the Islamic Republic of Iran once it was established that the Convention called for non-discrimination, which fell in line with the objectives and the text of the Constitution. He considered that the Committee of Experts' request to repeal the terms of the Constitution was therefore tantamount to undermining the basis upon which the decision to remain a party to the Convention was made and that the Committee was not legally or constitutionally in a position to decide or impose on governments to recognise certain groups as religions. In view of what was said, the report of the Committee of Experts is unsubstantiated as regards the compatibility of the present Convention with the national laws, regulations and practice. Nevertheless the criterion of his Government is to invite the Committee to create appropriate grounds for constructive dialogue; a proposal aiming at establishing direct dialogue with the Committee of Experts was accept-

ed by his Government. The Government representative requested that the case of the Islamic Republic of Iran be removed from the special clause in the Report of the Committee.

The Worker member of the Islamic Republic of Iran described the useful contacts that he had had with other members of the Workers' group. With respect to the present Convention, in his opinion, the real situation in the Islamic Republic of Iran could only be tangibly realised by persons who could witness the actual events. In fact, there was no discrimination at all in the country. At present, Baha'i children were studying like others and Baha'i workers were working in factories and other workplaces. He stressed the readiness of the workers of the Islamic Republic of Iran to receive some members of the Workers' group to ascertain these facts. However, he explained his understanding for the Government's inability to officially declare any positive measures in relation to the Baha'is and the Freemasons' organisations since these groups, in the last 120 years, had committed innumerable acts of treason and crime. Under these circumstances, it was not easy to change the prevailing negative atmosphere in the country. This would be noted as one of the major difficulties facing the Government in connection with the present Committee's discussion.

The Employers' members recalled that this Committee was dealing with this question for the seventh consecutive time. Basically the Committee's questions were always the same and always based on the report of the Committee of Experts which guided all their discussions. The matter here concerned discrimination and employment, access to professions, training, and working conditions. Those who suffered from discrimination were the Baha'is, the Freemasons and the atheists. The Employers' members recognised that the Government had always accepted discussion but that is where the positive aspect of the matter stopped. The Government never gave the Committee any information beyond the statements made to date, particularly concerning the most discriminated group, the Baha'is. The Government had given different versions for its accusations against the Baha'is. First they accused them of being a political organisation then they said they were spies and finally that they only had to give up their religion for discrimination to cease. For the Government the Baha'is' friendly relations with the United States constituted proof of the danger that the Baha'i group represented. The Committee of Experts had repeatedly proved that this discrimination was on religious grounds and that the Baha'is lacked constitutional guarantees to defend themselves because the courts were bound by a decree of the Ministry of Labour. The same applied to Freemasons and atheists. There was no change in the statement of the Government representative of the Islamic Republic of Iran. Further, his arguments focused on the last part of the report of the Committee of Experts while the heart of the matter appeared at the beginning of it and concerned the discrimination against the Baha'is which had become a long-standing tradition with the consequence that they were also discriminated against in training. The Government representative corrected the statement concerning the access of women to the position of judge and claimed that the Constitution had been misquoted. This proved that some things could be clarified if they were made clear. The Committee's questions and conclusions had remained unchanged but unfortunately so did the answers of the Government. The Employers' members felt that one could talk reasonably to every man, but had the impression that this was not yet the case today. The continued stalemate made the discrimination all the more serious, and the Employers' members concerns were not the lesser for it.

The Workers' members stressed the principles of the Convention and the uncooperative approach of the Government of the Islamic Republic of Iran. The Government has stated that it would do nothing, that it disregarded the Committee of Experts' conclusions, and the Conference Committee's views. The Government believed that its ideological values had precedence over the values professed by the Conventions and it regarded the information of the Committee as partial merely because it came from Western sources. Furthermore, as regards the ability to judge the conformity of Islamic legislation and practice with the Convention, the Government had argued that the Committee of Experts should have Islamic members. The Workers' members believed that this would result in arbitrary interpretations of international Conventions, and strongly rejected this idea. They recognised only one interpretation for International Labour Conventions, that issued by the ILO supervisory bodies. The present Convention had existed for 30 years, long enough to create a solid basis for its interpretation. One should accept it or reject it but not compromise over it. The Workers' members could not but disagree with the reiterated statements, that the Constitutions was entirely in line with the principles of the ILO Convention, and responded completely to the aspirations of the Iranian people. Discrimination against any group and on any grounds is unacceptable. In their view, it was clear that the present Convention was not applied either in legisla-

tion or in practice. They requested the Government representative to give a clear answer on three questions: would the Government recognise the contradiction between the Convention and national legislation and practice? Was the Government ready to change legislation and practice? If so, would the Government inform the Committee of Experts accordingly?

An adviser wished to add some brief comments with reference to the application of the present Convention. Before the Islamic Revolution, Baha'is, Freemasons and Zionists monopolised the issue of certificates for the establishment of industrial enterprises and dominated every sphere of public life, including banking and credits, government facilities and public services. After the revolution, all Iranian people regardless of their ethnic or social origin, had gained access to all public services and social and economic activities. He himself established a modern factory after the revolution and there were now hundreds of modern factories run by people who had formerly been discriminated against. Before the revolution many workers in Iranian factories had been fifth columnists, and had sabotaged the Iranian economy. Having gradually been identified by revolutionaries, the fifth columnists had to leave their jobs, and they chose to do so freely. Later they began lodging false complaints with the authorities. However, under article 34 of the Labour Code those who left their jobs freely were not entitled to any dismissal compensation from the employers. If the Committee compared the situation before and after the revolution, would it still interpret this as discrimination, taking account of the above facts? As an answer, he extended an invitation to some of the Committee members to come to his country and see for themselves how modern production units were operating with the co-operation of devoted revolutionary workers without any discrimination.

The Government representative stated that this debate, like many previous ones, mentioned the same concerns that the Government of the Islamic Republic of Iran had clarified formally, technically, and substantively. He reminded the Conference Committee that the Committee of Experts requested the Government to provide full details at the 75th Session. In the debate, he had presented a number of technical points and would have expected some logical and technical response, but the judgement that was passed here was unsubstantiated, in the same way as it was done in the report of the Committee of Experts. The comments of the Workers' members were also emotional and unsubstantiated and did not match the technical quality of his own arguments. He wondered how the Conference Committee could discuss the aspects of the phenomena without taking account of the factors that had led to its creation. He reiterated that in the view of his Government, the Committee passed generalised judgements and made vague requests for unspecified information. For example, how would the ILO react to a request of all the literature about employment? The same held for the Government of the Islamic Republic of Iran when it was requested by the Committee of Experts to provide unspecified information. He asked the Committee to specify what information was requested from the Government. He wished to reply to the three specific questions asked by the Workers' members. To the first question he replied that there was no contradictions between national legislation and practice and Convention No. 111, because otherwise the Government would have denounced it. To the second question, he replied that the Constitution was the essence of the Iranian people, and that this notion stemmed from the very essence of Convention No. 111 itself, which was meant to be ratified by States according to their individual national laws and practice. In reply to the third question, he stated that a direct contact mission according to ILO terminology was unnecessary in his Government's view because it strongly believed that there was no difficulty in the application of the present Convention. If there had been any difficulty the government would follow ILO procedures, which included direct contacts but was not the case. All of the three replies had been the same before, and remained the same now. He reiterated the invitation by the Employers' member of the Islamic Republic of Iran to the Workers' spokesman so that he could see for himself the real situation.

The Workers' members noted that they now had three clear negative replies. It was with great sadness, and great regret that they had to state that for the third time that there was continued failure to apply the Convention and that the Committee's conclusion should be the same as in 1986 and 1987. They nevertheless hoped for an understanding on this matter one day.

The Employers' members wished to make two comments. First, the speaker who claimed he was an Employers' member of the Islamic Republic of Iran was not an Employer member of the Committee, although the Employers' members knew that before he took the floor. Second, the Employers' members noted no change in the situation, so they entirely supported the Workers' members' view, and agreed to state that there was continued failure to apply the Convention and that the legislation and prac-

tice in the Islamic Republic of Iran were not in conformity with Convention No. 111.

The Worker representative of the USSR believed that the source of the misunderstanding might be the consideration of two different dimensions of the problem. He himself had a very confused idea of what Baha'is were, and admitted that he did not understand their role before or after the revolution in the Islamic Republic of Iran. However, he shared the views of the Vice-Chairman of the Workers' members that a Convention should be applied. In this case, nevertheless, the Committee should perhaps analyse the situation in greater detail, as the Islamic Republic of Iran was a very special, particular example that could not be compared to any other country as regards its legal system. Perhaps the Committee should establish a special study group that could examine this question, or ask the Committee of Experts to deal with this question in greater depth and provide the Conference Committee with precise definitions so as to enable it to carry out its next discussion in greater precision. In any case, the question required further thought and study.

The Government representative noted that his Government was still waiting for replies to the question asked in his introductory remarks. He wondered whether these questions had been heard at all. He thought that it would be best to ask the Committee of Experts, whose repeated allegations were based on unsubstantiated reports of discrimination, who were those groups that were being discriminated against, and how did the Committee of Experts define a minority group? As far as he knew, there was no such definition in any United Nations literature. He would welcome such a definition in future. In addition, the Government had communicated a sufficient number of documents in its first report to the Committee of Experts. He was surprised to infer from the discussion that those documents had probably not been read or reviewed. In his opinion, the conclusion of the Committee of Experts and of the Employers' and Workers' members was indeed a foregone conclusion.

The Employer member of the Islamic Republic of Iran wished to state that he had asked his adviser to take the floor on his behalf.

The Committee noted with regret that the written and oral explanations given by the Government had not shown any change in the situation. As in 1983, 1984, 1985, 1986 and 1987, the Committee again expressed its deep concern regarding the problems which continued to exist in connection with the application of the Convention. The Committee again emphasised that the Government should abolish discrimination, particularly discrimination based on sex, religion, political opinion, and national or social origin, since such discrimination contravened the Convention. The Committee decided to mention this case of continued failure to implement in the general part of its report.

The Government representative of the Islamic Republic of Iran put on record his strong objection to the conclusions and the manner in which they were drawn up.

Convention No. 119: Guarding of Machinery, 1963

Sierra Leone (ratification: 1964). The Government has communicated the following information:

In reply to the Committee of Experts' comments, the Government communicated that appropriate measures were taken to ensure workers' safety in industries. Regular safety inspections were carried out by factory inspectors. Supervisors were given safety instructions and employers were constantly reminded of safety precautions.

In addition, a Government representative stated that the Factories Act had been enacted by Parliament in 1987, and would enter into force in 1988. The Act dealt with the guarding of machinery and a copy would be provided to the ILO as soon as possible.

The Employers' members expressed their satisfaction that this problem would soon be solved, having been discussed in the present Committee for many years. There were certain shortcomings in the legislation concerning the guarding of machinery and the prohibition of using unprotected machines. The Employers' members welcomed the Government representative's statement concerning the 1987 Factories Act and hoped that a copy would be communicated soon to the ILO in order to verify that the above-mentioned shortcomings were indeed eliminated.

The Workers' members associated themselves with the comments of the Employers' members. They regretted the lack of progress over such a long period of time and stated that Sierra Leone might not be the only country to experience difficulties in this technical field. They reminded the governments that they could draw on ILO assistance to overcome such difficulties in future.

The Committee noted the information given by the Government representative. The lack of legislation to give effect to Part 2 of the Convention had been outstanding for many years. The Committee noted that a new legislation had been adopted recently and hoped that the Government would communicate this text to the ILO, and that the new provision would meet all the requirements of the Convention.

Convention No. 122: Employment Policy, 1964

Brazil (ratification: 1969). The Government has communicated the following information:

The Ministry of Labour, through the Secretariat of Employment and Wages and the National Employment Scheme (SINE) linked to it, has been developing a policy of acting as an intermediary for labour resources in application of Act No. 4923 of 26 December 1965; this has produced positive results, such as appropriate assistance being provided to unemployed workers by means of unemployment insurance and financial aid.

The data required for the implementation of employment policy are obtained from the General Registry of Employed and Unemployed Persons, which is established on the basis of information provided by enterprises each year. Using this registry, the Ministry of Labour administers the process of admission to employment and distribution of employed persons, which permits it to adopt measures to combat unemployment. The data obtained permit the level of employment to be determined, along with its monthly fluctuations, the level of monthly variation in employment, the level of unemployment, etc., as can be verified in the documents which have been communicated. For example, in the period 1985-1987, more than 2.6 million workers were registered with SINE offices, 820,000 of whom actually obtained employment through that scheme.

In addition, the Minister of Labour is making an effort to extend the formal links involving employment by means of campaigns to provide workers with employment cards. During the years 1985, 1986 and 1987, 19 million employment cards were issued. In 1985 and 1986, 1.8 million jobs, a significant figure, were created; this represented an average increase along the lines of 5 per cent per year.

In 1987, the development of the economy showed signs of stagnation, with a negative impact on the level of employment. The average level of unemployment in 1987 - 3.8 per cent - was lower than for the period 1984, 1985 and 1986, when it was 7.45 per cent, 5.60 per cent and 3.85 per cent respectively.

The intermediary function developed by the SINE, is implemented by means of two forms of assistance. The first is directed towards the organised sector of the labour market, and the second towards handling the performance of services linked to the non-organised (informal) sector.

The procedure for the formal sector involves maintaining a registry of candidates who are subjected to a pre-selection process, classified and later referred for jobs offered by enterprises or vocational training institutions.

Alongside performing this function for the formal sector, the scheme also responds to the needs of labour resources in relation to informal activities, chiefly for independent workers who provide services, with an emphasis on home work, as stipulated in new decrees adopted by the National Constituent Assembly.

Some of the offices performing the function of intermediaries also engage in activities involving assistance and support for workers, activities which run from employment guidance in relation to legislation and the labour market, to the despatch of employment cards and certificates of unemployment.

The actions undertaken through SINE to promote employment basically address the implementation of programmes aimed at providing job opportunities and guaranteeing greater degrees of occupational activity and higher wages to populations linked to the non-organised sector of the economy.

The operational units of SINE are acting to support the founding of co-operatives of small producers and self-employed workers, and the development of jobs for the accomplishment of work involving infrastructure in the community interest, micro-communities of production, and product marketing mechanisms which are administered by small producers and community enterprises. In this field the following works have been accomplished in the past few years: a programme to meet the needs of low-income populations in the areas of vocational training and employment; a special project for medium-sized cities (PECPM/BIRD); a programme for the development of the metropolitan regions of the North-east; a programme of co-operatives for mobile rural workers (COTRAVAN) and the social priorities programme (PPS).

The Government has communicated additional information on the "Development of Wages and Earnings in the Urban Sector" as well as labour statistics for 1987-88 relative to the movement of labour resources in various sectors.

In addition taking into account the fact that for two years no report had been sent, the Workers' members suggested that the present Convention should not be treated but that there should be an indication in the report that the Committee of Experts could examine it and that the present Committee could discuss the case next year. The Employers' members supported this suggestion. It was so decided.

Spain (ratification: 1970). A Government representative shared the concerns of the present Committee in relation to a problem which was of utmost importance to his Government as well. The speaker indicated that a careful reading of the Committee of Experts' comments suggested that several considerations should be taken into account. Firstly, the Committee of Experts, as stated in its observation, had not been able to examine the latest data submitted by a workers' organisation and by the Government of Spain. As a result, there was reason to doubt a real interest on the part of the present Committee to engage in a dialogue. Secondly, since the Committee of Experts' comments had for the most part been positive, the application of the Convention by the Government could have been mentioned as a case of progress in the Committee of Experts' general report. Thirdly, the Committee of Experts had noted the level of unemployment and had requested the Government to continue providing reports. The speaker stressed that the frequency with which reports on the application of the present Convention were supplied was greater than that which the Committee of Experts had requested. The speaker indicated that this Convention only laid down tendencies and orientations which all agreed were desirable, without mathematically determining the goals which governments should meet. Employment policy depended on complex circumstances which required the assistance of economic theory. In any event, the Committee of Experts' comments were general and did not address the detailed information sent by his Government in its extensive report, which had appended legislative texts and statistical data. The Government's report for the period ending 30 June 1986 took into account standards and actions undertaken and carried out in compliance with the Convention. There had been no change in the basic legal provisions in the year-and-a-half since then. His Government did not consider it opportune to amend constantly the legislation, given the fact that the goal was to provide a climate of stability and permanence so that enterprises could embrace the economic policies in the short and long term so as to promote employment. The Government periodically brought its plans and programmes up to date, thus developing the basic standards in this field. The periodic reports updated the information on the measures the Government adopted on a regular basis. The Committee of Experts' observation led one to conclude that his Government was meeting the formal obligations arising from ratification of the Convention and that the measures adopted by the Government were in conformity with the substantive contents of the Convention, in particular its Article 1. As regards the level of unemployment, the speaker stated that this was a constant concern on the part of the Government; the majority of countries faced this phenomenon, particularly those with market economies. The speaker indicated that after a decade in which employment had fallen, in 1986 it had been possible to create 332,200 additional jobs with an increase in the gross domestic product of 3.5 per cent - the highest in the OECD. The increase in employment had been seen as being stimulated not only by economic growth but also by employment promotion measures introduced in the legislation and by the conclusion of a tripartite accord, the Economic and Social Accord. The Government representative stated that between 1985 and 1987 the Spanish economy had generated more than 900,000 jobs. In the past two years, the labour market had shown a marked increase in the number of women and young workers. As a result, the extent of the jobs created had not automatically been reflected in a reduction in the unemployment figures, which had nonetheless been reduced by 1.5 per cent in the period 1986-87, with a particularly important fall in unemployment among youth. The speaker said that in 1987, the number of unemployed young persons had decreased by 49,200, thus reducing the level of youth unemployment by 2.8 per cent. In the same way, there had been a growing increase in economic activity on the part of women. The speaker concluded by making the assurance that his Government would continue to study all measures which could increase employment while seeking a balance between the social and economic forces present in Spanish society.

The Employers' members expressed the opinion that there should not be a general discussion on the present Convention but rather specific examples should be given. Governments were to appear before the present Committee so that questions could be asked. While the discussion in this Committee may have to emphasise negative events on certain occasions, they also considered positive developments. The case of Spain fell into this latter category in connection with the present Convention. The Em-

employers' members noted that the report of the Committee of Experts contained four points. With regard to the first point, the Government had supplied information but the Committee of Experts and, thus this Committee, had not yet been in a position to examine this information. In the second point the Committee of Experts had noted with interest the employment market policy of Spain. The Committee of Experts had not criticised this policy and the Employers' members had no criticism of it as it seemed to contain the right mix of measures to combat the problems which existed. In the third place, a number of figures had been mentioned which showed that there had been positive developments; more positive than in other countries although in absolute terms the unemployment figures were still fairly high. With regard to the remaining problems, there were understandable reasons for these, just like in other countries. There were more applicants in the labour market as a result of a change in society as a whole and, in particular, a change in the role of women in society. Moreover, there was an increase in the number of younger people in the labour market. As the Committee of Experts noted, because of these reasons there was still fairly high unemployment—particularly youth unemployment and long-term unemployment. The Employers' members expressed their concern over this situation but noted that the Government had recognised this problem and was trying to tackle it. They looked forward to receiving more information on the employment policy in his country and hoped that the achievements in the past would be continued in the future.

The Workers' members agreed with the comments of the Employers' members. They noted that in the field of youth unemployment, tremendous efforts were being made by the Government and hoped that these would continue in the future. Similar efforts were also being made with regard to the unemployment of women. However, with reference to the figures contained in the report, they pointed out that no progress had been achieved from 1985 to 1987 to reduce the average unemployment rate. They noted that this figure was still extremely high compared to other countries in Europe. Therefore, they hoped that the efforts described by the Government representative would be intensified in order to bring the unemployment rate down to an average European level.

The Worker member of Spain thanked the Government representative for his explanations. His organisation, the Trade Union Confederation of Works' Committees, considered that the dialogue with the Government was justified given the fact that comments to the Government's report had presented. He recognised that economic progress had been made in the country. However, he noted that the rate of unemployment was the double of that of other European countries. The Worker member of Spain provided supplementary information concerning unemployment in the country. According to available information known to his organisation, and the Spanish Human Rights Association, 1,875,500 workers had lost their jobs between December 1982 and December 1987. This was referred to by the Committee of Experts in its report when it indicated that the rate of unemployment continued to be very high. Unemployment affected, in addition to women, two other categories of workers: young persons who were looking for first employment and the long-term unemployed. He requested the Government representative to provide information on the draft youth employment plan which, according to the information available in the press, entitled enterprises, who took on workers under the age of 26 years, to receive a subsidy from the Government and exoneration from social security payments. Moreover the young employees would be excluded from collective bargaining agreements. With regard to the long-term unemployed he recalled with concern that in the economical and social agreement it was proposed to increase the rate of social security benefits to long-term unemployed but that since 1985 the percentage of benefits for the long-term unemployed had been 26 per cent. With respect to the employment policy the fundamental measures implemented by the national authorities introduced flexibility in the labour market by developing temporary jobs. In this regard he pointed out the particular problem created by the so-called effect of substitution of flexibility measures: the precarious jobs had a negative influence on stable and permanent employment; employment flexibility caused enterprises to implement internal adjustment through means of terminations; a number of enterprises had dismissed large numbers of workers who occupied stable posts in order to hire others based on temporary contracts. It was regrettable in this regard that information was lacking concerning this situation. In conclusion the speaker referred to three situations which required attention. Firstly, he warned that the legislation in force with regard to temporary workers consisted of degrees which in a few cases contained dispositions with a view to prevent precarious employment from having a negative effect on stable employment. He hoped to have the assurance that the courts would not have difficulty in applying the law which accorded a greater protection to workers in fixed or stable employment than did the decrees concerning temporary contracts. Secondly, he

requested that information should be provided from the labour inspection concerning the application of the legislation in force with regard to the substitution of permanent workers by temporary workers. Finally he stressed the necessity of ensuring that trade unions would have the right to information on temporary contracts.

The Government representative thanked the Employers' and Workers' members for their statements. He recognised the necessity of progressively improving the situation in the labour market. The Minister of Labour had prepared economic policy plans which would be the subject of consultations with employers' and workers' organisations. He ensured in particular that the youth employment plan would be the subject of tripartite discussions, specifying that its elaboration and execution would take into account the obligation to fully respect all Conventions ratified by his country. Although imperfections did exist, the speaker indicated that the legislation concerning temporary contracts was not any different from those provisions applied in neighbouring countries. The objective of the Government with respect to the employment policy was to modernise labour relations. The speaker indicated that the reports which his Government had supplied contained detailed information on the above questions.

The Worker member of the Federal Republic of Germany emphasised that the Spanish case could serve as an example for other countries in Western Europe. All countries in this region had the problem of flexibility and deregulation which led to a reduction of full-time jobs. The number of part-time and short term jobs is increasing. There was no right to guaranteed employment nor to education or training for young persons. He further pointed out that a number of multinational enterprises operated in Spain, and countries like Spain, because the working conditions and salaries were lower. In this respect, unions in different countries needed to work together to ensure that multinational enterprises would not succeed in pitting workers in one country against those in another. Moreover, Governments in fighting unemployment, should not lower salaries or allow the deterioration of working conditions because the jobs they were creating in one country were jobs that would be lost in another. Therefore, co-ordinated action was required and a minimum level needed to be established. In this regard, ILO standards are of great importance.

The Committee took note of the detailed information provided by the Government representative. As noted by the Committee of Experts, the positive results achieved in the overall level of employment had not led to a fall in the unemployment rate, which remains a serious cause of concern. The Committee shares the hope expressed by the Committee of Experts that the Government will maintain its endeavours in co-operation with the representatives of the organisations and persons concerned to secure productive employment, and that it will supply full information in this respect.

Convention No. 128: Invalidity, Old-Age and Survivors' Benefits, 1967

Uruguay (ratification: 1973). A Government representative indicated that legislation as well as the practice were in line in Article 29 of the present Convention. In effect, on 21 October 1987 Law No. 15900 was adopted according to which the cash benefits, pensions and old-age pensions paid by the Bank of Social Welfare would be adjusted on 1 April of every year in relation to the increase in production in the civil year immediately before, in the median wage index, established in conformity with Article 39 of Law No. 13728 of 17 December 1968 (Article 1), and that pension benefits would be adjusted within the two months following the month in which the general adjustment of the wages of the civil servants of the central administration occurred (Article 2). This means, at present, that benefits are readjusted every four months. This law which already included the principles according to which the benefits were to be adjusted and which entered into force on 1 April 1988, corresponds entirely to the provisions of the Convention. Furthermore the assertion of the National Vanguard Movement of Retired Persons and Pensioners according to which it was impossible to have recourse to judges or tribunals to file complaints, as indicated in their comments, was inexact. In fact, since 1 March 1985 a state of law and of all the constitutional and legal guarantees was prevailing. Furthermore, there existed a recent jurisprudence of the Administrative Tribunal under which complaints of retired persons and pensioners against the State had been settled. A report with the text of the law and the other statistical information as required by the Committee of Experts, would be furnished to the Office.

The Worker member of Uruguay stated that with the adoption of Law No. 15900, one of the most acute problems concerning retired persons and pensioners in his country, had been resolved. A precise system of adjustment had now been established to which

the executive power would have to submit in the future. Nevertheless it followed from Article 2 of the aforementioned law that the old-age pension benefits would be adjusted within the two months following the month in which the general adjustment of the wages of the civil servants of the central administration occurred. He pointed out that through the system of these advances, in relation to the amounts of the respective pensions and through the backlog in their adjustment, all pensioners together lost many millions of pesos without any justified reason. Furthermore, referring to a problem that had arisen as a consequence of the re-evaluation of pensions in the year 1985, the speaker indicated that the present Government had not undertaken a re-evaluation in keeping with the legal provisions and had omitted for that reason to pay 1,196,000 pesos which were increased by later adjustments. Finally referring to a judgement by the corresponding tribunal, he stated that the administrative tribunal ruled in favour of the plaintiffs and the administration had decided not to pay the benefits to all the persons concerned, as it should have.

The Workers' members stated that since 1986 there had been no reaction on the part of the government which to this day, have provided no explanation. It had been not until the Conference Committee came together that a reply was obtained. It was a very important event when a trade union submitted comments to the ILO to obtain a full and real application of the Conventions. There had been indications of an adjustment but this was a very partial one, and it had to be asked whether it was a total adjustment. Taking into account the galloping inflation prevailing in many countries, it was necessary to carry out regular adjustments to adapt them to the cost of living. The present Convention was an important one which was to permit the persons who stopped working to continue to live in dignity. They hoped that these replies would be submitted to the Committee of Experts and to the trade union to allow them to ascertain the application of the Convention.

The Employers' members stated that there existed a problem of communication. Since 1986 the Committee of Experts had requested concrete information relating to the adjustment of old-age pensions. In March 1986 the representative of the National Vanguard Movement of Retired Persons sent their comments to the Committee of Experts which in turn requested statistical information. This was of utmost importance in a country in which inflation was high and had devastating effects. The Government representative had furnished information, indicating that the adjustments were carried out regularly and had promised to again furnish all information required. They hoped that the Government would furnish the requested information so that the Committee of Experts could examine it.

The Government representative stated that, with reference to the amount of the four monthly advances on the annual adjustments, account had to be taken of the fact that Law No 15900 did not impose an automatic application of any index, but that account had to be taken of the variation of the general consumers' index and the funds at the disposal of the Bank of Social Welfare and the National Treasury. Since the installation of the democratic Government a steady decrease in the inflation rate and an increase of wages in real terms could be observed and the purchasing power of the old age and survivors' benefits had undergone a significant increase, exceeding the one prescribed by the Convention. Thus from April 1985 to April 1988 pensions had risen at an average of 43 per cent in real terms. As far as the court sentences were concerned, acquitting the claims of some retired persons and pensioners, which were submitted before the entry into force of Law No. 15900 they showed the inaccuracy of the statements according to which recourse could not be had before judges of tribunals. The statement of the Worker member of Uruguay showed also that the Government had complied with the adverse sentences which, because of the jurisdictional control of the administration, were of particular and not of general significance.

The Committee noted with interest that new legislation has been enacted in October 1987 in order to fully comply with this Convention. It also noted that the required statistical information would be provided in the near future. The Committee noted the explanations given by the Government and the discussion which took place which would be transmitted to the Committee of Experts so that it could reexamine the question, taking into account this discussion. It hoped that contacts or conversations would take place in the country to solve this problem.

Convention No. 129: Labour Inspection (Agriculture), 1969

Romania (ratification: 1975).

The Government has communicated the following information:

Under Romanian legislation, labour inspection is carried out and co-ordinated by the Ministry of Labour and in the territories

by the "Labour and Social Services Sections" and the Territorial Labour Protection Inspectorates.

The organisation, responsibilities and functioning of the above-mentioned bodies are described in the Labour Code, Decree No. 783/1969 of the Council of State concerning the organisation and functioning of the Ministry of Labour, Law No. 5/1965 on the protection of labour and Law No. 57/1968 on people's councils.

Section 181 of the Code regulates the responsibilities of the Ministry of Labour as labour inspection body by providing:

"The Ministry of Labour, as the specialist central organ for labour questions, supervises the application of the legal provisions concerning the labour relations of persons on the work staffs of all state units, co-operatives and other non-state organisations and the legal provisions concerning labour relations formed with legal entities other than those mentioned above and with individuals.

The Ministry of Labour and the Labour and Social Services Sections supervise the application of legal provisions on work remuneration, labour standardisation, employment, the conclusion, execution and termination of labour contracts, and social insurance. The State Inspection Department for the Protection of Labour was created in the Ministry of Labour for problems of safety and protection of labour. This Department works at the central level - with specialised branches for various branches of the economy - and the territorial level, and has the following competences: to direct and supervise safety at work in order to guarantee proper conditions and prevent occupational accidents and diseases; to lay down together with the Ministry of health standards for safety at work and the setting up and use of equipment for protection at work and to supervise these; to control whether occupational safety measures are ensured when new production units or capacity are introduced and, together with the Ministry of Health, to deliver authorisation for full or partial operations; to verify the application of standards and work protection measures when drafting plans or new objectives for plant and machinery, as well as the methods for the attribution and utilisation of funds for occupational safety to study the causes of accidents and lay down preventive measures, supervising the registration, proof and reporting of occupational accident and diseases, to verify the proliferation of better equipment, operations, plant and other means of work protection throughout the economy; to direct and supervise information on occupational safety.

Inspectors for labour protection have the right to request enterprises to take measures to eliminate deficiencies in work safety; to require a total or partial stoppage of work in the units or on the machines concerned where non-observance of safety standards poses an immediate risk to the life, corporal integrity or health of the workers or the population; to detect offences of work safety standards and apply the corresponding sanctions provided by the legislation; to take and retain samples for analysis of materials and substances used or handled.

There is also a system of health centres for the control of epidemic diseases in administrative and territorial units. Under section 41 of Law No. 3/1978 concerning public health, these centres carry out health inspections as well as: authorising the functioning of all kinds of economic and social activities from the health angle; and withdrawing sanitary authorisation and ordering a stoppage or temporary restriction of activity in any kind of enterprise, as provided by the law.

The State Inspection for the Protection of Labour supervises all economic and social units (employing 10,600 people in 1985). In the same year, the number of units and workers in the main branches of the economy were as follows.

Branch	Number of units	Number of workers
- Industry	1 913	3 503 952
- Handicrafts	31 200	41 600
- Construction	-	692 700
- State agriculture	992	431 000
- Agriculture (co-operatives)	4 363	2 045 400
- Railways	-	173 000
- Road transport	-	369 900
- Transport (fluvial and waterways maritime)	-	41 000
- Air transport	-	8 600
- Telecommunications	4 979	81 000
- Commerce	82 707	457 800
- Teaching, culture	64 724	412 800
- Science	-	134 800
- Health, social services, sport	-	286 100

Staff of the State Inspection for the Protection of Labour (central and territorial) normally have to spend four days per week

on the supervision of economic and social units to verify how standards and technical safety requirements are met.

In 1985 there were 95,676 inspection units: 19,165 in industrial undertakings, 2,765 in construction enterprises, 15,900 in agriculture, 1,987 in transport, 5,900 in telecommunications, 16,085 in commerce, 17,000 in handicrafts units.

There have been about the same numbers of work accidents in recent years – fewer than 2 per 1,000 workers. But the number of fatal accidents decreased each year: reaching in 1987 a level of 0.100 for 1,000 workers, that is 3 per cent less than in 1986. There is also a general tendency for the serious cases to diminish. Similarly the number of days lost per worker following work accidents was 3.2 per cent lower in 1987 than in 1986 and the average time lost through temporary incapacity was 2.5 per cent less.

As a result of the inspections, 48,500 infringements of safety standards – most technical only – were detected: 38,442 fines worth 26,535,400 lei and 6,100 disciplinary sanctions were imposed. Eighty per cent of these sanctions were applied to management personnel at the unit or sector level. For non-observance of work safety standards 107 persons were dismissed from posts of responsibility. Three hundred and seventeen persons of the same category were referred to the courts. Work was stopped in 5,600 places.

Convention No. 136: Benzene, 1971

Morocco (ratification: 1972). A Government representative stressed the importance which his country attached to the prevention of occupational accidents and occupational diseases. Legislation provided for a large number of measures to protect workers against benzene intoxication which was considered an occupational disease and for which compensation was mandatory. Enterprises using this product must either have their own medical service or belong to an inter-enterprise medical service. As well, other protective measures must be taken in regard to both the individual and the enterprise. The economic and social development plan for 1988-92 had included a special section on the improvement of working conditions. Workers' and employers'

organisations had participated in the drawing up of these proposals. The present Convention provided for specific measures to be taken such as the substitution of less harmful products and the obligation to fix a maximum permissible concentration of benzene in the air. An ILO technical assistance programme which covered the revision of health and safety provisions in regard to all ratified Conventions would also aim to align legislation with the provisions of the Convention. The expert in charge of this was due to make his proposals at the beginning of 1989.

The Employers' members stated that the Committee of Experts had examined this problem for the past ten years which, while certainly technical, was of extreme importance to the workers concerned. The Government recognised the necessity of protective measures; these should therefore be incorporated into legislation and be effectively applied. As these provisions were to be included in the regulations of the Code, the draft should be sent as quickly as possible so that their conformity with the Convention could be examined.

The Workers' members stated that this issue, which was very important to workers' health, had been discussed since 1977 and they regretted that provisions had not yet been adopted. ILO assistance had been given and it was time that the country undertook its obligations.

The Government representative reminded the present Committee of the various protective measures which he had mentioned previously. What remained to be known was whether or not a harmless substitute for benzene existed. This was a highly technical question.

The Workers' members pointed out that the Committee of Experts had asked for specific information on the use of benzene and they hoped that the Government would take the necessary measures as soon as possible.

The Committee noted the information supplied by the Government representative. It regretted the long-standing absence of provisions to apply the Convention. The Committee hoped that, with the assistance of the ILO, the Government would take all necessary measures in the very near future to give full effect to the Convention and would report the progress made.

C. Detailed Reports on Ratified Conventions (State Members)

(Article 22 of the Constitution)

Summary of reports received and reports not received as at 17 June 1988

Reports due: 1,793

Reports received: 1,542

Reports not received: 251

The table published in the Report of the Committee of Experts, p. 375, should be brought up to date in the following manner:

State Member	Reports received		Reports not received		Grand total
	Total	Conventions Nos.	Total	Conventions Nos.	
Afghanistan ^{1,2}	8	13, 100, 105, 111, 139, 140, 141, 142	0		8
Brazil	8	5, 16, 19, 29, 107, 124, 142, 148	13	53, 94, 95, 98, 100, 105, 113, 115, 117, 118, 122, 125, 131	21
Central African Republic	14	5, 10, 13, 18, 19, 29, 33, 62, 81, 87, 98, 100, 105, 118	0		14
El Salvador ^{1,2}	1	105	0		1
France	30	5, 10, 13, 16, 19, 27, 29, 33, 53, 62, 63, 69, 73, 74, 90, 96, 97, 100, 105, 113, 118, 125, 129, 134, 135, 136, 147, 148, 149, 152	8	77, 78, 81, 123, 127, 140, 141, 142	38
Greece	20	5, 13, 16, 19, 27, 29, 42, 62, 68, 69, 73, 81, 100, 103, 105, 134, 136, 147, 150, 159	0		20
Grenada ^{1,2}	7	14, 29, 81, 94, 95, 98, 105	6	5, 8, 10, 16, 19, 97	13
Haiti ^{1,2}	10	5, 14, 19, 24, 25, 29, 77, 81, 87, 98	7	42, 78, 100, 105, 106, 107, 111	17
Honduras	9	27, 29, 32, 62, 81, 100, 105, 108, 138	0		9
Iran, Islamic Republic of ^{1,2}	7	95, 100, 105, 106, 108, 111, 122	2	19, 29	9
Ireland	16	8, 16, 19, 27, 29, 53, 62, 63, 69, 74, 81, 96, 100, 118, 124, 138	3	32, 105, 142	19
Italy	30	8, 13, 16, 22, 23, 32, 53, 55, 71, 73, 74, 81, 92, 100, 103, 111, 114, 132, 135, 136, 137, 138, 139, 141, 142, 145, 146, 147, 149, 151	12	19, 27, 29, 69, 94, 96, 105, 118, 129, 134, 148, 150	42
Kuwait ¹	4	29, 81, 105, 136	0		4
Libyan Arab Jamahiriya ^{1,2}	8	29, 53, 81, 98, 100, 105, 118, 138	1	96	9
Netherlands	23	13, 16, 19, 27, 29, 32, 62, 63, 69, 73, 74, 81, 96, 100, 105, 118, 121, 129, 135, 138, 141, 142, 147	0		23
Norway	29	13, 16, 19, 27, 29, 42, 53, 63, 69, 73, 81, 96, 100, 105, 113, 118, 129, 134, 135, 138, 139, 141, 142, 147, 151, 152, 154, 155, 156	0		29
Panama ^{1,2}	22	10, 13, 16, 19, 27, 29, 32, 52, 53, 63, 69, 73, 74, 81, 100, 105, 107, 113, 114, 122, 123, 125	2	96, 126	24
Saint Lucia ^{1,2}	19	5, 8, 11, 12, 14, 16, 17, 19, 29, 87, 94, 95, 97, 98, 100, 101, 105, 108, 111	0		19
Sierra Leone ¹	7	32, 81, 88, 105, 119, 126, 144	6	16, 19, 29, 59, 100, 125	13
Sudan ^{1,2}	5	19, 29, 81, 100, 105	0		5
Sweden	27	10, 13, 16, 19, 27, 29, 63, 73, 81, 96, 100, 105, 118, 129, 134, 135, 139, 141, 142, 143, 147, 151, 152, 154, 155, 156, 157	0		27
Thailand	4	19, 29, 105, 123	0		4
United Arab Emirates ¹	3	29, 81, 89	0		3
Venezuela ¹	15	5, 13, 19, 27, 29, 81, 100, 102, 118, 121, 139, 141, 142, 155, 158	2	87, 105	17

¹ These data modify the indications concerning this country, contained in paragraph 91 of Part One (General Report) of the Report of the Committee of Experts.

² These data modify the indications concerning this country, contained in paragraph 99 of Part One (General Report) of the Report of the Committee of Experts.

D. Statistical Table of Reports on Ratified Conventions

(Article 22 of the Constitution)

(17 June 1988)

Period	Reports requested	Reports received at the date requested		Reports received in time for the session of the Committee of Experts		Reports received in time for the session of the Conference	
		Number	Percentage	Number	Percentage	Number	Percentage
1931-1932	447	—	—	406	90.8	423	94.6
1932-1933	522	—	—	435	83.3	453	86.7
1933-1934	601	—	—	508	84.5	544	90.5
1934-1935	630	—	—	584	92.7	620	98.4
1935-1936	662	—	—	577	87.2	604	91.2
1936-1937	702	—	—	580	82.6	634	90.3
1937-1938	748	—	—	616	82.4	635	84.9
1938-1939	766	—	—	588	76.8	—	—
1943-1944	583	—	—	251	43.1	314	53.9
1944-1945	725	—	—	351	48.4	523	72.2
1945-1946	731	—	—	370	50.6	578	79.1
1946-1947	763	—	—	581	76.1	666	87.3
1947-1948	799	—	—	521	65.2	648	81.1
1948-1949	806	134 ¹	16.6	666	82.6	695	86.2
1949-1950	831	253	30.4	597	71.8	666	80.1
1950-1951	907	288	31.7	705	77.7	761	83.9
1951-1952	981	268	27.3	743	75.7	826	84.2
1952-1953	1 026	212	20.6	840	81.8	917	89.3
1953-1954	1 175	268	22.8	1 077	91.7	1 119	95.2
1954-1955	1 234	283	22.9	1 063	86.1	1 170	94.8
1955-1956	1 333	332	24.9	1 234	92.5	1 283	96.2
1956-1957	1 418	210	14.7	1 295	91.3	1 349	95.1
1957-1958	1 558	340	21.8	1 484	95.2	1 509	96.8
1958-1959	995 ²	200	20.4	864	86.8	902	90.6
1958-1960	1 100	256	23.2	838	76.1	963	87.4
1959-1961	1 362	243	18.1	1 090	80.0	1 142	83.8
1960-1962	1 309	200	15.5	1 059	80.9	1 121	85.6
1961-1963	1 624	280	17.2	1 314	80.9	1 430	88.0
1962-1964	1 495	213	14.2	1 268	84.8	1 356	90.7
1963-1965	1 700	282	16.6	1 444	84.9	1 527	89.8
1964-1966	1 562	245	16.3	1 330	85.1	1 395	89.3
1965-1967	1 883	323	17.4	1 551	84.5	1 643	89.6
1966-1968	1 647	281	17.1	1 409	85.5	1 470	89.1
1967-1969	1 821	249	13.4	1 501	82.4	1 601	87.9
1968-1970	1 894	360	18.9	1 463	77.0	1 549	81.6
1969-1971	1 992	237	11.8	1 504	75.5	1 707	85.6
1970-1972	2 025	297	14.6	1 572	77.6	1 753	86.5
1971-1973	2 048	300	14.6	1 521	74.3	1 691	82.5
1972-1974	2 189	370	16.5	1 854	84.6	1 958	89.4
1973-1975	2 034	301	14.8	1 663	81.7	1 764	86.7
1974-1976	2 200	292	13.2	1 831	83.0	1 914	87.0
1977	1 529 ³	215	14.0	1 120	73.2	1 328	87.0
1978	1 701	251	14.7	1 289	75.7	1 391	81.7
1979	1 593	234	14.7	1 270	79.8	1 376	86.4
1980	1 581	168	10.6	1 302	82.2	1 437	90.8
1981	1 543	127	8.1	1 210	78.4	1 340	86.7
1982	1 695	332	19.4	1 382	81.4	1 493	88.0
1983	1 737	236	13.5	1 388	79.9	1 558	89.6
1984	1 669	189	11.3	1 286	77.0	1 412	84.6
1985	1 666	189	11.3	1 312	78.7	1 471	88.2
1986	1 752	207	11.8	1 388	79.2	1 529	87.3
1987	1 793	171	9.5	1 408	78.4	1 542	86.0

¹ First year for which this figure is available.

² As a result of a decision by the Governing Body, detailed reports were requested as from 1958-59 until 1976 only on certain ratified Conventions.

³ As a result of a decision by the Governing Body (November 1976), detailed reports are now requested, according to certain criteria, at yearly, two-yearly or four-yearly intervals.

II. OBSERVATIONS AND INFORMATION CONCERNING THE APPLICATION OF CONVENTIONS IN NON-METROPOLITAN TERRITORIES (ARTICLES 22 AND 35 OF THE CONSTITUTION)

A. General Observations and Information concerning Certain Territories

New Zealand

Niue A Government representative of New Zealand assured the Committee that his Government had not been ignoring its reporting responsibilities. New Zealand had an ongoing concern to meet such responsibilities. However, this case provided certain real and practical difficulties. Niue had become self-governing in free association with New Zealand. Thus, the implementation of treaties by which Niue was bound and any reporting thereon was the responsibility of Niue, not New Zealand. The practical impact of that was that New Zealand could not compile the report. However, it must be pointed out that the Niue Government faced difficulties in meeting its reporting requirements due to resource constraints. The Niue Government had sought the help of the ILO office in Suva to complete the report. However, that call for assistance was unfortunately refused. Since then, his Government approached the regional office for Asia and the Pacific on this matter as that office should be taking a more positive approach in meeting the needs of those in the region, particularly needs such as complying with this type of responsibility. The Government representative concluded by stating to the best of his knowledge the situation in Niue gives no cause for concern in relation to Convention No. 105.

The Workers' members regretted that assistance from the Office had been refused. They wished to emphasise the importance of the obligation of replying to the supervisory bodies concerning Conventions and regretted that no reply had been forthcoming on Convention No. 105 as it was a fundamental Convention. They requested the Government of New Zealand to give assistance to

Niue in providing information on the application of this Convention.

The Employers' members noted the statement given by the Government representative as to the endeavours which had been taken to meet its obligations. The Employers' members wished to point out that State members of the ILO were responsible for the obligations they had accepted and in the case of New Zealand this responsibility is extended to the obligations in respect of Niue. This year the present Committee must pay particular attention to the problem of replies because paragraphs 98 and 99 of the Report indicated that the number of cases in which insufficient answers or no answers had been given had almost doubled. It was the specific questions and the answers to those questions which formed the very basis of the supervisory system. The Employers' members hoped that the difficulties with respect to the replies from Niue would be overcome and that the report would be forthcoming.

The representative of the Secretary-General indicated that Headquarters of the International Labour Office had only recently received the request for assistance to be given to Niue and that the request would be responded to favourably.

The Government representative indicated that he was pleased to hear that favourable consideration would be given to the request for assistance as such assistance had been useful in the past.

The Committee noted the explanations given by the Government representative of New Zealand and the difficulties and doubts he had reported. It noted also that the Government asked the regional office of the ILO for assistance. It hoped that the reports containing the replies requested would be communicated in the near future. It decided to include this case in the appropriate section of its report.

B. Observations and Information on the Application of Conventions

Convention No. 33: Minimum Age (Non-Industrial Employment), 1932

Netherlands

Netherlands Antilles The Government has communicated the following information:

In reply to the Committee of Experts' comments, the Government regrets that the draft Bills, mentioned in former reports, have not yet been drawn up. The Government shall nevertheless strive to realise these drafts as soon as possible.

In addition, a Government representative of the Netherlands Antilles stated that efforts were being made to establish a new tripartite Labour Committee to deal with the draft Order on dangerous and unhealthy activities prohibited to young persons under the age of 18 years. This Labour Committee was established by the Ordinance of 6 May 1988, No. 11, and the Government looked forward to the findings of this Committee and trusted that the obligations of the Convention would be fulfilled within a reasonable time.

The Employers' members noted that the Government representative had not provided a clear explanation of the situation. For over 30 years now the ILO had been concerned with the establishment of a minimum age of least 18 years in this territory. This was a particularly important subject as it involved the prohibition of dangerous and unhealthy work to children. For many years now this Committee had heard statements concerning the draft Order and the establishment of a commission and the statement given

today did not indicate any further progress in this regard. More specific information was needed and the Employers' members requested the Government representative to provide more detailed information in written form to this Committee next year.

The Workers' members noted that they had received a very short oral report from the Government representative. This was an important question that was being dealt with as it concerned the setting of a minimum age of at least 18 years for dangerous and unhealthy work. As the Employers' members had pointed out, this case had been ongoing for over 30 years. The efforts being made by the Government should go beyond those of establishing Committees. It should not be that difficult to ensure that the minimum age for dangerous work was set in conformity with the present Convention. The Workers' members stated that perhaps the Government of the Netherlands should assist the Netherlands Antilles to act more quickly in this regard. It would also be advisable to ask the ILO for assistance.

The Worker member of Argentina expressed his concern over the situation in the Netherlands Antilles, particularly because this problem had been ongoing so long. It was impossible to justify the fact that a country such as the Netherlands, which applied certain standards in its own national territory, did not have sufficient intent to extend this to non-metropolitan territories. This was a serious situation, as it concerned young people under 18 years of age, working in dangerous conditions. Therefore the present Committee needed more detailed explanations on this subject.

A Government representative of the Netherlands, stated that this Government gave all sorts of assistance to the Netherlands Antilles. However, he wished to clarify that the Kingdom of the

Netherlands consisted of three equal parts: the Netherlands part in Europe; the Netherlands Antilles; and Aruba. These three parts of the Kingdom were completely independent; they had their own governments and laws. The Netherlands part in Europe did not want to interfere in the internal matters of the other parts.

The Government representative of the Netherlands Antilles stated that the labour law required the Government to hear the report of the previously mentioned tripartite committee before it could take any decision. He indicated that he would bring the comments of the present Committee to the knowledge of the authorities in his country and try to expedite the matter as much as possible so that as soon as possible the obligations if the Convention would be enshrined in national legislation.

The Workers' members noted that since a Committee had now been established, it was hoped that by next year the necessary legislative measures will have been taken.

The Committee noted the written and oral information communicated by the Government of the Netherlands Antilles. It noted that the question was discussed for some time past. It was also noted that an order on dangerous and unhealthy activities was expected to be ready soon and the Committee expressed the firm hope that the Government would submit for consideration by the Committee of Experts at its next meeting a report reporting genuine progress in the implementation of the Convention.

C. Detailed Reports on Ratified Conventions (Non-Metropolitan Territories)

(Articles 22 and 35 of the Constitution)

Summary of reports received and reports not received as at 17 June 1988

Reports due: 378 Reports received: 323 Reports not received: 55

The table published in the Report of the Committee of Experts, p. 398, should be brought up to date in the following manner:

Countries and Territories	Reports received		Reports not received		Population* (thousands)
	Total	Conventions Nos.	Total	Conventions Nos.	
<i>Denmark</i>	11		0		
Faeroe Island	7	5, 16, 19, 27, 29, 53, 105	0		41.9
Greenland ¹	5	5, 16, 19, 29, 105	0		49.6
<i>France</i>	149		38		
<i>Overseas Departments:</i>					
French Guiana	22	5, 10; 13, 14, 16, 19, 27, 29, 32, 52, 53, 62, 69, 73, 74, 100, 105, 113, 114, 125, 135, 136	6	81, 87, 95, 98, 115, 123	73.0
Guadeloupe	22	5, 10, 13, 14, 16, 19, 27, 29, 32, 52, 53, 62, 69, 73, 74, 100, 105, 113, 114, 125, 135, 136	6	81, 87, 95, 98, 115, 123	327.0
Martinique	22	5, 10, 13, 14, 16, 19, 27, 29, 32, 52, 53, 62, 69, 73, 74, 100, 105, 113, 114, 125, 135, 136	6	81, 87, 95, 98, 115, 123	326.7
Reunion	22	5, 10, 13, 14, 16, 19, 27, 29, 32, 52, 53, 62, 69, 73, 74, 100, 105, 113, 114, 125, 135, 136	6	81, 87, 95, 98, 115, 123	515.7
Territorial Community of St Pierre and Miquelon	26	5, 10, 11, 13, 14, 16, 19, 22, 23, 29, 33, 52, 53, 55, 56, 63, 69, 71, 73, 96, 100, 101, 105, 122, 124, 125	14	24, 45, 77, 78, 81, 82, 87, 94, 95, 98, 106, 115, 123, 144	6.0
<i>Netherlands</i>	27		1		
Netherlands Antilles ^{1, 2}	8	10, 29, 33, 69, 74, 81, 105, 118	0		218.3
<i>United Kingdom</i>	115		2		
Guernsey	16	5, 10, 16, 19, 29, 32, 63, 69, 74, 81, 105, 135, 141, 142, 148, 151	0		53.3
Isle of Man	13	5, 10, 16, 19, 29, 32, 63, 68, 69, 74, 81, 105, 147	0		64.6
Jersey	13	5, 8, 10, 16, 19, 29, 32, 63, 69, 74, 81, 95, 105	1	140	76.0

¹ These data modify the indications concerning this country, contained in paragraph 91 of Part One (General Report) of the Report of the Committee of Experts.

² These data modify the indications concerning this country, contained in paragraph 91 of Part One (General Report) of the Report of the Committee of Experts.

* Source: United Nations: *Demographic Year Book*, 1986.

III. SUBMISSION TO THE COMPETENT AUTHORITIES OF THE CONVENTIONS AND RECOMMENDATIONS ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE (ARTICLE 19 OF THE CONSTITUTION)

Observations and Information

Ghana. In reply to the comments made by the Committee of Experts, the Government has indicated that the instruments adopted at the 66th, 67th, 68th, 69th, 71st and 72nd Sessions of the Conference had been submitted to the competent authorities.

Grenada. In reply to the comments made by the Committee of Experts, the Government has indicated that all of the submission documents have now been prepared, and when the Grenada delegation left home for the present Conference the papers were merely awaiting the Minister's signature. After the matter has been discussed by Cabinet, it is expected that submission can be made to Parliament very shortly.

The responsible official of the Ministry attended the ILO seminar on standards in Antigua (May 1988), following which the regional adviser on standards made an informal advisory mission to Grenada. It is hoped that this training and advice will improve the knowledge of standard-related questions in Grenada and enable the submission and reporting requirements to be fulfilled in future.

In addition, a Government representative apologised on behalf of his Government for having failed to comply with its obligations under the ILO's Constitution for so many years. The present Government assumed office in December 1984, and had inherited a backlog of unimplemented measures. As Minister of State with responsibility for labour since March 1988 he had personally issued instructions to settle all outstanding ILO matters, including the completion of the Labour Code. Unfortunately the death of the Labour Commissioner in April 1988 had caused a further delay in this process. He was nevertheless pleased to inform the present Committee that all the submission documents had been prepared and delivered to the Cabinet in early June 1988. He assured the Committee that the Government of Grenada will make the decision on those instruments known to the ILO in its next report in the very near future.

The Workers' members welcomed this supplementary information given by the Government representative. They were confident that following consultation with the Regional Adviser of the ILO the Government of Grenada was now more aware of the importance of complying with obligations concerning submission. They were pleased that the submission process had been improved, but the Committee was nevertheless technically required to note, with the additional information supplied by the Government representative, that actual submission had not yet taken place in the appropriate part of the report.

The Employers' members were grateful to the Government representative for his statement indicating improvements in the submission process. They understood the administrative difficulties caused by a change of government and other particular circumstances. As regards the government proposals that should accompany the submission documents and the instruments, the Employers' members recalled that the ILO Constitution gave the governments complete freedom in this respect, including the possibility of submitting the text with no proposals at all, which was still better than opposing ratification. The Committee should draw the governments' attention to this option, and in the case of Grenada note in its report that it expected the backlog to be eliminated.

The Government representative thanked the Workers' and Employers' members for their observations and stated that following the technical assistance given by the ILO his Government was now fully aware of the measures it could take to comply with its obligations under the ILO Constitution.

The Committee took note of the information supplied by the Government of Grenada and the difficulties mentioned by it. It noted that certain steps had been taken with regard to the submission of the instruments adopted by the Conference to the compe-

tent authorities but that submission had not yet taken place. It decided to make a special reference to that fact in the appropriate section of its General Report in the hope of being able to note real progress next year.

Islamic Republic of Iran. A Government representative stated that in the ten years since the Islamic revolution and the establishment of a new Government a great amount of progress had been achieved including the adoption of a new Constitution and of new labour laws. Considering the fact that the country was in a war situation there were, besides the submission of international labour Conventions and Recommendations, other major priorities. Nevertheless, the Government was doing its best to fulfil its obligations of submitting the ILO instruments which it had not yet submitted to the competent national authorities. A tripartite commission had been set up to examine the provisions of these instruments. However, since many of the provisions of these instruments of the international labour Conventions were of a very fundamental nature and affected large areas in the social and economic fields, the submission procedure naturally required a certain amount of time.

The Workers' members felt that it was a pity to have to discuss this question in the Committee. Everybody knew that new Conventions and Recommendations had to be submitted to the competent authorities within 18 months. In the present case no submission had taken place since the 62nd Session of the Conference, which meant that for 11 years the Government had not fulfilled its obligations and the Committee had been left without any information as to whether the appropriate steps had been taken or not. Even though the Government representative had indicated that a tripartite commission had been created for the examination of the instruments to be submitted to the competent authorities, this did not necessarily mean that submission would in fact take place in the foreseeable future. The Workers' members strongly urged the Government to accelerate the pace of submission. The case should be mentioned in the appropriate part of the Report.

The Employers' members noted that the non compliance with the obligation has lasted for a long time and that the limit of seven years has been exceeded. They expressed the opinion that no long consultations were necessary before submission of new instruments to the competent authorities. Only the situation of the national legislation in relation to the instruments submitted was to be made known. Even though tripartite consultations were a desirable procedure, as far as ratification and subsequent measures in the country were concerned, they were not indispensable for the submission procedure. The presentation to the legislature could also be undertaken before such consultations took place and they expressed their regrets about this shortcoming, which should be mentioned in the Committee report.

The Committee took note of the information supplied by the Government of the Islamic Republic of Iran and the difficulties mentioned by it. It noted that certain steps had been taken with a view to the submission of the instruments adopted by the Conference to the competent authorities, but that submission had not taken place for many years. It decided to make a special reference to that fact in the appropriate section of its General Report in the firm hope of being able to note real progress in the near future.

Mauritius. In reply to the observation made by the Committee of Experts the Government has indicated that the documents necessary for the submission to Parliament of the vast majority of the Conventions and Recommendations in question have been prepared and are waiting for parliamentary time to be made available. It is now expected that submission can be made in September 1988. The Government delegation to the Conference has made contact with the Office with a view to obtaining a further

informal advisory mission by the regional adviser on international labour standards. It is hoped that this will help overcome the problem of submission and those related to international labour standards.

In addition, a Government representative explained to the Committee that his Government had not been able to present the Conventions and Recommendations adopted by the ILO to Parliament because of internal problems and timing. Although two years ago it had been announced that within the following year the Government would fulfil its duty, this had not been possible due to the general election which had changed the pattern of parliamentary work, and the changed orientations of the new Government. The celebrations for the 50th anniversary of the setting up of labour administration which were held in 1988 had further delayed their submission. However, all papers were ready and were awaiting submission to Parliament. According to the provisional parliamentary programme, this should take place in September, and, in any case, before the end of 1988.

The Workers' members considered that a delay of seven years in the submission of the adopted ILO instruments to the competent authorities could not be explained by temporary political problems. They regretted that the Government had not used the occasion of the 50th anniversary to fulfil its constitutional obligations. Ratification of ILO instruments could not proceed until this first step was taken and they therefore urged the Government to take the measures necessary for their submission and their eventual ratification.

The Employers' members, while recognising that a number of countries did encounter problems in the submission of ILO instruments, agreed with the Workers' members that such a long delay was not warranted. They also stressed the importance of taking this first step toward eventual ratification. They urged the Government to ensure submission in September 1988 as they had pledged in his written communication.

The Worker member of Mauritius noted with regret that over the past eight years the Government of Mauritius had always found some reason for not submitting to Parliament the instruments adopted by the ILO.

The Government representative stressed that it was due to particular circumstances which had, coincidentally, prevailed year after year during the past seven years that his Government had not complied with its constitutional obligations. He repeated that his Government would fulfil its obligations during 1988.

The Committee took note of the information furnished by the Government of Mauritius and of the difficulties mentioned by it. It is noted that certain steps had been taken with a view to the submission of the instruments adopted by the Conference to the competent authorities but that submission had not yet taken place. It decided to make a special reference to that fact in the appropriate section of its General Report, in the hope of being able to note real progress next year.

Papua New Guinea. A Government representative stated that the documents concerning the instruments adopted between the 66th and the 72nd Session of the Conference had been submitted to the Clerk of Parliament for the November 1987 session of the National Parliament. The instruments were not presented to Parliament at the November 1987 session due to the discussion on the national budget which took up the full Parliament session. The first Parliament session in 1988 took place in April but was unfortunately adjourned after two hours to reconvene in June 1988. The Government representative assured the Committee that all efforts would be made to have the instruments presented to the National Parliament. The documents on submission had been prepared by the Labour Ministry and it was now up to the Office of Parliament to place these documents on the agenda.

The Workers' members expressed their understanding of the particular circumstances in Papua New Guinea but hoped that, as the submission had already been postponed a number of times, these documents would be discussed by the Parliament in June 1988.

The Employers' members also noted with regret the failure to submit. They admitted that in some cases the 18 months' deadline for submission could cause problems, but as no instrument had been submitted after seven years this gave cause for concern and some measures were required. The Employers' members proposed to mention this case in the Committee's report and expressed their hope that the submission would take place sooner in future.

The Committee took note of the information supplied by the Government representative and the difficulties mentioned by him concerning submission. It noted that certain steps had been taken with a view to the submission of the instruments adopted by the Conference to the competent authorities but that submission had not yet taken place. It decided to make a special reference to that

fact in the appropriate section of its General Report in the hope of being able to note real progress next year.

Saint Lucia. In reply to the comments made by the Committee of Experts, the Government has indicated that due to changes in personnel in the Labour Department, it had not yet been possible to complete the submission procedure. Following further training received at the regional seminar and the visit of the regional Adviser on Standards, it was hoped to complete the procedure soon.

Sierra Leone. In reply to the comments made by the Committee of Experts, the Government has indicated that the necessary submission documents have now been prepared.

In addition, a Government representative recalled that the latest position of his Government was presented to the present Committee in a written communication. He added that the Department of Labour of Sierra Leone was very short staffed due to the death of the Labour Commissioner in March 1988 and because the official trained by the ILO Regional Adviser in 1987 was now on study leave. It was hoped that a new official could be recruited soon. The Cabinet had already approved the submission of the Conventions and Recommendations referred to in the report of the Committee of Experts, and some of the submission documents had been sent to Parliament. The Government hoped that submission could be completed soon.

The Workers' members stated that they had taken note of the written information provided by the Government of Sierra Leone as well as the further explanations given by the Government representative. They expressed satisfaction with the improvements indicated by the Government representative concerning the submission process, and understood the unfortunate reasons for the delay. The Workers' members proposed to mention this case in the appropriate place in the Committee's report.

The Employers' members stated that the difficulties outlined by the Government representative were typical of many developing countries whose administrations were understaffed. The Employers' members regretted this situation and hoped that the Government would be able to comply with its submission obligations and inform the ILO about the measures taken to this effect. The Committee should note this case in the appropriate paragraph of its report.

The Committee took note of the information supplied by the Government of Sierra Leone and of the difficulties mentioned by it. It noted that certain steps had been taken with a view to the submission of the instrument adopted by the Conference to the competent authorities but that submission had not yet taken place. It decided to make a special reference to that fact in the appropriate section of its general report, in the hope of being able to note real progress next year.

Suriname. In reply to the comments made by the Committee of Experts concerning the submission to the competent authorities of the instruments adopted at the 65th to 72nd Sessions of the Conference, the Government had indicated that, since its independence in 1975, Suriname experienced some political instability which resulted in the suspension of the Constitution and the Parliament in August 1980. During the period 1980 to 1987, the conditions for the submission of ILO instruments had not been favourable, among others, due to several changes of Government. As a result of the democratisation process starting in 1984, the new Constitution of the Republic finally entered into force on 30 October 1987, and, according to the Constitution, the National Assembly was constituted, based on free, general elections held in November 1987. According to sections 72 (sub-section (a)), 103 and 104 of the Constitution, Conventions are ratified by the President of the Republic, after approval by the National Assembly.

Furthermore, the Government is confident that the situation can shortly be improved, taking also into account the preparatory work done by the Ministry of Labour with a view to submitting a number of ILO instruments such as Conventions Nos. 154, 155, 158 and 162.

The translation of Conventions and Recommendations into Dutch has been difficult, and it is hoped that some international assistance can be obtained soon in this respect.

The officials responsible for reporting and fulfilling the submission obligations have received some training from the ILO at regional seminars on standards (Barbados in 1982, Antigua in May 1988) and it is hoped that further assistance in relation to standards will be forthcoming from the ILO and such training will continue in the future, so that the obligations can be complied with.

In addition, a Government representative referred the Committee to his Government's written reply. As regards the comments of the Committee of Experts concerning the submission to

the competent authorities of the instruments adopted at the 65th to 72nd Sessions of the Conference, his Government wished to recall that since its independence in 1975 Suriname had experienced some political instability. During the period 1980-87 the conditions in Suriname for the submission of ILO instruments had not been favourable. In 1987 the new Constitution of the Republic finally entered into force and the National Assembly had been constituted. According to sections 72(a), 102 and 104 of the Constitution, Conventions were ratified by the President of the Republic after approval by the National Assembly. The Government was confident that the situation regarding submission could shortly be improved taking into account the preparatory work that had been done by the Ministry of Labour with a view to submitting a number of ILO instruments such as Conventions Nos. 154, 155, 158 and 162, and the training responsible officials had received from the ILO. He hoped that further assistance in relation to standards would be forthcoming from the ILO.

The Workers' members thanked the Government representative for having responded quickly to the appeal launched by this Committee for dialogue on difficulties which existed in member States and for having submitted a written statement on the situation which existed in his country. The Workers' members were well aware of and saddened by the events which had occurred in Suriname. However, it would now appear that there was a possibility of having a stable Government and restoring a normal situation in the country. Based on the information received it would appear that Suriname wished to fully co-operate with the ILO and fulfill its obligations. Conventions and Recommendations should be submitted to the competent authority so that the National Assembly and public could have knowledge of these instruments. Moreover the failure of submissions jeopardised the possibility for ratification. The Workers' members regretted that submission in Suriname had not been possible for seven successive years and they urged the Government to make up for lost time, and improve the situation as soon as possible.

The Employers' members emphasised that the obligation under the Constitution to submit instruments to the competent authorities was quite rightly intended to ensure that the bodies responsible for implementation of standards in individual countries would be aware of the contents of such instruments and respond accordingly. Although the constitutional obligation of submission within 18 months was often difficult for member States to meet, Suriname had not met this obligation for seven consecutive years and that was why it was before the present Committee. They noted the Government representative's statement of the difficulties that had existed in Suriname, particularly regarding the political situation, and had an understanding as to how this had hindered the Government in meeting its constitutional obligations. They were grateful for the promise made by the Government representative that Suriname would comply with its obligations in the future.

The Committee took note of the written and oral information furnished by the Government of Suriname and of the difficulties mentioned by it. It noted that certain steps had been taken with a view to the submission of the instruments adopted by the Conference to the competent authorities but that there was still a delay in that respect. It decided to make a special reference to that fact in the appropriate section of its General Report, in the hope of being able to observe real progress next year.

Trinidad and Tobago: A Government representative referred to the administrative difficulties his Government is facing. He also stated that on 9 June 1988 instruments adopted at the 66th and 67th Sessions of the Conference had been submitted to the competent authorities. An effort to submit the instruments adopted at the 68th to 72nd Sessions would also be made by the official in charge of ILO-related questions.

The Employers' members pointed out that the maximum delay for submission to the competent authorities was 18 months and that the Committee of Experts had reported that no information had been communicated that the Conventions and Recommendations adopted during the past seven years had been thus submitted. While understanding the difficulties mentioned by the Government representative, they hoped that the Government would respect its obligations for their submission.

The Workers' members stressed the importance of the obligation to submit instruments adopted by the Conference to the competent authorities, whether or not these were to be ratified.

The Committee took note of the information supplied by the Government of Trinidad and Tobago and of the difficulties mentioned by it. It noted that certain steps had been taken with a view to the submission of the instruments adopted by the Conference at its 66th to 72nd Sessions to the competent authorities but that submission had not yet taken place. It decided to make a special reference to that fact in the appropriate section of its General Report, in the hope of being able to note real progress next year.

United Republic of Tanzania. In reply to the comments made by the Committee of Experts, the Government has indicated that in November 1987 the ILO Regional Adviser for Africa paid a visit to the United Republic of Tanzania. The object of his visit was, inter alia, to enlighten the Government on its obligation to submit instruments before the competent national authority. The Regional Adviser held discussions with the officials of the Ministry of Justice. During the early stages of the said discussions, the government officials pointed out that, although the National Assembly is legislatively omnipotent, the Cabinet – which is a more limited body than the full assembly – does exercise certain legislative functions e.g. on matters which do not call for a full parliamentary discussion. In this regard therefore, it was the view of the Government that ILO instruments can be taken care of and be given effect by the Cabinet. All in all, at the final stage of the discussions, it was agreed in principle, that in order to give full effect to article 19 of the ILO Constitution, all Conventions and Recommendations should be brought before the legislative authority.

In the light of this agreement, coupled with the fact that one of the officials responsible for reporting and fulfilling the submission obligation has recently received training on international labour standards in Geneva, the Government has very high hopes that the submissions obligation in respect of the instruments adopted at the 54th to the 72nd Sessions of the Conference will soon be complied with.

The Government wishes to point out that the information and documents called for by the Committee of Experts in respect of the instruments adopted at the 66th to the 71st Sessions have already been prepared and will be submitted to the Office immediately. Further, the information and documents called for in respect of the instruments adopted at the 47th to the 53rd Sessions and those of the 72nd Session are being compiled and will be submitted to the Office in due course.

In addition, a Government representative said that his Government, which had supplied information in writing, had taken cognisance of the Committee of Experts' observations regarding submission to the competent authorities. The Government did not deny that the instruments adopted at the 54th to the 65th Sessions of the Conference had not been submitted to the National Assembly; the same was true for instruments adopted at the 66th to the 72nd Sessions as well. The instruments in question had been submitted to the Cabinet, which the Government had viewed as the competent authority in such matters. Since the visit of the Regional Adviser for International Labour Standards in November 1987, an agreement had been reached to the effect that all ILO Conventions and Recommendations should be brought before the National Assembly. The Minister of Labour had prepared a draft submission document for review by the Ministry of Justice. The Government would communicate further developments on this matter in the near future. The Government representative also noted that the information and documents in respect of the instruments adopted at the 66th to 71st Sessions of the Conference had been prepared and would be submitted in the Government's report for the period ending on 30 June 1988. The information and documents called for in respect of the instruments adopted at the 47th to the 53rd Sessions and those of the 72nd Session were being compiled. The Government hoped to submit them to the Office in due course. Finally, the Government expressed its gratitude for the training provided by the International Labour Standards Department recently for two officials from Tanzania (one from Zanzibar and the other from the mainland).

The Workers' members noted the very interesting statement to the effect that submission would be occurring as soon as possible. They noted that governments often confused the obligation to submit instruments to the competent authorities on the one hand with the non-mandatory process of ratification on the other. Submission had to be made to the authorities who were competent to legislate. The Workers' members looked forward to seeing progressive improvement in relation to submission.

The Employers' members recalled that an obligation under the ILO's Constitution was at stake here. Now that the Government had sorted out who the proper competent authorities were, the Employers' members were hopeful that they would be able to see progress on submission.

The Committee took note of the information supplied by the Government of Tanzania and of the difficulties mentioned by it. It noted that certain positive steps had been taken with a view to the submission of the instruments adopted by the Conference to the competent authorities but that submission had not yet taken place. It decided to make a special reference to that fact in the appropriate section of its General Report, in the hope of being able to note real progress next year.

IV. REPORTS ON UNRATIFIED CONVENTIONS AND RECOMMENDATIONS

Reports on unratified Convention No. 111 and Recommendation No. 111

(Article 19 of the Constitution)

In addition to the reports listed in Appendix II on page 213 of the Report of the Committee of Experts (Report III, Part 4 B), reports have been received from:

Central African Republic, Lebanon, Netherlands (Antilles).

INDEX BY COUNTRIES TO OBSERVATIONS AND INFORMATION CONTAINED IN THE REPORT

Afghanistan:

Part Two, I A.

Bahamas:

Part Two, I B, Nos. 29, 81, 105.

Bolivia:

Part Two, I B, Nos. 5, 107.

Brazil:

Part One, General Report, Para. 97.
Part Two, I A and B, Nos. 5, 107, 122.

Cape Verde:

Part One, General Report, Para. 97.
Part Two, I A.

Central African Republic:

Part One, General Report, Para. 104.
Part Two, I A and B, Nos. 29, 81, 87, 105.

Chile:

Part Two, I B, Nos. 20, 111.

Colombia:

Part Two, I B, No. 3.

Congo:

Part One, General Report, Para. 97.
Part Two, I A and B, No. 87.

Czechoslovakia:

Part Two, I B, No. 111.

Democratic Yemen:

Part One, General Report, Para. 97.
Part Two, I A.

Djibouti:

Part One, General Report, Paras. 97, 115.

Dominican Republic:

Part One, General Report, Para. 105.
Part Two, I B, Nos. 95, 98, 105.

Ecuador:

Part One, General Report, Para. 106.
Part Two, I B, Nos. 87, 105.

Fiji:

Part One, General Report, Paras. 94, 97, 115.

France:

Part Two, I A.

Federal Republic of Germany:

Part Two, I B, No. 111.

Ghana:

Part Two, I A.
Part Two, III.

Grenada:

Part One, General Report, Para. 90.
Part Two, I A.
Part Two, III.

Guyana:

Part Two, I A.

Haiti:

Part One, General Report, Para. 97.
Part Two, I A and B, Nos. 87, 105.

India:

Part Two, I B, Nos. 100, 107.

Iran, Islamic Republic of:

Part One, General Report, Paras. 90, 109.
Part Two, I B, No. 111.
Part Two, III.

Italy:

Part Two, I B, No. 81.

Jamaica:

Part One, General Report, Para. 95.
Part Two, I A.

Kenya:

Part Two, I A.

Kuwait:

Part Two, I A.

Lao People's Democratic Republic:

Part One, General Report, Paras. 97, 115.

Liberia:

Part Two, I B, No. 55.

Libyan Arab Jamahiriya:

Part Two, I B, No. 81.

Mauritius:

Part One, General Report, Para. 90.
Part Two, III.

Mauritania:

Part One, General Report, Para. 97.
Part Two, I A.

Morocco:

Part Two, I B, Nos. 98, 136.

Netherlands:

Part Two, II B, No. 33.

New Zealand:

Part One, General Report, Para. 97.
Part Two, II A.

Niger:

Part One, General Report, Para. 97.
Part Two, I A.

Pakistan:

Part One, General Report, Para. 107.
Part Two, I B, Nos. 29, 87, 105.

Panama:

Part Two, I A and B, No. 55.

Papua New Guinea:

Part One, General Report, Paras. 90, 97.
Part Two, I A.
Part Two, III.

Peru:

Part Two, I B, No. 68.

Poland:

Part Two, I A and B, Nos. 11, 87, 98.

Portugal:

Part Two, I B, Nos. 19, 95.

Romania:

Part One, General Report, Para. 97.
Part Two, I A and B, Nos. 29, 81, 129.

Saint Lucia:

Part One, General Report, Paras. 90, 112, 115.
Part Two, III.

Sao Tome and Principe:

Part One, General Report, Paras. 94, 97, 115.
Part Two, I A

Seychelles:

Part One, General Report, Paras. 90, 97, 115.

Sierra Leone:

Part One, General Report, Para. 90.
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Spain:

Part Two, I B, No. 122.

Suriname:

Part One, General Report, Para. 90.
Part Two, III.

Switzerland:

Part Two, I B, No. 100.

Syrian Arab Republic:

Part Two, I B, No. 106.

Tanzania, United Republic of:

Part One, General Report, Para. 90.
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Trinidad and Tobago:

Part One, General Report, Paras. 90, 112.
Part Two, I A.
Part Two, III.

Turkey:

Part Two, I B, No. 98.

United Kingdom:

Part Two, I B, Nos. 87, 100.

Uruguay:

Part Two, I B, No. 128.

Yemen:

Part One, General Report, Paras. 97, 112.
Part Two, I A.

Yugoslavia:

Part One, General Report, Para. 95.
Part Two, I A.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Twenty-eighth sitting

Friday, 17 June 1988, 10.15 a.m.

Presidents: Mr. Beyreuther, Mr. Aitken

COMMUNICATION TO THE CONFERENCE

Interpretation from German: The PRESIDENT – Before we embark on our agenda for this morning, I should like to ask the Clerk of the Conference to make some announcements.

The CLERK OF THE CONFERENCE – I have to inform the Conference that the Workers' electoral college of this 75th Session of the International Labour Conference met yesterday, 16 June 1988, and in accordance with article 54, paragraph 5, of the Standing Orders of the Conference confirmed the following appointment made by the Workers' group of the Governing Body: *Deputy member:* Mr. Fang Jiade (China) to replace Mr. Wang Jiachung (China).

Furthermore, in accordance with the announcement made in the *Daily Bulletin* of yesterday, 16 June 1988, the electoral college considered and adopted internal rules for the election of the Workers' members of the Governing Body of the International Labour Conference, to be effective as and when the new amended article 7 of the Constitution of the International Labour Organisation comes into operation. A copy of the rules adopted by the electoral college will be duly deposited with the Director-General in accordance with the requirement of the new article 52 of the Standing Orders of the International Labour Conference.

The full text of the internal rules for the election of the Workers' members of the Governing Body of the International Labour Office will be found at the end of this *Provisional Record* No. 29.

RATIFICATION OF CONVENTIONS BY CANADA, GUATEMALA AND THE UNITED STATES

Interpretation from German: The PRESIDENT – I have pleasure in announcing to the Conference that the Director-General of the ILO has registered the ratification of the following international labour Conventions:

Canada

Asbestos Convention, 1986 (No. 162)

Guatemala

Hours of Work (Industry) Convention, 1919 (No. 1)

Minimum Age (Agriculture) Convention, 1921 (No. 10)

Right of Association (Agriculture) Convention, 1921 (No. 11)

Weekly Rest (Industry) Convention, 1921 (No. 14)
Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955 (No. 104)
Minimum Wage Fixing Convention, 1970 (No. 131)

United States

Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)
Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)

This brings the total number of ratifications of international labour Conventions to 5,379.

RATIFICATION OF THE INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION, 1986

Interpretation from German: The PRESIDENT – I have pleasure in announcing that the Director-General of the International Labour Office has registered the ratification by Saudi Arabia of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986.

This brings the total number of ratifications and acceptances of the Instrument to 42.

TWELFTH REPORT OF THE SELECTION COMMITTEE: SUBMISSION AND ADOPTION

Interpretation from German: The PRESIDENT – The first item of our agenda this morning is the twelfth report of the Selection Committee. I would ask Mr. Vargas Escobar, Government delegate, Nicaragua, Chairman of the Committee, to submit the report.

Interpretation from Spanish: Mr. VARGAS ESCOBAR (*Government delegate, Nicaragua; Chairman of the Selection Committee*) – I have the honour to submit to the Conference the twelfth report of the Selection Committee, which is to be found in *Provisional Record* No. 5K.

The report deals solely with changes in composition of the committees of the Conference.

I recommend to the Conference the adoption of this report.

Interpretation from German: The PRESIDENT – The twelfth report of the Selection Committee is now before the Conference. If there are no objections, I take it that the report is adopted.

(The report is adopted.)

Interpretation from German: The PRESIDENT – The second item on our agenda is the continuation of our discussion of the Reports of the Governing Body and of the Director-General.

Interpretation from French: Mr. OECHSLIN (*Employers' delegate, France*) – Allow me, Mr. President, to congratulate you and my colleagues for the way in which you are directing our debates.

Let us once more thank the Director-General for inviting us to think about and express our feelings on the major theme which concerns me as a citizen and as spokesman of a group represented as an entity in this great Organisation.

Human rights – what an inspiring, yet irritating subject. The Director-General's Report does not attempt to gloss over the increasingly unacceptable contradiction between the unanimous lip service paid to human rights in every international gathering and the cynicism with which the same rights are daily flouted in so many countries, the spokesmen of which are the first to indulge in inflated and hypocritical rhetoric.

How many times have we not been tempted to withdraw from a debate apparently divorced from reality, manipulated for political ends, derisory episodes in conflicts between blocs of States, whose indignations are selectively expressed and carefully calculated with an eye to ephemeral alliances and converging interests?

At least, as regards the International Labour Organisation, I should not like to give in to such a defeatist and pessimistic attitude. Breaches of human rights are no fewer today than before – but perhaps they are not more frequent either. But there was a time when distances were such that people were not aware of events in distant countries, even in provinces of the same country. Today, aggressive television brings in live, barely tolerable pictures of what is happening. More and more often, we are getting to know men and women from other cultures. Perhaps we are becoming more aware that we all belong to the same species. While world-wide planet solidarity is perhaps not actively expressed, it has begun to exist and that is a first step.

If the ILO, as I believe, is able to go beyond a purely verbal eulogy of human rights, it is for two major reasons.

Firstly, it is that we have been able to define in writing specific rights which it is our constitutional mandate to defend and to illustrate, namely those which affect the world of labour. Freedom of association, for instance, is no abstract idea for us but is broken down into specific components of everyday life: the right to meet, the right to elect representatives, to receive contributions, and to travel in order to take part in international conferences.

Secondly, we have available well-defined procedures to monitor the effect given to the standards set forth in our instruments and to intervene whenever they are threatened or infringed. We cannot force a member State to honour obligations which it has thus freely accepted, but our methods are not devoid of practical effect. More than one delegate to this Conference has been or is indebted to the ILO for his

freedom of expression and action, or even for his very life.

Personally, I am proud of the privilege of taking part in the work of a body set up to this end, namely the Committee on Freedom of Association. The Employers' group has been involved right from the beginning, and in many cases has undertaken to contribute to the recognition of the rights of activists working against the interests which we represent. But the defence of human rights is indivisible. In this connection, I recall with emotion the name of my predecessor and teacher, Pierre Waline, who committed us to this approach.

Speaking now as an Employers' delegate of my country, I wondered what exactly a representative of business could contribute to this debate. I think my contribution has two main aspects.

Firstly, I affirm that I consider that free enterprise is a basic human right. By this I mean the right to engage without let or hindrance in a lawful economic activity, to accept the risks and responsibilities inherent in the life of an undertaking, to enter into contractual relationship with others in order to set up a production team, and to offer the fruits of one's labour at a reasonable price.

The French Revolution, of which will be celebrated the 200th anniversary a year from now, was also a revolt against red tape and in favour of economic freedom. During the celebrated night of 4 August, the Constituent Assembly in France not only abolished the privileges of birth but also the various corporations and entities which at that time hampered the right of citizens to set up or to manage a trade or industry. In March 1791, the law known as the "Allarde Act" laid down the contractual relationship as the basis on which economic life is organised. This hostility to corporatism and red tape gave rise to a good deal of distrust with regard to occupational organisations, whose later role in a pluralist society could not be foreseen at the time.

It is true that the right to free enterprise, like all rights, is not unlimited. Incidentally, the Universal Declaration of Human Rights of citizens proclaimed in 1789 that the exercise of the natural rights of every man has no other limits than those which are necessary to secure to every other man the free exercise of the same rights.

But if free enterprise is not explicitly mentioned in the catalogue of rights guaranteed by our instruments, it is certainly implicit in the recognition of the right of association of employers and of the free choice of employment. This is part of an approach which emphasises the rights and responsibilities of every human being and transfers them to the community only in so far as the common weal requires.

Other considerations will occur to an Employer representative for whom economic efficiency is a natural concern.

Some hold that human rights are a kind of luxury enjoyed by rich, stable countries not subject to threat. They are, it is maintained, a kind of reward for reaching a certain degree of economic prosperity and development. And of course the first thing which a State at war almost always does is to suspend public freedoms which seem incompatible with the mobilisation of the nation's energies.

But I think that the contrary is true. The experience acquired in the last World War does not show that States obtained any significant advantages from

enslaving their own peoples over those who tried to maintain human rights. The ancient Greeks said that men, not stone walls, protected a city. The historian Thucydides attributes to Pericles a famous discourse on the merits of Athenian democracy to convince his compatriots of their superiority over their enemies.

History, I think, shows that systems based on denial of human rights are in the long run economically ineffective. After all, slavery in ancient times and today has disappeared slowly, not because it was morally untenable, but because it was in conflict with other forms of labour organisation which are both more effective and more humane.

Seen from this angle, an organisation of labour and society based on racial discrimination is not only scandalous to our moral sense. It is also an incredible waste of human resources. Hence, the Employers, and in particular their group in this Conference, cannot but combat it with determination and support the efforts made by the ILO in this field, even if some of us do express reservations on specific points which, in their view, go beyond the terms of reference of the ILO.

The development of modern production techniques, especially the progress made in information technology, confirms this view. By eliminating repetitive, unskilled jobs by a better mastery of time and space, they offer the working man a new realm of freedom. If they are to fully mobilise the energies of men and women and the resources of their intelligence and their imagination more than their physical strength, they can be applied only by free people who are keen on what they are doing. Modern organisations, whether undertakings or political societies, are too complicated to be managed in an authoritarian or centralised way. The social disputes which are bound to arise are more lastingly settled by talks between freely chosen organisations than by repression and state-imposed constraints. In a word, respect for human rights in modern society is, in point of fact, the only means whereby these societies can be rationally governed. Dictatorship is an 'anachronism'.

That is why I would conclude with an optimism which is not just an act of faith, but a conclusion based on observation of facts.

The Athenian democracy, to which I referred a moment ago, had of course its shady side, namely, slavery. We, too, have our contradictions which will astonish our descendants, but our campaign for human rights will remain a witness to history in the making.

Mr. PRICE (*Parliamentary Secretary to the Minister of Labour, Canada*) – On behalf of the Government of Canada, may I extend warm congratulations to the President on his election to the presidency of this 75th Session of the International Labour Conference and to offer him our best wishes for a successful Conference.

The year 1988 marks the 40th anniversary of both the Universal Declaration of Human Rights and the adoption of the ILO Freedom of Association and Protection of the Right to Organise Convention (No. 87). The latter instrument, and many more of the standards and procedures developed by the ILO, constitute an essential part of the body of human rights legislation adopted by the international com-

munity since the Second World War. It is therefore most appropriate for the Director-General to have chosen human rights as the theme of his Report to this year's session of the Conference.

I believe, however, that one must make a distinction between fundamental human rights which are of universal application, regardless of economic circumstances, and other rights, the implementation of which – being dependent upon the economic capacity of individual countries – must often be a gradual, progressive process.

Fundamental and universal human rights include freedom of association, the prohibition of discrimination in employment, equal pay for work of equal value and the abolition of forced labour. I need not stress the outstanding contribution made by the ILO in the promotion of these essential rights from the time the Organisation was founded in 1919. The development of ILO standards in these areas has had a deep influence on the subsequent adoption of human rights laws and practices in many countries.

In my own country, for example, the adoption of the Discrimination (Employment and Occupation) Convention (No. 111), which Canada ratified in 1964, was a spur to the enactment of anti-discrimination legislation, both by the Federal Government and the provinces.

Similarly, when the Equal Remuneration Convention was being discussed in the 1950s, neither the Federal Government nor the ten provinces had matching legislation. Here again, the ILO Convention served as a rallying symbol and Canada was eventually able to register its ratification in 1972.

In the same year, Canada also ratified the Freedom of Association and Protection of the Right to Organise Convention (No. 87). Since then, the right of freedom of association has been embodied in the Canadian Constitution.

Over the years, the ILO's struggle to entrench universal respect for human rights has led it to address many forms of discrimination.

Yesterday, the Conference plenary devoted most of its time to discussing the report of the Committee on Apartheid. Canada's position on this is well known. We continue to play a leading role in efforts to help bring about an end to the abhorrent system of apartheid in South Africa.

Under the chairmanship of Canada's Prime Minister, the Commonwealth Heads of Government, at their October 1987 meeting in Vancouver, decided on a broad programme of action to combat apartheid. In recognition of the increasingly important role of the South African trade union movement as a vehicle for change, Canada's programme of assistance to victims and opponents of apartheid will, this year, include an additional US\$500,000 for labour education assistance.

If the ILO's record in the field of fundamental human rights is outstanding, it is no less so in the field of labour rights, namely, just and favourable conditions of work and social security, which the Director-General focuses upon in his Report.

By far the largest number of Conventions and Recommendations adopted by the ILO over the years have dealt with various aspects of working conditions, such as the minimum wage, hours of work, the minimum age of employment, night work, maternity protection and occupational safety and health.

In this regard, the inclusion on the Conference agenda of an item on safety and health in construction is very timely. I would hope that the Convention that will emanate from the discussion on this issue will make an important contribution to the welfare of the millions of workers employed in the construction industry.

The rights of workers to a safe working environment is a fundamental right and one which is commanding increased attention in many countries, including my own. I would like to take this opportunity to inform the Conference that yesterday I deposited, on behalf of the Government of Canada, the instrument of ratification of the Asbestos Convention, 1986 (No. 162).

As a major producer of asbestos, Canada is in a good position to know the danger associated with asbestos. But our long-term experience with this substance has also demonstrated that it is possible to use asbestos safely, provided that it is used in strict and rigorously controlled conditions, as provided for in the ILO Convention.

I would hope that the Convention will attract many ratifications so as to ensure that the health and safety of workers engaged in asbestos-related activities throughout the world are protected.

The Director-General devotes part of his Report to the discussion of a major problem which affects and preoccupies both industrialised and developing countries. I refer to the problem of unemployment and underemployment. The discussions which are being held at present in the Conference Committees on Employment and Social Security and on Rural Employment will no doubt provide further guidance to member States on possible ways to deal with this major problem.

The question of the impact of structural adjustment on employment was discussed in considerable depth at the High-Level Meeting on Employment and Structural Adjustment, which the ILO convened in November 1987, and in which Canada participated.

This is an area of legitimate concern for the ILO in the light of the objectives of social justice and social progress which are so fundamental to the Organisation.

We welcome the proposed ILO action, recommended by the High-Level Meeting and subsequently endorsed by the Governing Body, which aims at assisting member States to balance the need for adjustment measures and the need to protect the most disadvantaged groups in society.

It is a well documented fact that one group which is often most affected by adverse economic conditions is that of women workers, a group which represents an increasingly important segment of the world's labour force. My Government attaches high priority to the improvement of the status of women, both at the national level and in its international activities.

As the Director-General notes in his Report, the goals of equality of opportunity and equal treatment of men and women workers, which were reaffirmed in both the Nairobi Forward-Looking Strategies for the Advancement of Women and in the 1985 resolution adopted by the ILO on this question, are far from being achieved. Much remains to be done to ensure that women are able to participate fully and equitably in all facets of human activity. Canada

welcomes the increased attention the ILO is giving to this area and we urge the ILO to continue and intensify its efforts in this regard.

I have just referred to the increasing participation of women in the labour force of many, if not all, ILO member States. Another demographic trend which must be kept in mind is the change in the median age of the population in many countries.

In Canada, it is expected that by the year 2000 the number of workers over the age of 55 will increase from 1.4 million to 2 million. Older workers are often confronted with special difficulties when faced with the loss of their employment. It is often not as easy for them as it is for younger workers to relocate, to learn new skills and to adapt to a different work environment.

In Canada, a new programme for older worker adjustment is currently being developed with the provinces to provide income support for older workers who are permanently displaced by major lay-offs, and who have exhausted their employment insurance benefits.

The ILO's efforts to improve the working conditions of men and women everywhere have encompassed many groups and many segments of the world's population. At various times in its history, the ILO has concerned itself with the situation of migrant workers and older workers, of child labour, of women workers and of workers in specific industries and specific occupations.

This year the International Labour Conference has started the process of revising a Convention which covers a significant segment of the population of many countries, including my own, namely the indigenous populations. While the situation of indigenous populations varies from region to region and from country to country, they all share the common and legitimate aspiration of preserving their unique heritage and identity while at the same time participating on an equal footing in the development of the larger society they are part of.

In Canada, indigenous populations have had a key role in our history and they continue to play an important role in contemporary society. In addition to all the rights enjoyed by other Canadian citizens, special recognition and affirmation of existing aboriginal and treaty rights are entrenched in the Canadian Constitution.

Over the last several years, a series of constitutional conferences on aboriginal questions were held between indigenous leaders and the Canadian federal and provincial heads of Government for the purpose of defining these constitutional rights. In addition, claim processes have been instituted to deal with indigenous land issues. The negotiated agreements that have resulted have involved more than 100,000 square kilometres of land and many millions of dollars in compensation.

General government expenditures on aboriginal programmes are also significant. In the decade ending in 1986, government expenditures for indigenous education, housing, community infrastructure, health and social services and economic development have increased by 76 per cent to a total of \$2.8 billion.

I have just referred to the important and complex technical items which the Conference will discuss at its present session. But the Conference will also deal with a number of other important and difficult issues.

It is the hope of the Canadian delegation that the conclusions which will be reached on these issues will reflect the well-established ILO tradition of promoting constructive dialogue as well as respect for due process.

Mr. WILLIS (*Minister for Industrial Relations, Australia*) – I am pleased to participate once again in the plenary debate on the Director-General's Report.

Mr. President, you have presided over the 75th Session of the International Labour Conference in a most effective and helpful manner. I was greatly encouraged by your comments in your presidential address, which underlined the universality of this great Organisation. We particularly welcome your recognition of the principle of tripartism and we share your concern that member States should not only ratify but actually implement and adhere to ILO Conventions.

The Director-General's Report, *Human rights – A common responsibility* is particularly timely. Human rights are violated daily in a disturbing number of countries. In many other nations they are under threat and their preservation requires constant vigilance on the part of us all.

This year not only marks the 40th anniversary of the adoption of the both the Universal Declaration of Human Rights and the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), but is also the 30th anniversary of the adoption by the International Labour Conference of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

These particular Conventions provide the cornerstones upon which the ILO has been built. One protects the rights of workers and employers to organise and carry out their activities. The other focuses on the rights of individuals to maximise their potential without discrimination in their chosen vocation.

It is disturbing that, after so many years, much remains to be done to secure these basic rights. As evidence of this, the Committee of Experts on the Application of Conventions and Recommendations has devoted more than half of its report to infringements of ILO Conventions concerning basic human rights.

In addition, the ILO Governing Body Committee on Freedom of Association, of which Australia is a member, is dealing with a continuing stream of complaints alleging infringements of the freedom of association Conventions. Increasing recourse is being made also to ILO constitutional complaints procedures.

In these circumstances, it is indeed appropriate to take stock of our situation. We need to ask ourselves why such rights, which have been accepted by the international community as a whole, find limited acceptance at the national level. Facing such questions squarely will provide us with a firmer basis on which to proceed in the future.

Australia regards realisation of basic human rights as a goal which must be pursued as the first priority. Consistently with this objective, Australia has ratified and implemented ILO Conventions dealing with fundamental human rights, including the abolition of forced labour, just and equitable remuneration, free-

dom of association and the right to organise, and the elimination of discrimination in employment and occupation.

We also ratified the relevant United Nations Conventions on the Elimination of all Forms of Racial Discrimination and All Forms of Discrimination against Women, as well as the United Nations Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights.

Australia agrees with the Director-General that the right to freely chosen and productive employment is a fundamental human right which all nations should strive to implement to the fullest possible extent. It is not achievable, however, simply by ratifying Conventions or passing laws. Its implementation requires the adoption by governments of effective economic and employment policies, with maximum priority being given to employment growth.

The Australian Government has successfully pursued this policy over the last five years. Despite being very adversely affected by the collapse of commodity prices a few years ago, Australia has achieved a high rate of economic and employment growth.

Since 1983 economic growth has averaged 4 per cent per annum, and employment growth, at 3 per cent per annum, has been the fastest of any OECD country. That this has been achieved through policies which have emphasised consensus and tripartism is especially satisfying and an example to others of what such policies, which are very much in tune with ILO principles, can achieve.

Concurrently with obtaining rapid growth in employment overall, we have been concerned to implement policies to expand employment among disadvantaged groups and to remove discrimination in employment.

Thus, in recent years Australia has implemented imaginative and extensive policies to expand the employment of Australian aborigines and assist them to develop productive enterprises. Such policies will take time to produce substantial results but represent a major effort to provide productive and freely chosen work to a group of Australians who have suffered considerably from denial of that right in earlier years.

In addition, the Government intends to set up a statutory commission which will be responsible for the management of government programmes and initiatives in aboriginal affairs. This will enable aboriginal people to be responsible for deciding their own priorities and will result in their achieving economic, social and cultural development at the pace chosen by them.

Unemployment relief and training programmes have been focused on other disadvantaged groups as well, such as non-English speaking migrants, the physically and mentally handicapped, the long-term unemployed and women in general.

Recognition of the right of women to equal employment opportunity has had concrete expression through the recent introduction of programmes of affirmative action for women in the private and public sectors and legislation to prohibit discrimination in employment based on sex. It has been particularly gratifying to us that the female labour force participation rate has increased rapidly in recent years to 50 per cent and that female employment has increased in the last five years by an extraordinary 25 per cent.

We recognise, however, that for many countries, especially many developing countries, beset by low commodity prices and a crushing burden of debt, the prospects of significant economic and employment growth remain dismal. In these circumstances, fulfilment of the right to productive employment remains largely unachievable for hundreds of millions of people.

Further, as President Aquino so wisely observed when she addressed this forum earlier this week, without a fair resolution of the debt problem "the tightening grip of its austerities threatens to strangle the life out of the new democracies of the Third World." That is to say, without a resolution of the debt and development problem, human rights are unlikely to be enhanced and may well be lost.

It is imperative therefore that all possible steps be taken to increase world economic development. This includes the adoption by major industrialised countries, particularly those with large trade surpluses, of more expansionary domestic economic policies; reduction in levels of protection; preparedness to accept major structural adjustment to their economies and a willingness to provide substantial and effective aid to debt-burdened countries.

For developing countries the challenge is to utilise their resources more effectively and to take maximum advantage of whatever opportunities arise in a more favourable world economic environment. Only in this way can they hope to achieve higher living standards and secure basic human rights for their people.

In the area of equal employment opportunities and other basic human rights, Australia shares the concern of the Director-General regarding the situation of Arab workers in the occupied territories. The Australian Government has, on a number of occasions, publicly expressed its deep concern about the continued unrest in the occupied territories of the West Bank and Gaza, with the consequential loss of life, injury and destruction of property.

In particular, we have expressed concern at the deportation of Palestinians from the occupied territories to Lebanon in contravention of Article 49 of the Fourth Geneva Convention and clear disregard of Lebanese sovereignty. Another serious matter is the now well-established pattern of harassment of trade unionists in the occupied territories as well as the restrictions being placed on trade union activities.

We note the Director-General's view that the problem has taken on a different dimension and that solutions should be looked at from two directions, that is political settlement and economic development.

As regards a political settlement, the Australian Government considers that, if the conflict is to be resolved, it is essential that the rights of the Palestinians to self-determination and independence, if they so wish, be accepted, within the framework of negotiated settlement which is based on the right of all countries of the region to secure and recognised boundaries in accordance with United Nations Security Council resolution 242. The democratic, humanist principles on which Israel was built do not sit comfortably with its ongoing control of occupied territories in contravention of Security Council resolutions.

Whether a political settlement can be achieved or not, Australia agrees that measures to promote economic development in the territories are highly desirable. In this context we believe the ILO should play a direct and positive role within its mandate. Issues to be addressed would include measures to eliminate inequalities of opportunity and treatment in relation to such matters as vocational training and social security; the implications of the system of work permits for job security, and the need to ensure the exercise of legitimate trade union activity free of interference by the civil and military authorities.

The protection and promotion of human rights is, of course, both an ongoing and a dynamic process. An emerging issue of direct concern not mentioned in the Director-General's Report is the problem of workplace discrimination against people suffering from AIDS.

In the circumstances of rapidly increasing numbers of workers affected by AIDS, it is imperative that the ILO, in conjunction with other agencies, continue to develop appropriate policy responses. Although some steps have been taken, more needs to be done to encourage governments, workers and employers to formulate workplace policies to deal with this problem in a humane, informed and productive way.

In the course of this address I have focused particularly on the human rights Conventions adopted by the ILO and ratified by its member States. The concomitant of ratification is implementation, and we have seen that even with sophisticated supervisory procedures, all too often basic human rights standards are violated or ignored at the national level.

It is decidedly unfortunate that, at the very time ILO services are most needed, the activities of the Organisation are threatened by the most severe financial crisis it has experienced in its history. While the Organisation is moving to resolve the difficulties stemming from exchange rate problems, it is the political will of its Members that is required to resolve the question of payment of contributions.

Australia urges all Members of the ILO to ensure that contributions assessed by, and owed to, the Organisation are paid in full and on time. Without this commitment, it is inevitable that ILO activities to support, defend and promote human rights will necessarily be curtailed. Were this to occur, it would not only be a tragedy for this Organisation, it would be an even greater tragedy for many millions of people in the world and the cause of human liberty.

COMMUNICATION BY THE PRESIDENT TO THE CONFERENCE

Interpretation from German: The PRESIDENT – I would like at this point to come back to a question which we have already discussed and on which we agreed in principle yesterday. I refer to the reaction of the Conference to a telex message which the President of the ANC, Mr. Oliver Tambo, sent to me as President of the Conference. You will remember that I informed the Conference about this and the Conference referred the telex message to the Conference Committee on Apartheid.

Now we have a proposal from the Committee on Apartheid indicating how Mr. Oliver Tambo's legitimate request could be met, on the basis of point 1 of the conclusions of the Committee on Apartheid in

Provisional Record No. 19. It is recommended that the Conference send a telex message to President Botha referring essentially to the wording of point 1 of these conclusions. The telex would read as follows:

From Mr. Wolfgang Beyreuther, President of the 75th Session of the International Labour Conference.

To Mr. P.W. Botha, President of the Republic of South Africa. I have the honour to inform you that last night the Conference resolved, *inter alia*, to call "upon all governments, employers' and workers' organisations and the International Labour Office to make representations to the South African authorities in order that they refrain from promulgating the proposed amendments to the Labour Relations Act and from enacting the Promotion of Orderly Internal Politics Bill and other measures that threaten the very existence of the independent Black trade union movement". In consequence I would ask you on behalf of the Conference to withdraw the said amendments and enactment.

If you agree, a copy of this telex will be sent to Mr. Tambo, President of the ANC, and to the press.

(It is so decided).

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL (*cont.*)

Interpretation from German; The PRESIDENT – We shall now resume the discussion of the reports of the Governing Body and of the Director-General.

Mr. SMITH (*Employers' delegate, United States*) – I would like at the outset to thank the Director-General for his wisdom and foresight in choosing human rights as the focal point for our debate this year. Of course none of us should be surprised at this selection because, as the Director-General points out in the Preface to the Report: the concept of human rights "underlies all the activities of the Organisation." And yet, as he points out in that same Preface; "it cannot be denied that fundamental human rights, like human freedom and dignity, far from being more widely respected, are being flouted, often in dramatic circumstances."

It is ironic that 40 years after the adoption of the Universal Declaration of Human Rights by the United Nations without a single dissenting vote, no method of systematic analysis as to the extent to which member States honour their obligations to respect human rights has been established by the United Nations or any of its specialised agencies. From time to time, proposals have been made to establish a survey of the degree to which each member State respects the individual human rights called for by the Declaration, but each time such a proposal is put forward, it has been defeated. One cannot help but suspect that there are many governments that are not anxious to allow their record of human rights observance to be exposed to the public scrutiny that such a world survey would ensure. Perhaps the failure of the United Nations to undertake such a periodic study suggests an opportunity for the International Labour Organisation.

After all, the concept of human rights underlies all the activities of this Organisation, as the Director-General notes. In the ILO we have the experience and capability to undertake such a task. Our long-

established supervisory machinery culminating in the Conference Committee on the Application of Standards is unique, and provides a model for parallel machinery to review the manner in which human rights are being honoured in the member States of the International Labour Organisation. The unique tripartite structure of our Organisation might prove useful in overcoming the reluctance of some governments to expose their human rights record to world scrutiny.

Nothing but good can come to our Organisation from a detailed examination of those circumstances where fundamental rights are being flouted – an examination that not only calls attention to violations in specific member States but attempts to seek the reasons why the governments of such States are willing to allow the flouting of fundamental human rights. It is time that we move from pious statements of support and take action aimed at truly protecting the rights of individuals. If we, in this International Labour Organisation, are not prepared to create a mechanism to defend human rights, then who will? Let us applaud those who respect human rights, and be prepared to expose and condemn those who do not!

Why is it that so many governments are afraid to have their human rights record examined and publicly exposed? Could it be article 13, paragraph 2, of the Universal Declaration of Human Rights, a simple statement that reads "Everyone has the right to leave any country, including his own, and to return to his country", – could it be that this article would pose a real problem to nations that build immense walls of concrete, steel and barbed wire to prevent their citizens from exercising this right to leave?

Could it be that there are a number of States that are in clear violation of article 17 which states "everyone has the right to own property alone as well as in association with others" and "no one shall be arbitrarily deprived of his property"? Could it be that States that proudly assert that the State shall own all the means of production, and deny the right to own private property, realise that such policies are a clear violation of a universally accepted declaration of human rights which in many instances these very same States have endorsed.

Could it be that the practices of the Gulag Archipelago, so vividly described by Aleksandr Solzhenitsyn, do not conform to article 9 of the Declaration which states: "no one shall be subjected to arbitrary arrest, detention, or exile"?

Or are some States unwilling to honour article 23, paragraph 4, which states: "Everyone has the right to form and to join trade unions for the protection of his interests"? I would like to emphasise the words "right to form trade unions". Surely the dismantling of the trade union, Solidarity, whose primary organiser, Lech Walesa, addressed this Conference only a few short years ago, as the representative of the workers of his country; and the recent suppression by the authorities of attempts to reorganise Solidarity demonstrates that some member States would be uncomfortable about having their human rights record publicised because of article 23, paragraph 4.

Or is it that some States fear they might be in violation of article 5 which calls out: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment"? Certainly Armando Valladares in his recently published book

Beyond all hope documents that the use of torture and cruel, inhuman and degrading treatment has not been abandoned in his homeland.

Clearly, there are many possible reasons why a large number of governments desperately struggle to prevent any analysis taking place that would throw light on the manner in which they honour (or dishonour) the Universal Declaration of Human Rights.

Could it be that there are a number of States which know full well that they cannot fulfil article 7, which reads: "All are equal before the law and are entitled without any discrimination to equal protection of the law"? Surely, those States that routinely send to psychiatric hospitals those who are in major political disagreement with the government would be unwilling to face examination on the manner in which they fulfil article 7, and yesterday's plenary sitting demonstrated that the non-member State that enforces the abhorrent practice of apartheid cannot stand scrutiny for the manner in which it honours the Universal Declaration of Human Rights.

Fortunately, such governments are in a minority. They still can be brought to account before the most important tribunal in the world: the court of public opinion. But to do so requires a determination to overcome the obstacles that have prevented a thorough analysis of each State's human rights record. Perhaps the ILO with its structure which accords delegates representing both workers and employers an equal voice with that of governments can be the instrument to accomplish what the United Nations has been unable or unwilling to do.

In his address to this Conference a week ago, His Excellency Felipe Gonzalez, Prime Minister of Spain, while discussing the problems of the United Nations and its specialised agencies referred to "a crisis of credibility". Certainly the manner in which a number of member States flout many important human rights recognised and agreed to in the Universal Declaration is an important contributor to the crisis of credibility called to our attention by the Prime Minister. Would it not be a significant contribution towards overcoming the credibility crisis and thereby protecting the concepts of international co-operation through the United Nations system, if our Organisation were to establish supervisory machinery to measure and record the degree of compliance of each member State with the principles clearly endorsed by all in the Universal Declaration of Human Rights?

The subject of human rights is important beyond ensuring that individuals are protected from arbitrary actions by governments or other individuals. Economic growth and development so important to our Organisation depend to a large measure on the observance of a respect for human rights. It is no coincidence that the States that provide their citizens with the most favourable standard of living are those States with the longest record of respect for human rights. Pope John Paul II in his encyclical letter, *Sollicitudo rei socialis* states: "It should be noted that in today's world, among other rights, the right of economic initiative is often suppressed. Yet it is a right which is important not only for the individual but also for the common good. Experience shows us that the denial of this right, or its limitation in the name of an alleged 'equality' of everyone in society, diminishes, or in practice absolutely destroys the spirit of initiative, that is to say the creative subjectivity of the citizen. As a consequence, there arises, not

so much a true equality as a 'levelling down'. In the place of creative initiative there appears passivity, dependence and submission to the bureaucratic apparatus which, as the only 'ordering' and 'decision-making body' – if not also the 'owner' – of the entire totality of goods and the means of production, puts everyone in a position of almost absolute dependence. This provokes a sense of frustration or desperation and predisposes people to opt out of national life, impelling many to emigrate and also favouring a form of 'psychological' emigration."

That "bureaucratic apparatus" referred to by His Holiness not only includes the staggering bureaucracy required by central planning, but also includes the bureaucracy that many developing countries have put in place in a misguided attempt to protect the "out-dated mercantilistic system" that is the pattern in so many of these States; – a system that is described in great detail by the Peruvian economist, Hernando de Soto in his book, *The other path*.

Pope John Paul went on to point out that in today's world there are many forms of poverty. He defines some of these forms as follows: "the denial or the limitation of human rights – as for example the right to religious freedom, the right to share in the building of society, the freedom to organise and form unions, or to take the initiatives in economic matters – do these not impoverish the human person as much as, if not more than, the deprivation of material goods?"

There are many governments which attempt to confuse us by emphasising their record of meeting human needs even though this is often accomplished at the expense of human rights. It is the view of the United States Employer delegation that strict observance of all of the human rights is the best way to ensure that the equally important (but distinctly different) effort to fulfil human needs will be met. Those who are willing to try to achieve the fulfilment of human needs at the expense of human rights run the risk of eventually losing both. In fact it is crystal clear that those States that are the worst offenders in the human rights field prove to be the same States that have the most difficulty in fulfilling the human needs of their citizens.

Let me close my remarks by expressing my personal pleasure that you have been chosen to preside over this debate on the subject: *Human rights – A common responsibility*. I hope this thorough exposure to world opinion on this vital subject will cause you to do two things: first to use your leadership role both in your own country and in this International Labour Conference to cause this Organisation to take more effective action to defend human rights; and second, to return to your capital at the end of our Conference with a strong recommendation to your Government that it tear down that monument of steel, concrete and barbed wire that is a constant reminder of the denial of human rights, the Berlin Wall. I can think of no other action that would give such a strong and dramatic signal to the rest of the world that your Government is prepared to back up its verbal commitments to human rights with appropriate action.

Interpretation from German: The PRESIDENT – Thank you, Mr. Smith. May I just urge you to consider very carefully the points you have raised this morning as they relate to your own country.

Mr. MORTON (*Workers' delegate, United Kingdom*) – We welcome the Report of the Director-General to this session, which is a sober assessment of the issues which confront us in 1988, the anniversary year of the United Nations Declaration of Human Rights. It reminds us of the achievements and difficulties of the United Nations system. And it reminds us of the continuing need to uphold international standards in the field of trade union rights.

We particularly welcome the way in which it draws attention to the interdependence of human rights: that close relationship between freedom from oppression and freedom to choose. It outlines the full implication of the right of freedom of association, the right, that is, to balance economic power with collective action by the workers. We are reminded that vigorous, balanced and fair societies need independent trade unions which respond to the interests of their members, indeed that no society can truly be called free in which such trade unions do not exist, or are impeded. This Report builds on the work of the ILO to proclaim and promote the exercise of basic trade union rights. It deals with the rights of their members and the relations between trade unions, the State and political parties.

We entirely agree with the points about the economic efficiency and flexibility of collective bargaining and about the essential need in democratic societies for the right to strike to be upheld. These principles need restating. They are under attack in my own country where it seems that the right to strike is acceptable in principle but only if it is never exercised.

We have taken up a number of issues separately in the ILO, and they will come once again before this Conference.

In industrial countries, it is not our experience that governments are better suited than trade unions to determine fundamental democracy, particularly when those governments were wedded to nineteenth-century economic philosophies. Trade unions are responsive and responsible institutions; they have effective democratic structures. That is not true of many other institutions. Intervention by governments to regulate trade union functions is rarely disinterested.

I listened with interest to my own Government's claim to have "improved the industrial relations climate by introducing legislation to redress the balance of bargaining power between employers and trade unions and to give trade union members a greater say in their union affairs". This is the view of the United Kingdom Government. A more accurate way of putting it is, in our view, to say that that Government has sought by legislation to reduce the rights of British workers to freedom of association and collective bargaining and to reduce those rights to a level that has been specifically criticised within this Organisation in two cases and is the subject of a further complaint in general. As to the rights of members within their trade unions, the United Kingdom Government has legislated to override the democratic constitutions of trade unions, whatever the wishes of the members.

So you see, there are differences of perspective in the matter of human rights. In considering the other basic rights, the Report underlines the need for equality of opportunity and treatment in employment and other spheres of work and outlines ILO

activities designed to end all forms of discrimination. In this respect, we address ourselves once again to the denial in southern Africa of basic rights to the majority of the population. In a report on human rights, it is worth pointing out that the independent trade union organisations in South Africa and Namibia, operating in the most wicked system of discrimination in the world, are nevertheless sufficiently well based and supported by working people to offer the best hope for a reasonably peaceful transition to a just and democratic system of government and society, and to give even now Black people some say in the decisions which affect them. I salute COSATU and NACTU and their members on the outstanding success of their peaceful protest last week. Trade unionists everywhere support their just cause. As this session has declared, overwhelmingly, only yesterday, there is also a clear need for action from governments and employers.

We have also before us a report on the situation of working people in the occupied territories. The Trades Union Congress entirely supports the Director-General's conclusion that there is a most urgent need for an initiative to involve the authentic representatives of the people concerned within an international framework in order to find a just, peaceful and lasting solution which would accord to all the people concerned their basic rights.

In the debate about discrimination on grounds of sex we are sceptical of attempts to create equality by removing the few protections which women have gained. Too often in reality men and women are segregated in the occupational caste system described by the Director-General in his very sharp analysis of the informal sector. On our side we will continue to argue the need for new instruments and new efforts to counter discrimination wherever it occurs.

In the British trade union movement we would also emphasise the commitments entered into by governments to the right to full, productive and freely chosen employment. We too, see Convention No. 122 as a key Convention. As does the Director-General, we resist the counsels of despair. We repudiate those who suggest that the achievement of full employment is an impossible dream. The real tragedy is that the remedies that are available have not been properly tried. We stress the need to intensify national and international efforts to bring about full employment as an essential ingredient in the struggle for democracy, human rights and peace.

I was privileged to attend the High-Level Meeting on Employment and Structural Adjustment held under the aegis of the ILO. That meeting affirmed the importance of consultation and interdependence. The Director-General returns to these themes in his Report. He makes the essential point that the social objectives of governments and their duties to provide citizens with jobs cannot be abandoned in lean years. It is true that we in the industrialised countries must accept our responsibility in this field. At the national level we – that is, governments, trade unions and employers – must work together to promote dynamic economic and employment growth and that really means involvement and willingness to involve, on the part of governments, the trade union movement. Internationally that growth must be harnessed to promote growth in developing countries. Those concepts of consultation and interdependence lie at the

heart of any global strategy for employment and social justice.

I want to refer also to the role of minimum labour standards in international relations. The trade union representatives in the High-Level Meeting on Employment and Structural Adjustment wanted its conclusions to refer to the positive effects on international trade of governments' observing basic labour standards. On the trade union side we have argued that respect for trade union and other basic human rights should be guaranteed under trade agreements. It is, after all, difficult to persuade working people in industrialised countries to accept that goods produced under conditions of exploitation should be freely imported.

The Director-General in his Report responds to that issue in a measured way. He sees the need to preserve the existing ILO mechanism and to work from that base. We think that more should be done to encourage respect for basic rights in those countries where they are consistently and flagrantly violated.

The same should go, we believe, for technical co-operation activities. The general discussion of ILO field work at the session last year enabled us to focus on the thriving activities of the Organisation designed to enable States to develop practical means of implementing ILO standards. That must remain the basic goal, and again where States consistently violate rights it must be a responsibility of this Organisation to consider whether to continue to provide technical assistance.

Reading the Report, one is struck by the need – which is now greater than ever – for concerted action by the international community to regulate disputes and promote peace and security of people in the world. The essential rights in employment guaranteed in ILO and United Nations instruments are one means of action. They are designed to protect working people from arbitrary exercise of power by employers or governments and to enable them through legitimate means to take greater control of their destinies.

The Report makes clear the coherence of the structures and systems which have been established. And yet here we are faced every year at this Conference and elsewhere with evidence that governments fail to ensure respect for trade union and other human freedoms. Worse, they actively conspire to repress them. We hear of appalling human rights violations in countries where no democratic freedoms exist and where to be a trade unionist is to endanger one's life. We hear also of countries where poverty can nevertheless not excuse the flagrant abuse of basic freedoms. Perhaps most disturbing, there are also long-established industrialised countries whose governments have decided unilaterally to by-pass the collective wisdom of the international system. Those governments out of outdated individualist ideology are eroding freedoms hard won by past generations. They insolently defy the judgements of the ILO's supervisory authorities. They devalue the essential currency of the ILO. They undermine the international rule of law to which in other places they so eloquently commit their undying support. In that way they diminish the essential bastion for fair dealing and peace between nations.

We have called for governments to rededicate themselves to the United Nations Charter. This year

a new rededication to uphold the human rights standards of the ILO is needed also. It is desirable that governments should ratify the instruments referred to by the Director-General. It is more important that they should apply them.

As the title of the Report makes clear, human rights are a common responsibility. Trade unions are internationally prepared to play their part to the full in ensuring respect for these rights. We call on all participants in this session to do likewise.

Miss HANCHAREONSUK (*Employers' adviser, Thailand*) – On behalf of the Employers' Confederation of Thailand, I wish to take this opportunity to express my sincere congratulations to Mr. Beyreuther on his election to the presidency of this Conference. I also congratulate the other Officers of this session. I, as well as other participants, are confident that their abilities and experience will ensure that the Conference is a success and fully achieves the objective of this 75th Session of the International Labour Conference. The Report of the Director-General on *Human rights – A common responsibility* is excellent. I should like to comment on three particular topics included on the agenda, health and safety, social security, and equal employment. May I take this opportunity to summarise the development and status in Thailand of these three topics.

First, health and safety. According to Thai labour laws, employers are required to provide appropriate health, sanitation and safety measures for their employees. A new Act specifically covering safety practices relating to construction work has recently been enacted. The Labour Department manages and administers the Workmen Compensation Fund, which provides protection to employees receiving on-the-job injury. The total accumulated in the Workmen Compensation Fund in 1987 is US\$65 million, increased from US\$56 million in 1986. The number of on-the-job injury cases has dropped sharply due to the employers' promotional activities on safety measures. The Employers' Confederation of Thailand continually organises seminars and conferences on Employees' Health and Safety. Safety measures have been effectively carried out. Safety signs are normally posted around workplaces. In 1986 and 1987, the Employers' Confederation of Thailand and the Labour Department jointly organised "National Safety Week", holding a series of seminars and workshops on safety matters, including the 1986 contest "Employer with the Best Safety Practice of the Year". These measures have effectively stimulated the interest of both employers and employees in developing and implementing better work safety measures.

Second, social security. Employers in Thailand agree and accept that the Social Security Law should be enacted with provisions that can be practically implemented. We have confirmed our basic support for tripartism. This principle was agreed by members of the Employers' Confederation of Thailand during its general meeting, held in March 1988. A reasonable rate of equal contributions should be carefully considered in order to make it least disruptive to all three parties, especially small-scale employers and employees on low paid jobs. The Royal Thai Government has attached much importance and made a sincere effort in trying to propose a social security law which will provide benefits to a majority of the

people concerned. It is hoped that Thailand will have a social security law in the near future.

Third, equal employment. Fortunately, Thailand is one of the few countries having no recorded problems in this area. Employment in Thailand usually emphasises the qualifications of employees, the level of education, skills and experiences rather than race, sex or age as found in many countries. There are no minority groups in terms of race or sex in Thailand. Other nationals with permanent residence mix well with Thai society. Female employees are found in all levels of occupations, from unskilled to managerial levels. Many of the top executive positions in Thailand are occupied by women.

Let me go on to speak about the overall economic and employment picture of Thailand, which may be of interest. The investment climate in Thailand is now highly favourable for foreign investors. The drop in the value of the Thai currency against foreign currencies such as the Japanese yen, the Swiss franc and the German Deutschmark has facilitated foreign investment in Thailand. The agro-industry, the petro-chemical industry, textiles and assembly manufacturing have high potential for investment. The Royal Thai Government welcomes long-term foreign private investment and provides substantial promotional assistance, particularly to projects which are labour-intensive, export-oriented, and agro-based. The Thai promotional campaign to attract investment has received a positive response from Japan, America, the United Kingdom, Switzerland, Taiwan, Hong Kong and many others. The number of projects approved by the Board of Investment for promotional privileges in 1987 was greatly increased. Capital investment from approved applications was US\$1.3 billion in 1986, while in 1987 it increased to \$2 billion and over 100,000 workers were employed.

The Royal Thai Government trade and commercial policies are based on a liberal, export-oriented, free market philosophy. The major economic goals are geared to developing Thailand as a highly industrialised country and increasing its exports. As such, the Royal Thai Government has adopted more workable trade and commercial policies and procedures which have greatly assisted local and foreign investors. Important benefits available to the foreign investor in Thailand are the natural resources, low interest rates, the skilled workers available, good labour relations, the low-cost of worker supply and sophisticated communication systems. Moreover, Thailand's rising energy sector, domestic hydrocarbon production which has attracted substantial foreign investment, now provides approximately 60 per cent of the total energy requirements of the country. Thai workers are available at all levels, from unskilled, skilled, technical, professional up to supervisory and management levels. Thailand is an education-oriented country. A large number of Thai people are university/college graduates, with many of them furthering their study overseas. The supply of Thai workers should be sufficient to fulfil the needs for supporting foreign investment for the next 5 to 10 years.

May I take this opportunity to invite foreign investors, particularly those who represent employers' organisations attending this convention, to visit Thailand to examine the possibility for a long-term investment. I am confident that there are many Thai employers who are technically and financially qualified

for joint ventures with foreign investors. If we can be of any assistance, please do not hesitate to contact the Employers' Confederation of Thailand so that we may not only share trade relations but also extend personal relations through employing and working with Thai people. This will enable us to improve the overall employment situation of Thais, while your investment in Thailand will contribute to growth in the economy of your own country.

(Mr. Aitken takes the Chair.)

Mr. SALIMIAN (*Workers' delegate, Islamic Republic of Iran*) – In the Name of Allah, the Merciful, the Compassionate! "O ye who believe! Be steadfast witness for Allah in equity" [Koran].

Proud of representing the workers of the Islamic Republic of Iran, I wish to express my views as well as the views of my colleagues and the workers' organisation of my country, concerning the Report of the Director-General to this 75th Session of the International Labour Conference. I hope that this Conference will, for its part, be able to resolve social problems, remove prevailing obstructions, and overcome the defiance of human rights and dignity.

The main theme of the Director-General's Report is based on a foundation, the defiance of which has jeopardised human relations, caused the further spread of corruption and injustice, and become the underlying factor for all the inhumane acts committed by arrogant rulers.

Human rights, in its broad sense, is not a novel subject. Its history goes back to the time when those pretending to be civilised, brought human societies under their domination to perpetuate their illegitimate rule.

One of the main objectives of the Divine Prophets who were sent for the guidance of man was to acquaint people with their genuine rights and to define just social relations. Unfortunately, with the passage of time, human social relations were distracted by poisonous interpretations and justifications of the power-seekers until the divine path was replaced by the path of falsehood in a gradual procession, so that, today, the prevailing whirlpool of corruption, fooling the masses, colonisation, exploitation, and the expansion of dominated territories has become a main feature of the unjust rulers.

The impudence and incursion of the force-oriented have gone so far that they even consider their own views as the criterion for the observance or non-observance of human rights as they wish, as they attempt to impose their own views in various international forums. This has been caused mainly by lack of sufficient attention on the part of the world organisations.

On the 40th anniversary of the adoption of the Universal Declaration of Human Rights, and despite the existence of the responsible world organisations, it seems that no decisive measures have been taken towards the abolition of oppression against the natural rights of human beings, nor have the natural expectations of mankind from those organisations been realised.

While emphasising the necessity of the existence and continuation of the functions of the international organisations, it should be noted that the main cause for the failures of those instruments and conclusions which have not been inspired by the ruling powers,

let alone the rest, has been the fact that those provisions have been intensely overwhelmed by economic justifications in the majority of the bodies, a fact that has basically rendered all the positive efforts null and void.

Different forms of visible and invisible oppression exercised against the fate of the held-back nations – or, as termed by the international gatherings, the developing countries – followed by the formal international positions taken, and thus by the nullification of the resolutions due to the monopolisation of politico-economic potentials by the oppressors who force the world organisations to provide the same sort of justifications, for the lack of observance of the adopted provisions, have all led to a situation where the general public doubts indeed the credit and relevance of those organisations.

What does the plunder of the resources and assets of the oppressed nations mean though a small part of their usurped wealth might be returned to them in the form of the so-called humanitarian assistance – if not an obvious offence against human rights, since such attempts are intended to prepare grounds for the continuation of anti-humanistic impositions.

Nevertheless, the awakened peoples of the world will not be deceived by those investigations which have a long history in various places in the world.

In our country, before the Islamic Revolution, the Iranian people deeply experienced those types of obstruction over long years – our story, the story of the Iranian workers – begins long ago and is mingled with sufferings and struggles. It is the story of the women and men who are still struggling, with faith and devotion, for the preservation of their human dignity and the prosperity they deserve. We have suffered too much throughout the oppressive rule of kings, while the plunderers through transnational enterprises accumulated legendary treasures out of our hard labour.

The owners of capital, backed by the leadership and support of the international trusts and cartels, seized our most fundamental holdings and suffocated the cries of our burning souls by the deafening noise of their stock markets and the roaring of their tankers which carried away our oil, and their trains that took away the gold, silver, nickel, lead and copper of our mines.

It might sound surprisingly hard to believe that, during the former regime, the Iranian workers had not even heard of the title of the International Labour Organisation, while those who attended its sittings, under false credentials, as the workers' representatives, were neither working people themselves, nor had any understanding of workers' real problems.

Under those circumstances, either nothing was mentioned of the violations of human rights in the country, or allegations were easily dismissed without further detailed investigation.

The Director-General states in his Report that, in the Third World, only the countries of South-East Asia can manage to exist somehow through the economic depression, while over 70 million are unemployed, around 500 million are underemployed and approximately 900 million live in absolute poverty. This is just a trifle in all the pressure which is being exerted upon the oppressed nations and is nothing but the result of the modern material as well as spiritual exploitation of those nations.

The international organisations, if truly demanding the full realisation of the Human Rights Declaration, should mobilise all their possibilities in an all-out combat against the causes of corruption. If the international instruments are expected to be fully realised, it is the force-oriented and the world power-seekers who must be held responsible for the crimes committed by their own puppets, because they are the ones who neglect human rights only because they possess the wealth and material prosperity which are in fact the fruits of the same usurped resources of the so-called Third World.

The Director-General's Report places emphasis on the basic international labour standards to be fully applied, as they are necessary for the realisation of human rights. This is true, but the comprehensive application of those instruments should also be taken note of.

The Palestinian workers have long been oppressed in their homeland, in all forms, by the foreigners and the occupiers. They have been indoctrinated, tortured, massacred, discriminated against and put under forced labour, while the international organisations have not been able to give them any assistance mainly because of the existence of the right of veto for the big Powers.

The southern borders of Lebanon that are being assaulted in an obvious aggression, and the people whose blood is being spilt, their villages, farms and undertakings that are being destroyed, mean nothing but the defiance of their right to life and to freedom; namely the most essential of human rights; if not, what else can they mean?

The Afghan workers suffer from a double oppression, imposed against them both by the occupiers and by a puppet ruler. They have never been taken into account in the lengthy negotiations held.

Innumerable other examples could easily be given. The main causes and the principal motives behind all of these are rooted in the arrogant acts committed by those who have infiltrated the international organisations under the guise of defence for human rights, with the intention of being their unseen manipulators. It is a pity, indeed, that they have, in many instances, succeeded in achieving their illegitimate objectives. Hiding behind the false justifications provided by the same arrogant aggressors, the violators of human rights have found other ways to escape any relevant allegations by trying to gain the support of some big Powers, in one way or another.

The Director-General in his last year's Report made reference to the same acts which have alarmingly given rise to the increased lack of popular confidence in the international organisations. Such lack of confidence can definitely not be irrelevant to violations of human rights and the ineffectiveness of those organisations. How can the Black majority in South Africa remain confident in such organisations while all the international fundamental instruments are being continuously nullified by a handful of industrialised States which at the same time claim to be the most serious defenders of human rights?

It is unfortunate that the States that exercise the most serious and the most extensive discrimination in employment, who have institutionalised such criteria as colour or sex in their own countries, in addition to their continued cultural, political and economic aggressions against other nations, and violate human rights most openly, deliver colourful speeches on the

application of international labour standards too. It is even more unfortunate that, because of their economic potential or their political influence, they are never questioned.

We strongly believe that respect for human rights should not remain a dead letter; on the contrary it should be widely exercised in practice, free from baseless political inclinations.

The big Powers, following the direction of the transnational enterprises, shed crocodile tears for the violations of human rights on the one hand, and devour the resources of the dominated countries on the other, only to add to their inflated treasures accumulated in line with the ever-growing reduction of the wealth of the held-back nations.

I have the honour to declare that the achievements of the Islamic Republic of Iran are indeed outstanding examples that world history should be proud of. Great measures have been taken following the victory of the Islamic Revolution in Iran, despite all the difficulties resulting from the imposed war, the natural difficulties following the Revolution, the sanctions imposed by the arrogant powers, and the military attacks by the Great Satan against our economic resources.

The new Labour Law, in all the processes of which the views of the Muslim working community has been included, in addition to the provisions of the Islamic Constitution, has already met the approval of the Consultative Assembly and is now undergoing its final processes. It is one of the most progressive labour laws in the world.

The Unemployment Insurance Act, which is now being enforced, is an outstanding example in comparison with similar provisions elsewhere.

Our recognised national workers' organisation nominated its own candidates who were mostly elected at the recent parliamentary elections. This is also indicative of the fact that the workers do participate fully in all stages of social life.

I also declare here that creative innovations of the Iranian workers have developed to an untold extent so that under any circumstances they have been able to keep the productive and industrial undertakings fully dynamic and progressive. They have overcome all the instigations of the big powers and their regional agents, and are taking immeasurable steps forward towards the full economic independence of our country.

Co-operation, which is among the direct instructions in the glorious Koran, has been exercised to a great extent in practical terms in the Islamic Republic of Iran. The Supreme Labour Council in which the workers' representatives, elected at the national labour congress held by the workers' organisation, participate has adopted, in addition to wages and overtime payment regulations, special provisions according to which the workers and their families are freely provided with commodities for their basic needs. All these measures have been taken for the promotion of social justice and, in addition to numerous other fundamental measures, have been realised at a time when around eight years have elapsed since the beginning of the all-out war imposed by the Iraqi regime against the Islamic Revolution, our people and our country. The aggressor has used and still uses all the facilities and destructive weapons, including the long-range missiles and chemical weapons, provided to it by the arrogant powers, against our

cities, villages, natural resources, factories and productive undertakings. In spite of that, our brave nation, and particularly our devoted workers, have never ceased their efforts towards further production and the preservation of the fruits of the Islamic Revolution, nor have they ever ceased, or shall ever cease, to perpetuate their holy defence until the cause of aggression has been uprooted.

We witness all these great achievements in various fields at a time when the military machine of the Great Satan has openly attacked our economic facilities and civilian areas – a fact which is no secret for the liberal-minded people of the world. All the attempts made at terminating the war, which in fact aim at the imposition of peace, are in reality intended to take the part of the aggressor regime in the form of resolutions.

We strongly believe that the issue must be resolved radically and that tension will not cease in the region unless the aggressor is truly punished.

Peace be upon us and the true followers of Allah.

Interpretation from Spanish: Mr. DELPINO (*Workers' delegate, Venezuela*) – I should like to start by extending to you my sincerest congratulations upon your appointment to preside over the work of this 75th Session of the International Labour Conference. I am convinced that your work will be extremely effective.

The main part of the Report of the Director-General submitted for consideration and study to this assembly is on human rights. It may be supposed that the choice of this subject is in keeping with the significant fact that we are commemorating the 40th anniversary of the Universal Declaration of Human Rights this year, as well as – and this is of vital importance to workers – the 40th anniversary of the adoption by the ILO of the Freedom of Association and Protection of the Right to Organise Convention (No. 87).

By focusing on such important events, it might be thought that the ILO is profiting from these anniversaries which have a social and political impact to concern itself with human rights. Fortunately, none of the speakers who have preceded me have made any reference to this effect because it would have been unjust. The fact that we are celebrating the 40th anniversary of these events has only been one of the many aspects of the discussion on human rights.

Despite the fact that "human rights" are not mentioned in the ILO Constitution, they are closely bound up with and reflected in the ILO's aims and objectives. They are almost its leitmotiv; because the failure to respect human rights does not only imply the reduction of citizens' rights in the political sphere but has repercussions on several aspects of social life. It results in: discrimination in all its forms; the difficulty for a worker to find remunerative work in an environment which does not undermine his dignity; the impossibility for a worker to find decent housing to provide shelter for his family; and, last but not least, obstacles which prevent the worker from developing his inherent ability for creative work and employment on an equal footing. The ILO has dealt with these matters with such dedication and care over the past 69 years that it is an expert on them.

The Report of this year, which has been submitted to us and with which we are all familiar is not a list of things that have been done and things that remain to

be done, a collection of vague wishes and uncertain possibilities. On the contrary, it is an objective and thorough document based on facts. For this reason, I should like, on behalf of the Venezuelan workers, to express my appreciation to the Director-General for the invaluable support he has given to our peoples, which will further strengthen them in their permanent struggle for the well-being and happiness of their citizens.

We have almost all agreed that the greatest problem that our countries face today is unemployment. All governments without exception have undertaken measures to combat unemployment and, in some places, with more success than in others. In Venezuela, the efforts of the Government have been astronomical in order to keep unemployment at tolerable levels. Perhaps we are not registering with due enthusiasm the success obtained by the Venezuelan Government in its struggle against unemployment. But, probably, our demands are unjust or exaggerated. In any case, a large part of the Venezuelan labour force is unemployed or employed in precarious jobs, which do not provide the workers with enough to live on. This problem is accompanied by another one: the high cost of living. This and unemployment make an insidious pair. The high cost of living reduces the wages of those that have a job; and this situation exists in countries in which there is no social protection or unemployment coverage whatsoever. In countries where this coverage exists, the situation of the unemployed worker is more tolerable.

Unemployment and the high cost of living in our countries make hunger and poverty more acute and open the door to unrest. We are aware that it is not only up to governments to look for solutions to these severe problems; it is well known that they will not be solved by governmental decrees. The creation of sufficient and well-remunerated jobs will not be achieved because employers make their wishes known, since they are also affected by the situation. Unemployment and inflation – this pair which I have already called insidious – afflict implacably the least advantaged sectors of the population and will not be overcome through unrest in the streets, strikes of all kinds or marches called by the workers. There is only one way we can solve this problem: there must be solidarity on the part of all sectors of the society and, in particular, factors of production. We must join together in full knowledge of the facts to undertake, with determination and without fearing to make sacrifices, the task of eliminating problems that will cause irreversible harm not only to specific social strata but also to political and social stability, and even to the sovereignty of many of our countries. This calls for understanding and intelligence.

The fact of believing in and being united in support of this idea of concerting our efforts and of sharing responsibilities and sacrifices to find a way out of the lamentable situation in which we find ourselves must not prevent us from recalling the circumstances which created and exacerbated it.

One of the reasons – but, in our opinion, the most important – for the dangerous levels reached by unemployment and inflation is the external public debt, whose repayment has been demanded in an almost compulsive fashion by the creditor banks. For some governments, the debt has become a sort of syndrome, and they have proposed to repay it despite

the suffering this entails for their peoples. As far as my country is concerned, we trade unionists have not advocated extreme positions on this particular matter. On the contrary, our actions have been guided by the results of the exhaustive examination of the problem made by organisations such as the ILO itself and the ICFTU – the ICFTU, at its conferences held in 1985 and 1986 at Cuernavaca and Buenos Aires, and the ILO, in its High-Level Meeting on Employment and Structural Adjustment last November, which took place in this very city of Geneva. It could not be otherwise. Social organisations have to act with responsibility and nations, even more so, have to honour their commitments. But these obligations cannot be met at any cost, still less if what is at stake is the well-being of the community.

One of the Appendices to the Report of the Director-General is devoted entirely to the situation in the Middle East, that is to the Arab-Israeli conflict. It is not possible to be indifferent to this question, which is so closely bound up with peace in that region.

This Organisation is in a position to contribute a great deal to bringing this conflict to an end. I believe that it is the only organisation with the persuasive ability to clear away the obstacles from its path to a peaceful, just and lasting solution. It must therefore be in the forefront of the efforts that have to be set in motion in order to establish a platform to serve as a basis for serious and urgent negotiations.

The first thing to be done, of course, is to reassure people and to win them away from blind intransigence. It will then be possible to put an end to the anguishing situation in which they are living today, with the tragic loss of brave lives and the enormous economic and social costs and tensions it entails.

May I express the fervent wish that Arabs and Israelis will conclude an agreement enabling them to live in peace and brotherhood, an agreement in which the legitimate rights of both peoples are fully established.

Interpretation from French: Mr. ARETS (*Employers' delegate, Belgium*) – I wonder really whether it is possible for me, as one of the last speakers on the Report of the Director-General on human rights, not to repeat anything that has been said before.

I should like to think that it is not entirely impossible.

In taking up some extracts from the Report, I should like to stress how far the situation in Belgium is an excellent illustration of what Mr. Blanchard has been saying.

The Director-General stresses the tripartite message of the ILO and suggests that the Organisation serve as an arena for debate and that developing theory and practice should be tested.

This is what I should like to do in taking up four examples that are specific to the socio-economic situation in Belgium.

Firstly, in November 1986 a two-year national inter-occupational agreement was signed which led to an increase in the minimum monthly wage, the improvement of conditions of work and the general introduction of the 38-hour week. This agreement, which revived a tradition that had lapsed for over ten years because of the crisis, demonstrated the determination of the social partners to allow the workers to benefit from the improved competitiveness which is

due to the dynamism of industry and also to sounder governmental fiscal and economic policies.

Secondly, the inter-occupational agreement provided that after a year of implementation, an additional collective agreement would be signed under which all workers without exception would be covered by the provisions of the agreement. Following discussions at the National Labour Council, the joint inter-occupational body, which has 12 employers' representatives and 12 workers' representatives, a collective agreement was concluded on 2 May 1988 – very recently – to raise the minimum average monthly wage to approximately 34,000 Belgian francs. This minimum monthly wage varies according to retail price fluctuations. If the employers have been able to agree on these provisions, it is of course with the intention of maintaining good relations between the social partners.

But it is worth mentioning that strikes have been on the decrease in recent years.

Two comparisons that might be made in connection with averages over the five-year period 1970-1974 and the 1985 figures (the most recent statistics available) are particularly significant. They relate to the number of disputes recorded and the number of working days lost as a result of strikes.

In the period 1970-1974, the mean annual figure was 186 disputes and 900,000 working days lost. In 1985 there were 65 disputes, a decrease of 60 per cent, and 127,000 working days lost, a drop of 80 per cent.

These figures proved that the workers have achieved a certain maturity and it was natural for the employers to bear this in mind in working out a new inter-occupational collective agreement.

Thirdly, the Government's co-operation in promoting the collective agreement policy between the social partners is quite satisfactory. This has not always been the case, but in recent years this co-operation has come more to the fore.

There are two examples worth pointing out.

In matters of employment, from 1985-87 the number of jobs in the private sector increased by about 70,000 units, and this is explained by the regained competitiveness of the enterprises; and the number of unemployed has dropped by 50,000, with particular affect on young people under 25 years of age. This is due both to increased employment and to the measures that the Government has taken to improve the situation.

In matters of flexibility in working conditions, not only have inter-occupational collective agreements been concluded, but certain legislative measures have been taken which have been approved by the heads of undertakings. These deal with part-time work and the experimental adjustments for working hours known as "The Hansenne Experiment" after the Minister for Employment and Labour who, over a number of years adopted an imaginative attitude towards these very difficult matters. These experiments required the approval of the head of undertaking and the trade unions and were a success. This is an example of the tripartite approach so dear to the ILO.

Fourthly, preliminary talks have begun in connection with a new national inter-occupational agreement, which will follow the one that ends next November. The Prime Minister, with five Vice Prime Ministers, has received delegations from the work-

ers' and employers' organisations and a new phrase was coined by a Belgian newspaper, which wrote: "The dialogue has started".

So, tripartism is still doing well in Belgium.

Before concluding, I would like to say how much the employers approve the concern expressed by the Director-General.

The High-Level Meeting on Employment and Structural Adjustment held in November 1987, was of the opinion that efficiency and the targeting of programmes could be improved, thereby reducing useless or unproductive expenditure. Well, there's wisdom indeed.

Now, carrying this into the sphere of social security, the employers think that the essential levels of social security attained so far should be maintained, but that some economies can be achieved by cutting down on expenditure which cannot be explicitly justified.

These are some of the reflections elicited by the outstanding Report of the Director-General on human rights. This Report was favourably received by the employers of Belgium.

Interpretation from Portuguese: Mr. FERREIRA DO PRADO (*Workers' delegate, Brazil*) – Allow me first of all to congratulate the President on his well-merited election to the post of directing the work of this 75th Session of the Conference. The sureness, serenity and impartiality which he has shown in managing our debates gives us every confidence that the ILO will emerge stronger than ever, particularly in its reaffirmation of the principle of tripartism, which is the cornerstone of its existence.

The Director-General's Report dealing with the activities of the ILO in 1987 emphasises what has been done in the fields of human rights, freedom of association, equality of rights between various categories of workers, occupational health and safety, conditions of work, means of assistance, social security and the World Employment Programme.

In the presence of these important themes, which were the subject of special attention by the ILO in 1987 and which are all bound up with problems that are of direct or indirect interest to wage earners throughout the world, in their quest for better living and working conditions, we should emphasise the efforts being made to identify the broad areas in which trade union freedom and autonomy can be put into practice and secured.

We should like to point out that in Brazil we are doing our share in this. Over the past few years, we have been debating the multiple problems which worry the workers and, hence, are of concern to other sectors of society. This effort to seek a dialogue, to make a list of the most controversial questions, to keep an ear open to the most pressing aspirations and claims of the citizens, has its origin in the political amnesty which took place in 1979, when we began a period of transition towards democracy leading to intense activity by the Constituent National Assembly, which is now putting the finishing touches to its work with a view to giving the country a Constitution which will enable it to acquire a pluralistic, democratic government system protecting the broadest freedoms of the various social groups.

This expectation and this prospect of a new era – of a new life – of a new way of tackling economic,

political problems is of great interest to the workers, inasmuch as we are the majority and constitute the most disadvantaged of the groups working to make our country richer.

The Brazilian workers, despite several shadows on the horizon, are in the process of winning a number of advantages thanks to the country's new Constitution, especially as regards the trade union representative bodies which, from now on, will at last be free and autonomous and no longer subject to supervision by the State, as they have been for more than 50 years.

It is a matter of some urgency to make known the fact that the Brazilian workers, through their own representative bodies and in the trade union context of their various occupational categories, have never let up for a moment or slackened in their struggle for the freedom and autonomy of the trade unions which is a theme that represents a major principle of the ILO, and for the existence and implementation of which they have been fighting for years in all their various activities.

In emphasising trade union freedoms, we are referring at the same time, because they constitute a whole, to free collective bargaining as regards work and the right to strike, in view of the fact that wage-earners can never claim or win these advantages which are bound up with the practice of their occupations and are theirs as of right if they have no effective and concrete instruments enabling them to cope with the particular conflicts between capital and labour.

That is why, since the new Brazilian Constitution guarantees broad trade union freedom and autonomy, we are able to state that from now on the trade union movement in our country is in a position to implement, through firmness and consistency, all the principles that guide the activities of the ILO.

However, if in the field of democratic and trade union freedoms we are full of hope, in other spheres which are of direct interest to the workers the prospects are far from being so attractive. Quite the reverse. Several grave problems remain to be solved, especially as regards a wages policy such as will ensure the maintenance of the workers' purchasing power, since at present the workers are suffering the consequences of a policy which reduces the value of their earnings to a threshold below which such a situation ceases to be tolerable.

This being the case, the workers have bitterly regretted the directives, in our view the unjust directives, of the Government, which lives in dread of seeing, in our wages and in the overriding need to adjust them from time to time to cope with galloping inflation, a powerful factor influencing the devaluation of our currency. We have never been in agreement with this policy. That is why we wish to reaffirm from this international rostrum that the Brazilian workers have never at any time accepted the orthodox economic theories according to which wages and their adjustment would be a cause of inflation and currency depreciation. The earnings of workers in Third World countries, where there are intolerable rates of inflation, are regularly left behind by the prices of essential consumer products as a result of a number of factors, chiefly capital speculation by industrialists and businessmen. The workers therefore invariably find themselves the victims and never the agents of inflation.

Thus, any policy designed to "tighten the screw" on wages, far from solving economic problems, can only make them more acute by contributing in a decisive way to the impoverishment of our peoples and by bringing about a vicious circle of recession and unemployment.

As if to aggravate even further the crisis set off by the wages gap, there have been frequent renewals of the labour force which must be resisted and curbed if we are to safeguard the security of the workers. To that end one should stress the fundamental nature of the struggle in which the trade union movement is engaged to set up machinery to limit the power of the employers to order dismissals, which at present is done entirely at their own discretion. In Brazil the employers have complete freedom to dismiss their staff, as though work were nothing but a mercenary form of activity. We wish to support the ILO in asserting loudly and clearly that work is not merchandise. At the threshold of the twenty-first century, there is no longer any justification for labour not enjoying more humane and equitable treatment as the principal factor in the production of wealth. It is essential to set up mechanisms for protection whereby the worker can be dismissed only if the employer gives a just reason duly stipulated by law, for otherwise we should be exposed to arbitrary decisions by the employer, in other words a state of affairs in which economic interests always take precedence over the social and human objectives which should be the inspiration of the relations between employers and workers.

We should also like to tell this 75th Session of the International Labour Conference of the concerns of the Brazilian workers. The Brazilian external debt is the cause of major national problems, especially for the workers whose wages have constantly been losing their purchasing power resulting in the reduction of consumption by the population. Overproduction, which creates pressures on exports and affects the balance of payments, requires, in the name of international solidarity, that ILO develops an understanding of fair treatment of the problems of external debt for the developing countries. Brazil can only accept responsibility for payments if they do not represent additional sacrifices for the workers and society as a whole.

Secondly, agrarian reform has become more and more necessary with the distribution of land to the people who live on it. The people also need adequate credit and technical assistance. With a more rapid agrarian reform, we will be in a position to produce more foodstuffs, to reduce the number of people migrating to the cities, to improve the salaries of some 8,700,000 rural workers who now receive less than half the minimum salary and contribute to the consolidation of democracy and the creation of new jobs.

Thirdly, the reform of the banking sector. The Central Bank of Brazil is currently studying a reform of the banking sector. It has already taken over the management of nine provincial banks, and this has led to the closure of various branches, and the dismissal of many employees. The workers and the unions are opposed to this reform because of its negative effects.

Fourthly, the strikes and the dismissal of trade union leaders. Brazilian employers and especially the state-owned enterprises have moved against strikes

with excessive force by dismissing striking workers and trade union leaders, as in the case of the strike in February in the area of civil aviation, when the Brazilian airlines VARIG and VASP dismissed a number of workers including trade union leaders.

We hope that the ILO will bring pressure to bear on the Government of Brazil so that these workers can get their jobs back without a wage loss and with the maintenance of their other working conditions and rights.

Finally, in connection with all the problems that have been discussed here, we wish to propose to the 75th Session of the Conference that it adopt the necessary action to create a body with the task of studying, at the world level, all the problems relating to credit establishments and insurance firms and the questions connected therewith which are a matter of concern for their employees. This would be equivalent to a "banking committee", on the same lines as the bodies already set up for various branches of industry.

These are the questions which we would like to put to this eminent Conference in the hope that the solutions will be found for them by establishing, on the basis of the relevant data, an equation that gives greater weight to human beings than to material things and to labour rather than to capital. If this can be done, we shall undoubtedly be preparing the ground for establishing relations between workers and employers free from distinction of any kind.

Mr. SUNDERAM (*Workers' delegate, Sri Lanka*) – I would like to associate myself fully with the sentiments expressed by the speakers who preceded me in congratulating the President on his unanimous election to this high office and have no doubt that your experience and skill will enable us to reach successful conclusions.

Permit me also to compliment the Director-General on an excellent Report which serves as an admirable basis for a wide-ranging discussion of the role of the ILO in dealing with issues of vital importance to mankind as a whole, and in particular for having chosen *Human rights – A common responsibility* as the central theme for discussion to mark the 40th anniversary of the proclamation of the Universal Declaration of Human Rights and the adoption by the ILO of one of its most important human rights Conventions – the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

It is only fitting that the Director-General should have chosen this occasion to review the human rights situations and to consider the factors which militate against the free exercise of a right so fundamental to all human relationships. As the Director-General points out, the expression "human rights", though not referred to as such in the ILO Constitution, is its very essence and constitutes the bedrock on which the ILO is founded. The concept of human rights is expressed admirably in the Declaration of Philadelphia that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity". This noble objective has been spelled out in a number of important Conventions and Recommendations adopted by the

ILO and is intended to permeate the fabric of the International Labour Organisation and be reflected in its wide and varied activities. Resolutions of the International Labour Conference and ILO Regional Conferences, and particularly the resolutions adopted at the ILO Conferences of 1966 and 1968, highlighted the importance of human rights and called for a new thrust on the part of the ILO in the form of a concerted programme of action to translate this concept into practical reality. The ILO's mandate in the field of human rights embraces practically all facets of its work to promote the realisation of the rights enshrined in the Universal Declaration of Human Rights and the human rights Conventions.

The ILO's action to promote and safeguard human rights has taken many forms. Human rights have been defined by the adoption of the important ILO Conventions and Recommendations, and, through its supervisory machinery and technical co-operation activities, the ILO has endeavoured to ensure that these rights are realised and applied.

While we are encouraged by the progress that has been made over the past several decades as a result of ILO action, the existing human rights situation is far from satisfactory. We are concerned that many governments have failed to ratify the basic ILO Conventions Nos. 87 and 98 relating to freedom of association and collective bargaining, and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144). The rights embodied in these three Conventions are fundamental to the ILO's Constitution and principles and are a *sine qua non* for the functioning of free and democratic workers' organisations. The failure of certain governments to accept and act on the recommendations of the appropriate ILO bodies in regard to the violation of ILO Conventions and to honour their obligations under the Constitution of the ILO also causes us grave concern. We are dismayed by the attempts made by some governments to frustrate the work of the ILO by failing to send complete tripartite delegations, by excluding the representatives of the workers, which strikes at the very root of the ILO's unique tripartite character. It is apparent that ILO action taken so far in regard to these concerns has not had the desired effect and it is imperative that an in-depth review should be made with a view to taking new initiatives to remedy a situation which threatens to seriously undermine the basic principles and Constitution of the ILO. Considering the flagrant and recurring violation of the ILO's basic principles, enshrined in Conventions Nos. 87, 98 and 144, by some governments, a serious effort should be made to relate the ILO's technical co-operation programmes to the ratification and implementation of these Conventions. I am sorry to note that, despite persistent calls by workers' representatives for such action on the part of the ILO, there has been a slow response. The danger which the ILO faces in not "grasping the nettle" is that this great Organisation will be made a mockery of and rendered impotent in time to come.

I am also dismayed to discern a growing trend of governmental action to weaken the ILO's supervisory procedures and the successful efforts by governments and employers to slow down the standard-setting activities of the Organisation, as illustrated by the Director-General's observations in his Report that "in the past four years there has been a marked slowing-down in the rate of new ratifications which is

currently equivalent to an average of one ratification per member State every four years."

The ILO has a direct responsibility not merely to promote the observance of human rights *per se* but to direct its activities towards establishing the relationship between respect for human rights and the maintenance of peace and stability. The tragic situation obtained in the occupied Arab territories which subjects the peoples inhabiting these lands to great privation, hardship, and the denial of the rights embodied in the basic conventions on the ILO, poses a grave challenge to the ILO. While we are not unmindful of the regular missions of the ILO to these territories and the activities under its technical co-operation programmes, the impact has belied our expectations. It is therefore imperative that the ILO should take new and radical initiatives to accelerate the human development of this disadvantaged group and ensure equality of treatment in the spheres which fall within the ILO's competence. The ILO has a further obligation to assist in promoting the self-determination of the Palestinian people as the best means of achieving lasting peace in the Middle East.

The rise in tension and friction and the outbreak of violence in multi-ethnic communities resulting from linguistic, racial or religious differences poses a grave threat to the exercise of human rights and the economic and social development of the countries concerned. The ILO has a positive role to play in harnessing the co-operation and active participation of all groups in its activities at the national, regional and international levels to eliminate discriminatory practices and help promote a spirit of togetherness, national consciousness and equality.

The report of the Director-General reviewing the activities of the ILO in 1987 illustrates the wide-ranging scope of the Organisation's work and its potential for making an even greater impact on its declared objectives and priorities. Unfortunately, despite the ILO's commitment to tripartite consultation, its efforts so far have not had the desired effect. Many governments stubbornly refuse to cast off the age-old prejudice that workers' organisations impede economic development, and continue to ignore the role of social partners in contributing to national development. These governments have succeeded in either excluding the social partners or severely curtailing their participation in ILO's technical co-operation programmes, thereby violating with impunity a principal objective of the ILO. This is, indeed, a far from satisfactory state of affairs which needs immediate rectification. The ILO should not only make greater efforts to ensure tripartite consultation in the member States, but make it a pre-condition that all technical co-operation programmes should have the full participation of the social partners in their formulation and implementation. The ILO should not let itself be side-tracked by the excuse that workers' organisations are not equipped or do not have the expertise to participate meaningfully in these organisations and their representatives with the necessary facilities and expertise to play their due role, and it is its duty to do so if it is not to lose its relevance as a tripartite Organisation.

Greater co-ordination is called for between the ILO and other members of the United Nations family of organisations, particularly in regard to the activities of these organisation which fall within the

ILO's jurisdiction. To illustrate this need, I would refer to the World Bank project for the rehabilitation of the tea industry in Sri Lanka, which has earmarked 25 per cent of the project funds for improving the living conditions of the workers in the industry. This social component of the project is within the competence of the ILO, but there is no indication that there has been collaboration with the ILO or with the workers' organisations in the formulation and implementation of this project. The ILO has the necessary expertise under its International Programme for the Improvement of Working Conditions and Environment (PIACT) and World Employment Programme to make a major input in ensuring the success of this project and to ensure the participation of the workers' organisations. It is hoped that the ILO will lose no further time in extending its co-operation and collaborating with a project which is of vital concern to the workers in the tea industry of Sri Lanka.

It also hoped that the ILO will have a greater involvement with workers' activities than has been possible hitherto. Workers' organisations in the Third World are responding to the challenges resulting from poverty, unemployment and underemployment by embarking on socio-economic projects. The organisation which I represent – the Ceylon Workers' Congress of Sri Lanka – has established a Vocational Training Centre with assistance from the ICFTU and NORAD, but with no ILO involvement. Such a pioneering project undertaken by a workers' organisation in the developing world could and should have benefited from the expertise and participation of the ILO. The Ceylon Workers' Congress has initiated an important project for workers' ownership of the housing on tea plantations and their improvement in order to free these workers from their present position as captive labour, which ties their housing to employment and has the effect of evicting them from their homes on termination of their employment. The ILO's expertise and resources can make a significant contribution to the success of this project, and I would like to take this opportunity to call on the Director-General to send a multidisciplinary team in the first instance to Sri Lanka to make a feasibility study of this project with a view to the ILO's participation.

I would like to express my grave concern and that of the workers of Sri Lanka at the curtailment of the freedom of association and trade union rights of COSATU by the South African regime and the attempt made by this regime to emasculate the independent Black trade union movement and take away the hardwon rights of workers and their organisations by the Labour Amendment Bill and the Promotion of Orderly Internal Politics Bill. New and vigorous initiatives are called for by the ILO to bring maximum pressure to bear on the regime to desist from these measures, which must surely create serious industrial unrest and destabilise the country.

In conclusion, I should like to request the Director-General to take serious note of the important suggestions made by delegates at the Conference with a view to incorporating them in the Medium-Term Plan 1990-95.

Interpretation from Spanish: Mr. FRANCIS de los REYES (*Employers' delegate, Cuba*) – First of all, I

would like to express our congratulations to Mr. Beyreuther, Minister of Labour and Wages of the German Democratic Republic, on his election as President of the 75th Session of the International Labour Conference. I also congratulate the Vice-Presidents.

The election of Mr. Beyreuther is a living example of the changing process that the world is experiencing. For the first time the representative of a socialist country has been elected as President of a session of the Conference. This state of affairs should be repeated throughout the International Labour Organisation, so that the Organisation can achieve the necessary democratisation and universality, in harmony with the political and social changes that have come about in the world. Speaking of these obvious changes brings me to the Report by Mr. Francis Blanchard to this 75th Session. I should like to dwell on the aspect which we feel to be of the greatest priority and importance: human rights.

In his Report, the Director-General speaks of human rights on this 40th anniversary of the Universal Declaration of Human Rights, which in essence sums up the aspirations of every person in the universe for material and spiritual well-being.

The years have passed, but the essential objectives of the Declaration have not been fully attained. Between that time and the present, mankind has made progress, but not to its fullest possible extent. Wars, economic crises, international exploitation through the domination by strong countries of weak countries, the great difference between highly developed societies and others that live in poverty or, in its extreme form, crushing external debt, all go to show that the good intentions of the Declaration have not become a reality.

Every year, we discuss the phenomenon of apartheid – an abhorrent system imposed by the White immigrant minority in South Africa against the native Blacks, who make up the great majority.

They are denied the right to a political presence or a government in the territory which belongs to them, they are excluded from working in specific areas, they have far lower wages than the Whites, they are segregated and forced to live in homelands under very poor conditions, and when they protest against these vile injustices they are imprisoned or killed. The most significant example is that of the outstanding patriot Nelson Mandela, now just 70 years old, who has been in prison 25 years for defending the cause of his people; he has virtually lost his sight and is in precarious health.

The White racists of South Africa not only put into effect this abhorrent system of apartheid in the territory in which they are a minority, but also exercise their colonial action in Namibia, supporting armed bands in Angola and carrying out plans to destabilise the economies of the countries of southern Africa.

Apartheid is reflected in another region the Middle East. For 20 years now, the Palestine people have been victims of the occupation of their territory. They suffer mass crime, imprisonment, terror, the denial of employment or the possibility of training and development, all carried out by the Israeli authorities, who like the South African racists, take action to thwart the economic development of the bordering Arab countries, were they have extended the occupation, with the inevitable negative effect on the entire region of North Africa.

And is our continent, America, excluded from this process of denial of human rights in all its forms? Not at all. The history of the past 40 years has seen the rise of dictatorships, crimes, exploitation or national riches, unemployment, poor health, illiteracy and poverty; and when our peoples rebel to achieve liberation or defend their national integrity or their sovereignty, the imperial eagle, with its characteristic voracity which maintains a dominant presence in every part of the world, whose representatives have dared to mention in this forum a person from our country who stands for the repressive policy of the Batista dictatorship, puts out its claws and uses any method it has to hand, no matter what the consequences are. It organises mercenary invasions, arms outlaws, assassinates ordinary citizens, carries out assaults and sabotage, takes action to harm economies in order to paralyse development and with this aim systematically sets up an economic blockade. The examples are manifest; they are all in the area of the Caribbean: Cuba, Nicaragua and Panama.

Within this context, which exists with different variations in other regions of the world, the international situation is now becoming more optimistic and hopeful. The conversations held between Mikhail Gorbachev and Mr. Ronald Reagan on to disarmament, strategic arms limitation and the possible limitation of the conventional and nuclear arms race, indicate a promising climate for peace. These measures have been achieved by universal demand, including the demand of the ILO as an international organisation. Along with these positive results, we should include the elimination of areas of conflict which have already been mentioned.

In this perspective we should combine our efforts so that human rights are not just limited to mere words which become palliatives, but become practical solutions throughout the world.

The objectives have been defined. Let us mention some of them: the New International Economic Order covering development plans for the least well off regions – Africa, Asia and Latin America; the elimination of the external debt which so greatly affects the countries of the Third World, and which cannot be paid off. In multilateral action, the gigantic resources used to manufacture arms for mass destruction should be used to eliminate hunger, illiteracy, unemployment, poverty – extreme poverty – in which million of human beings are living. A stop should be put to unfair trade and developed countries should stop paying low prices for the raw materials supplied to them by Third World countries while everyday they raise the price of their own manufactured product. Reciprocity in trade for the products of both the developed and Third World countries should become a reality. The developed countries should cease to subsidise products that affect those traditionally produced by developing countries, such as sugar, because this affects the economies of those countries by limiting their possibilities of exporting. Regional plans extending beyond the confines of frontiers should be implemented to make it possible to exploit natural resources, using for example large rivers for irrigating land which is at present unproductive desert, and for generating electricity; in addition, roads, railways and other means of communication should be constructed.

An extensive training programme must be developed from the most basic level (that is, the eradica-

tion of illiteracy) to technical, vocational and higher education. Development projects must be undertaken which establish priorities, taking into account the characteristics of each region and each country whether it be agrarian or industrial development and their impact on the growth of employment. The experience of the functional structure of administrative bodies gained by the advanced countries, which display dynamic creativity and effectiveness, must be transferred to developing countries.

These and other concepts will not only have a positive impact on countries of the Third World, but would also affect the developed countries, thus contributing to achieving the solutions now called for by the world community.

So far as our country, Cuba, is concerned, the new economic order was established with the Revolution, which will be 30 years old on 1 January 1989.

The results are easily seen: industries, banks, means of transportation, and mines, have become the property of all the people; agrarian reform has been put into effect, land being distributed among the peasants, state farms being set up, as well as agricultural production co-operatives set up on a volunteer basis, the latter being the most effective; illiteracy has been eliminated and education has achieved extraordinary advances; with progressive results: the lowest level of education reached is now the ninth grade; tens of thousands of students are attending technical vocational and university courses; priority has been given to medical care. Hospitals, polyclinics, and family medical centres have been built, and large numbers of doctors and nurses have been trained; in summary, positive results have been achieved, which, alongside nutritional improvement for the people, has made it possible to reach a life expectancy of over 73 years, and to reduce infant mortality to 13.6 per thousand. Both indicators place us on a par with developed countries.

Throughout the revolutionary process, hundreds of new industries have been promoted, thousands of tractors and other machines have been incorporated in the agricultural sector; mechanical engineering has been consistently developed; we have constructed dams which accumulate millions of litres of water; animal husbandry has been improved by introducing advanced technology, and our main industry, the sugar industry, has been mechanised to a greater

extent, making the arduous work in this sector more humane and entailing a reduction of thousands of workers. The tourist industry is carrying out an extensive development plan in co-operation with other countries, and is thus able to use the natural resources of our beaches; in addition, many scientific centres and factories producing electronic equipment have been set up, forming an accumulation of resources which, once mature, shall bear fruit in the form of extraordinary advancements.

That progress has been achieved is undeniable, but we are not exempt from the inevitable difficulties which societies must overcome in order to become more effective, and achieve better results, which provide a tangible guarantee of human rights.

These difficulties include the following: the level of administrative management be improved, in order to create dynamic and rational functional structures; the growth of productivity is an essential element, being closely linked to sectoral wage systems and standards, including the supervision and improvement thereof; the management of enterprises should have a greater degree of functional autonomy, so that local level initiative can bring about higher production efficiency and improved quality; since higher productivity is necessary in agricultural production co-operatives, priority should be given to this system in the agricultural sector, with a corresponding infrastructure which can enable us to come closer to the goal of food self-sufficiency.

These and other concepts, in our view, from the national perspective, may help to step up development in our country, enabling us to contribute to universal development.

With respect to these ideas, our Commander-in-Chief, Fidel Castro, President of the Council of State and of Ministers, said recently that: "This has nothing to do anymore with structural changes. You are dreaming now about major structural changes, in the form of better distribution of wealth, more social justice, and a modern State. We are already trying to bring this about. We have achieved major structural changes, the greatest that could be made, and reforms of all types, and we are endeavouring to create a modern State. We are striving to create a new society."

(The Conference adjourned at 1 p.m.)

Credentials

Fourth report of the Credentials Committee

Objection concerning the nomination of the Employers' delegate of Nicaragua

1. The Committee had before it an objection to the nomination of the Employers' delegate of Nicaragua submitted by the Chairman and three Vice-Chairmen of the Employers' Group of the Conference and also signed by the Vice-President of the "Consejo Superior de la Empresa Privada de Nicaragua" (COSEP).

2. The authors of the objection maintained that Mr. González Pastora, Employers' delegate of Nicaragua, legal counsel of the "Union Nacional de Agricultores y Ganaderos" (UNAG), had been nominated without the agreement of COSEP which was the most representative employers' organisation in the country and brought together 8,866 employers providing permanent employment to 194,484 workers, while UNAG did not keep a membership register and therefore could not provide reliable figures. UNAG covered only one sector of the economy and even in that sector the "Union de Productores Agropecuarios de Nicaragua" (UPANIC), which was a member of COSEP, was more representative. UNAG was really a producers' organisation and the majority of its members were not employers.

3. On 10 May 1988, the Government had convened a meeting for 11 May to nominate the employers' representatives to the Conference which was attended by four other organisations in addition to COSEP and UNAG, the "Corporación Industrial del Pueblo" (COIP), the "Corporación Comercial del Pueblo" (CORCOP), the "Consejo Nacional de la Mediana y Pequeña Industria" and the Ministry of Transport and Construction. At that meeting, the Government suggested a system of rotation whereby the position of Employers' titular delegate would be held alternately by UNAG and COSEP. COSEP could not accept the suggestion since UNAG could neither by its composition nor by its activities be compared to COSEP as an organisation representative of employers.

4. The authors of the objection appended a number of supporting documents and, in particular, a study made in 1987 by two employers' representatives from Panama and Costa Rica appointed by the Employers' group of the ILO Governing Body, which contained information on the relative representative character of the various organisations obtained from the Government, COSEP and UNAG.

5. They went on to call attention to the conclusions reached by the Credentials Committee at earlier sessions of the Conference concerning the nomination of the Employers' delegation of Nicaragua. Thus, at the 69th Session (1983) and 70th Session (1984), the Government had appointed the nominees of COSEP as delegates and advisers, while at the 68th Session (1982) and again at the 71st (1985), 72nd (1986) and 73rd (1987) Sessions it had appointed the UNAG nominees as the Employers' delegate, a decision which had been criticised by the Credentials Committee. In view of these repeated violations of the ILO Constitution, the authors of the objection requested the Conference to invalidate the credentials of the Employers' delegate of Nicaragua. The objecting organisations added that in view of the suggestion of the Credentials Committee to the 73rd Session of the Conference that an impartial body carry out a detailed study on the representative character of the employers' organisations of Nicaragua, COSEP had written to the Director-General of the ILO offering to prove the facts noted in the study of 1987 and placing at his disposal the necessary information. Unfortunately, the study suggested by the Committee had not been made. COSEP had for years been suffering from discrimination, harassment, imprisonment and other forms of oppression at the hands of the Government, a situation which had been criticised by the Committee on Freedom of Association of the Governing Body.

6. They also wished to call attention to the fact that the Government had failed to respect article 13, paragraph 2(a), of the Constitution, since the Employers' advisers nominated by COSEP had to bear their own travel and subsistence expenses.

7. In a written communication to the Committee, Mr. Meza Soza, Government delegate of Nicaragua, stated that consultations with employers' organisations had taken place on 11 May 1988. While four organisations, including UNAG, had made known the number of their affiliates and the size of the labour force supported by them, COSEP had declined to give figures on the ground that it had already done so on previous occasions. Four of the five organisations, which taken together represented a majority of the employers, agreed that Mr. González Pastora of UNAG should be the Employers' delegate of Nicaragua, but COSEP did not so agree. COSEP also refused to consider suggestions for a rotation system with UNAG and other proposals such as distribution of Committees and even the appointment of a COSEP delegate, if it implied acceptance of an adviser from UNAG. In these circumstances

the Government had no alternative but to nominate the candidate supported by the large majority of Nicaraguan employers' organisations, together being far more representative than COSEP. The communication added that, according to the ILO Constitution, no other body, apart from the Credentials Committee, could make a ruling on the question of representativity. It concluded that the Government was willing to respect any agreement reached between the employers' organisations concerned.

8. As was the case last year, the Committee concluded that, even if changes in the representative character of organisations might occur, there is no evidence that COSEP had lost its representative character. Moreover, in the absence of accurate data, the positions of the Government on the one hand and the employers on the other were difficult to reconcile. In this respect, the Committee noted with regret that the suggestion of the Credentials Committee that an impartial body set up in order to carry out a detailed study permitting a realistic assessment of the relative representative strength of the various employers' organisations of Nicaragua had not been taken up.

9. The Committee took note of the willingness expressed by the Government to respect any agreement reached between the employers' organisations concerned. In this respect, the Committee considered that as a prerequisite to such an agreement, it would be essential for there to exist a means agreed by the organisations for evaluating their representative character. Possibly, the International Labour Office, given its experience, might be able to offer assistance to the parties concerned in relation to this question.

10. Finally, the Committee expressed concern at the situation of the Employers' organisations in Nicaragua and again concluded that, in the absence of agreement, the Government should have nominated the Employers' delegate in agreement with COSEP, which apparently remained the most representative organisation. However, the Committee decided not to propose the invalidation of the credentials of the Nicaraguan Employers' delegate and expressed the hope that, in future, the Government would nominate the Employers' delegation to the Conference in full conformity with the provisions of article 3, paragraph 5, of the Constitution.

Objection concerning the nomination of the Workers' delegation of Poland

11. The Committee had before it an objection to the credentials of the Polish Workers' delegation submitted jointly by the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labour (WCL).

12. The objecting organisations recalled that they had challenged the credentials of the Polish Worker delegations to the 73rd Session and the 74th (Maritime) Session of the International Labour Conference as well as to the Fourth Session of the European Regional Conference of the ILO. As on those occasions, the objection was based on the fact that the nomination of the Workers' delegation had taken place without consultation with their affiliate "Solidarnosc" and without including within it any mem-

ber of "Solidarnosc". No fundamental change had occurred with respect to the situation described on previous occasions, in particular, that which referred to the continuation of activities of "Solidarnosc" in defence of its members. They added that founding committees of 50 independent trade unions at the enterprise level had unsuccessfully attempted to gain legal registration. They called attention to the strikes in April and May of 1988 in numerous enterprises – all supported by "Solidarnosc" – protesting against the price rises and seeking to obtain the re-legalisation of that organisation. They also referred to the violent suppression of the strikes by the riot police.

13. After recalling the decisions taken by the Committee at the 73rd Session of the Conference (paragraphs 17-20 of the Fourth Report of the Credentials Committee, *Provisional Record* No. 29), a decision which was reiterated by the Credentials Committees of the 74th (Maritime) Session and the Fourth Session of the European Regional Conference, the objecting organisations stated that they were fully aware of the position taken by the representatives of the Government of Poland at the plenary sitting of the Conference following the conclusions of the Committee (*Provisional Record* No. 32, page 32/17) and concluded that the nomination of the Workers' delegation of Poland had not been made in conformity with article 3, paragraph 5 of the Constitution.

14. In a written communication to the Committee, Mr. Towpik, Government delegate of Poland stated that there were about 27,000 trade union organisations with a membership of about 7,000,000, forming 63% of the total labour force. There were 134 nation-wide trade union organisations. All, with the exception of one, had formed the All-Poland Trade Union Alliance (OPZZ), which was without doubt the most representative organisation. The Government nominated the delegate and the advisers proposed by the OPZZ. On the other hand, there were about 4,000 independent trade unions with a membership of 500,000 which had not joined any federation. The Government of Poland also consulted this group of organisations and included a representative in the delegation.

15. With respect to the statement of the objecting organisations that the Government should have consulted "Solidarnosc", the communication recalled the declaration made by the Government representative to the 73th Session of the Conference (*Provisional Record*, No. 32, page 32/17) to the effect that the Government was not able to consult organisations dissolved by Parliament or include in the delegation a representative from these organisations, adding that the overwhelming majority of members of "Solidarnosc" interested in trade union activity had joined new unions. The groups that called themselves "Solidarnosc" did not conduct trade union activities but rather engaged in political activities.

16. The communication indicated that the strikes mentioned by the objecting organisations affected four enterprises and were followed by only 6,000 of the 65,000 workers of these enterprises. There was no reason to identify these strikers with the group calling themselves "Solidarnosc". The 50 independent trade unions mentioned by the objecting organisations which had applied for registration represent-

ed only 0.2% of the membership of the 27,000 trade union organisations represented at the Conference. The legal procedure concerning a part of these applications had not yet been completed.

17. The communication concluded, stressing that the Workers' delegation of Poland to the 75th Session of the Conference was fully representative; that it had been nominated in accordance with article 3, paragraph 5, of the Constitution; that the Government had made all possible efforts to give a fully representative character to that delegation and, that in the future, and acting in accordance with the Constitution of the ILO, all efforts would be made to nominate Workers' delegations to the sessions of the Conference which would fully reflect the actual existing structure of the trade union movement in Poland.

18. In an oral declaration before the Committee, the Government delegate of Poland stated that his country was making all efforts to apply not only the letter but also the spirit of the ILO Constitution and had the intention of extending even further the representative character of the Workers' delegation of Poland to the Conference. Towards that end, the creation of a National Committee on Co-operation with the ILO of a tripartite nature was under consideration. On the other hand, it was paradoxical that the objecting organisations, while trying to defend "Solidarnosc", were not taking into account of the fact that the majority of the former members of that organisation had become members of the new trade unions.

19. In reply to a question by the Committee, the Government delegate stated that "Solidarnosc" did not at present represent a significant number of trade unionists and its dissolution had not been discriminatory, as all the then existing trade unions were dissolved and that the refusal to register the independent trade unions mentioned by the objecting organisations was not due to the fact that these trade unions were identified with "Solidarnosc", but rather because a registered trade union already existed in the enterprise. In this respect, the Government delegate indicated that the Polish legislation authorised more than one trade union per enterprise, but that this provision had been temporarily suspended by the Council of State.

20. In an oral statement before the Committee, the Workers' adviser and substitute delegate of Poland, Mr. Uzieblo, stated that within the last year many changes had taken place in Poland, in particular with respect to the extension of activities of the OPZZ, which had organised a number of strikes, some of them illegal, and secured collective bargaining agreements in some enterprises. In his opinion, "Solidarnosc" had at present very few members. The temporary suspension of the provision permitting more than one trade union per enterprise was necessary in view of the economic and social conditions prevailing in the country. About 97% of the labour force was unionised.

21. In reply to questions from the Committee, Mr. Obsadny, Workers' adviser and substitute delegate of Poland, Chairman of the Independent Self-Governing Trade Union of the Workers of the "Ponar

Ostrzeszów", stated that he was a former member of "Solidarnosc", for which reason he had been interned on two occasions. His union was one of the 4,000 independent trade unions in Poland which were not affiliated to the OPZZ. At the outset, it had encountered certain difficulties with respect to its operation. A subsequent decision of the Supreme Court authorised the operation of his factory union which had a membership of 1,200 out of the 1,500 workers. It had decided not to affiliate itself to the OPZZ because it was in favour of competitiveness among trade unions. Moreover, it did not belong to a federation and only federations could be affiliated to the OPZZ. In order to broaden the composition of the Workers' delegation to the Conference, the Government had invited about 400 of the biggest independent unions to a meeting. Eighty unions attended the meeting which elected two persons from that group to form part of that delegation. When creating the new trade union in his enterprise, "Solidarnosc" activists had tried to persuade the workers to boycott it. This advice was not followed by him. In his opinion, the groups which were identifying themselves with "Solidarnosc" should join the new trade unions or create others dropping the distinct name of "Solidarnosc" and their leaders could present themselves for election. The only existing restriction was that trade unions would not be able to participate in political activities. Nothing, however, prevented the political opinions of these groups being channelled through a political party. In fact, he had joined the Democratic Party, which had a membership of 120,000, to which many trade union members of his enterprise belonged. Although the law permitted more than one union per enterprise, the provision had been temporarily suspended by a decision of the Council of State because of the prevailing economic conditions. However, this limitation did not apply to federations.

22. The Committee also heard Mr. Robel and Mr. de Vries Reilingh, representatives of the objecting organisations, who stated that in 1980 "Solidarnosc", with about 10,000,000 members, was without doubt the most representative organisation and that since its dissolution it had continued and was continuing to function as a trade union. Although as an illegal organisation it could not provide membership data, at present it could be said to represent 4-5 million workers. The objecting organisations were not suggesting that the OPZZ was not representative, but rather were stating that "Solidarnosc" should have been included in the delegation.

23. The Committee noted that the Workers' delegation of Poland had been nominated after consulting the OPZZ, which represented a substantial number of the workers of the country. It also noted with interest that the group of trade unions which were not members of the OPZZ had been consulted and that an adviser and substitute delegate from that group had been nominated.

24. The Committee, though aware of the sequence of events which had given rise to the present situation, in particular the dissolution of "Solidarnosc", noted with regret the intention expressed by the Government at the end of the Conference in 1987, and now reiterated that it was not able to

consult organisations dissolved by a law of the Parliament or to include in the delegation representatives of those organisations. In the opinion of the Committee, the events which had occurred in the past year confirmed its view that "Solidarnosc" had not lost its representative character in the meaning of article 3, paragraph 5 of the Constitution, although its non-legal nature made it impossible to determine its membership.

25. The Committee again expressed its concern at the unsatisfactory trade union situation in Poland and in particular the recent evolution of the situation described in the 1988 Report of the Committee of Experts on the Application of Conventions and Recommendations on the application of Convention No. 87 in Poland.

26. The Committee noted that, according to the statements of the Government, a large number of the members of the old "Solidarnosc" had now become members of new trade unions. It also noted that, according to the statements of the Polish Workers' adviser and substitute delegate, who is a member of an independent trade union, nothing prevented trade union activists who identified themselves with "Solidarnosc" from affiliating themselves to the new trade unions or creating others within which they could conduct their trade union activities. The Committee observed that the creation of new unions would at present be extremely difficult, at least until the Council of State had lifted the suspension of the legal provision authorising the creation of more than one trade union per enterprise. According to the information supplied by the Government, this had been the reason for refusing to register the 50 independent trade unions close to "Solidarnosc" which had recently applied for registration. In fact a large number of workers who identified themselves with the principles of "Solidarnosc" continued to be deprived of representation, not only in their capacity as members of "Solidarnosc", but also when some of these groups attempted to register new trade unions.

27. The Committee referred to the report of the Credentials Committee to the 73rd Session of the Conference, and noted with regret that the Government had not made use of the good offices of the Director-General as suggested therein. It concluded by recalling that the resumption of the participation of Poland in the activities of the ILO had been done in a spirit of dialogue. In that same spirit, the Committee expressed the hope that, in the future, the Government would take the necessary measures, possibly by facilitating trade union pluralism along the lines suggested by the Committee of Experts in its report mentioned above in such a way that the Workers' delegation of Poland would be fully representative of all the workers, including those groups identifying themselves with the principles of "Solidarnosc".

Communication concerning the Employers' delegation of Libyan Arab Jamahiriya

28. The Committee received a communication signed by the Chairman and four Vice-Chairmen of the Employers' group, requesting it to inquire about the identity and nature of the employers' organisations

which were consulted on, and agreed to, the nomination of the Employers' delegate of Libyan Arab Jamahiriya, Mr. Elmukherbi and of his advisers, Mr. Kwairy and Mr. Alghoul, which information was not evident from the functions of these persons given in the provisional List of Delegations. The communication added that the authors reserved the right to object to the credentials concerned if it appeared that the nominations had not been made in accordance with article 3, paragraph 5, of the ILO Constitution.

29. On 6 June 1988, the Chairman of the Committee sent a letter to Mr. Alfaqi Hasan, Government delegate of Libyan Arab Jamahiriya, requesting information concerning the identity and nature of the organisations which were consulted and agreed to the nomination of the three persons listed as Employers' delegate and advisers. No reply was received.

30. In these circumstances, the Committee expressed serious doubt about the existence of employers' organisations in Libyan Arab Jamahiriya, the position held by the delegate and advisers as employers and the procedure followed for their nomination. These doubts had been strengthened by the lack of co-operation from the Government delegation, which failed to supply the information sought by the Committee.

31. The Chairman and Vice-Chairman of the Employers' group, having been informed of the situation, indicated that they would not present an objection at this late stage of the Conference.

Communications from the Chairman of the Employers' Group and three Employers' delegates

32. The Committee received a communication from the Chairman of the Employers' group, indicating that the Employers' delegates of a number of countries and the Employers' group as a whole wished to record their protest at the non-respect by the governments of these countries of their obligations under article 13, paragraph 2(a), of the ILO Constitution. The communication cited eight cases of non-payment of Employers' delegates' travel costs and ten cases of Employers' delegates' subsistence costs. The Committee subsequently received three letters from the Employers' delegates of Bahrain, Brazil and Lebanon protesting the non-payment by their governments of their travel and subsistence expenses.

33. In this respect, the Committee called attention to paragraph 17 of its first report, *Provisional Record* No. 9, page 40, in which it recalled the obligations of governments under article 13, paragraph 2(a) of the Constitution to pay the travelling and subsistence expenses of their delegations. As regards the three individual communications, the Committee considered that it was not within its mandate to examine complaints of non-compliance with the above-mentioned obligation. It recalled, in this connection, that the question of payment of expenses of delegations to the sessions of the International Labour Conference was presently under consideration by a Working Party on Constitutional Amendments established by the Governing Body of the ILO.

34. The Credentials Committee submits the present report to the Conference in order that the Conference may take note of it.

Geneva, 17 June 1988

(Signed) T. NAKAMURA
Chairman

E. HOFF

J. SVENNINGSEN

Structure of the ILO

Internal rules for the Election of the Workers' members of the Governing Body of the International Labour Office

The Workers' group of the 75th Session of the International Labour Conference,

Basing itself on article 7 of the Constitution of the ILO and article 52, paragraph 4, of the Standing Orders of the International Labour Conference,

Desiring to ensure that due account is taken of the regional interests of the workers and of the existing trade union realities,

Decides to establish the following rules which will apply to future elections of the Worker members of the Governing Body of the International Labour Office:

- (1) For the purpose of these rules, there shall be four regions, defined on a geographical basis as follows: Africa, America, Asia¹ and Europe.²
- (2) The distribution of seats among the four regions is as follows:

	<i>Regular members</i>	<i>Deputy members</i>
Africa	7	3
America	7	2
Asia	7	2
Europe	7	3

- (3)
 1. During pre-election consultations for the establishment of lists of candidates, care should be taken that candidates from any given region enjoy the confidence of the workers in their region and that a just and appropriate distribution of seats within each region, taking into account the existing trade union realities, is ensured.
 2. International and regional trade union organisations having consultative status with the International Labour Organisation may take part in these consultations if at least one delegate from the region is a member of one of their affiliated organisations.
 3. The Workers' delegates of future sessions of the International Labour Conference are

¹ Including Middle East and Pacific, excluding USSR.

² Including Cyprus, Turkey and USSR.

urged to take the results of these consultations into account in their electoral decisions.

4. In any case, no person can be a candidate unless his name has been proposed by at least 20 per cent of the Workers' delegates from within his own region.
5. In the event that it should prove necessary, the Officers of the Workers' group will assist and encourage the proper conduct of the consultations within the regions.
- (4) The candidates of each region shall be grouped together on the voting paper on the above regional basis. Each member of the electoral college shall select on the list of candidates for each region a number of names which shall in no case exceed the numbers of seats allocated to the region. A voting paper including more names for a given region than the number allocated to it shall be considered invalid.
- (5) If after the first vote one or more seats remain to be filled, one or more further votes shall be taken as may be necessary, each member of the electoral college being entitled to vote for a number of candidates of the region or regions concerned equal to the number of seats which still remain to be filled under the agreed regional distribution.
- (6) If a candidate is not elected after three votes, the region which nominated him shall have the right to propose another candidate.
- (7) If a vacancy occurs among the Worker members of the Governing Body during an interval between sessions of the Conference, the Workers' group of the Governing Body shall, in accordance with Article 54, paragraph 2, of the new Standing Orders of the Conference, proceed to fill the vacancy provisionally with due respect to the regional distribution of seats provided for in paragraph 2 above without, however, being required to appoint the new member from among the deputy Worker members of the Governing Body.
- (8) These internal rules shall be adopted or modified by a three-quarters majority of the Workers' group of the Conference.

ADDENDUM

Provisional Record No. 26

Page 26/35, first column, insert the following before the last paragraph:

The PRESIDENT (Mr. TSUJINO) – Mr. Becker, Government adviser, United States, has the floor on a point of order.

Mr. BECKER (Government adviser, United States) – I would request the speaker to refrain from speaking on extraneous matters.

The PRESIDENT (Mr. TSUJINO) – Please, Mr. Salimian, confine your remarks to the subject under discussion. You may continue.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Twenty-ninth sitting

Friday, 17 June 1988, 3 p.m.

Presidents: Mr. Beyreuther, Mr. Adiko

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – We shall now continue our discussion of the reports of the Governing Body and of the Director-General.

Interpretation from Czech: Mr. BODA (*Minister of Labour and Social Affairs, Czechoslovakia*) – I should like to take this opportunity to express my warm congratulations to the President on his election to the presidency of this Session of the Conference. I have had the privilege of knowing him personally for a number of years and have the highest regard for his abilities and tact. His election is recognition of the results of his life's work for the benefit of the working people of the German Democratic Republic. I also congratulate all his colleagues who are Vice-Presidents of the Conference on their election and extend my best wishes for the successful results of the work.

The adoption of the Universal Declaration on Human Rights 40 years ago was an important milestone in international co-operation. We welcome the Report of the Director-General in that it is devoted to human rights, in view of the many disturbing situations in the world today. Unquestionably, the most serious problem is the continued and intensifying mass violation of all human rights, particularly by the occupying and racist regimes in the Middle East and in southern Africa. However, one cannot overlook the continuing differentiation in economic and social situations both at national and international levels, the consequences of which seriously impair the protection of human rights.

The desire for social justice and equality based on the concept of the natural equality of all human beings is many centuries old. Long before it was formulated in Article 1 of the Universal Declaration of Human Rights, the French Revolution – whose 200th anniversary the world will soon celebrate – triumphed in the name of that concept. Under the slogan of the liberation of man from all forms of subjugation, dependence or exploitation, the Great October Socialist Revolution – to whose legacy our people are committed – triumphed over 70 years ago. The freedom and social equality of people is an idea that has proved to be the driving force of all historical events promoting human progress. Yet, historical experience shows us that the realisation of this great humanitarian project, which is also the fundamental purpose of our Organisation, is not easy to attain in spite of the slow but steady growth of the world's overall economic potential. I therefore believe that

the purpose of our discussion is to consider the main obstacles preventing the realisation of human rights, the attained level of which does not correspond to proclaimed intentions, and also to assess the real possibilities of making our co-operation and ILO activities more effective.

The Report of the Director-General provides a basis for such debate. I would like to refer to certain points which the analytical approach used in the Director-General's Report does not sufficiently underline. First of all, I would like to emphasise that success in enforcing human rights does not only depend on expressions of good will by legislators. Inequality in legislation denotes inequality in situations. Factual inequality in economic, or to put it in a better way, ownership relationships, not to speak of social status, also leads to unequal opportunities in making use of human rights, regardless of the formal equality established in legislation. This is one of the fundamental reasons for the as yet not very successful efforts to implement the goals of the Universal Declaration of Human Rights and the international covenants on human rights. One of the main objectives of the ILO – and this stems from the Preamble of its Constitution and also from Articles I and II of the Declaration of Philadelphia – is to endeavour to remedy this situation and to assist peoples in all countries to achieve full enjoyment of human rights.

Therefore it is not enough – and it is not even a matter of priority for the ILO – to endeavour to attain maximum protection and the highest levels of individual human rights for a limited number of citizens, basically only for those who, as a result of a more favourable economic situation or of national, international, sectoral or institutional conditions, are able to enjoy them but to make sure that everyone has the possibility of enjoying basic rights. This idea is assuming more and more importance with the rapidly increasing differences in economic and social situations in the world. It seems to me therefore that an analysis of the situation based on individual human rights, with a strong accent on formal equality, obscures the basic contextual connection with the exercise of human rights. I would like to justify my remarks by citing several examples to illustrate these concepts, taking up a few moments of your time to do so.

First of all, the right to work. This right is not just one of the fundamental human rights, but from the viewpoint of its impact it is the determining factor in respect of a number of other human rights. How can we speak about equal opportunities as concerns the standard of living, housing, participation in social life for those who have been out of work for a long time?

What choice of work do they have, whether productive or otherwise? In other words, what real rights to they have? How can we speak about ensuring trade union rights to these long-term unemployed? And, finally, what certainty do we have that high unemployment is not really one of the sources of mass discrimination in employment, especially when we know that certain age categories and, in certain cases, women are particularly discriminated against, not to mention the fact that the lack of a job permits a subtle selection in dismissing workers and also a similar selection in new hirings based on a number of other distinctions? The right to work therefore is, in its content and actual consequences, the absolutely decisive human right. Consequently, difficult to understand why, until now, it has not found confirmation in an ILO Convention.

This brings us to another example concerning the relation between Conventions Nos. 111 and 122. The Report of the Director-General describes both of them as promotional. Yet it is apparent that the attitude of supervisory bodies to them is very different. Economic policies that obviously lead to high unemployment as a result of an orientation towards the concentration of capital, the speeding up of movements of capital, etc., are not subjected to such detailed formal legal analyses as is the case with Convention No. 111. The conclusions usually adopted concerning the application of Convention No. 122 tend to be general and do not by any means reflect the commitments stemming from Article II(c) of the Declaration of Philadelphia. The Report of the Director-General states: "Yet, in recent years, in many countries – including countries that have ratified the Convention – full employment has ceased to be a major goal."

New situations call for new attitudes. A profound and critical examination of the current social situation in the world, contained in the Medium-Term Plan 1990-95 of the Organisation, has shown that most working people in the world do not enjoy proper social protection, do not have the possibility of organising themselves to defend their interests, and do not have sufficient influence to decide on matters concerning them. In the light of these facts it is necessary to think about trade union rights, also about the participation by working people in the decision-making process, about systems of industrial relations, i.e. about the real tripartite models in the present-day world, if we are analysing problems associated with Conventions Nos. 87 and 98 and others related to the above-mentioned rights – the right to organise and other trade union rights. Current trends in the organisational structures of enterprises and the unsatisfactory weakening of the role of trade unions in certain instances in themselves call for a new way of solving problems. This point was raised by a number of delegations in discussing the ILO Medium-Term Plan.

If I have expressed certain reservations on the concept of the Director-General's Report, I would also like to commend the ILO human rights activities in many areas. I have in mind in particular the efforts to prevent antinational programmes of structural change from reducing the social protection of the working people, and I would like to emphasise that this principle should be respected by international financial institutions as well. We therefore highly commend the conclusions of the High-Level Meeting on Em-

ployment and Structural Adjustment, and hope that the ILO will do everything to implement the conclusions adopted.

We also approve the general orientation of the ILO's technical assistance programme in rural development. The discussions in the Committee on Rural Employment and the proposed conclusions enjoy our full support. Moreover, we consider the proceedings and results of the Fourth European Regional Conference as being an important guarantee for the future development of European co-operation. We approve all the ILO's efforts to promote the conditions of work for the working people. Promoting their basic rights and thus providing an increasing number of working people with access to such rights, is an important contribution of the ILO. It is in these areas that we should see the main focus of its efforts, particularly in view of the present conflict between theory and practical policies concerning the compatibility of criteria of social justice with the criteria of economic dynamism.

In our country, the Czechoslovakian Socialist Republic, we have always recognised the mutual conditionality of economic and social development. Social development is not considered merely as an economic development objective, but simultaneously as a factor in this development. This principle, indeed, has been demonstrated by the adoption of a new law concerning social security by the Federal Assembly of my country. This law has created prerequisites for a further significant improvement in the social protection of the population.

This principle is fully reflected in the achievement of basic rights for the working masses. It is in the interest of development as a whole to create conditions for all citizens without distinction of any kind so that they may all exercise their rights, whether they are men or women. The basic prerequisite remains to safeguard the active participation of all citizens in economic life, and for all of who are in a position to work. The measures, the aim of which is to increase economic dynamism by decentralising the decision-making process and by increasing the participation of the workers in all fields of national life, will mean that certain changes can be made in the structure of employment, and increased social protection of the fundamental rights of the working population can be guaranteed.

In conclusion, I should like to express the hope that there will be an improvement in the overall social situation and progress in implementing human rights in the world. My optimism is based on the ongoing process of change in political thinking in the world, and also on the increasingly broad recognition of the fact that ideological and political differences among States cannot be settled by force and are not an obstacle to mutual confidence and co-operation. On the contrary, it is becoming clearer and clearer that only mutual respect and peaceful co-operation will enable us gradually to unblock the resources which are needed and to exercise human rights in the world more fully and more universally.

Mr. von HOLTEN (*Employers' delegate, Sweden*) – Many words of well-deserved appreciation have already been addressed to you, Mr. President, and your co-officers for the excellent manner in which you are conducting these proceedings. Allow me to add those of the Employers' delegations of Den-

mark, Finland, Iceland, Norway and Sweden, on whose joint behalf I shall now make a few observations with reference to the Report of the Director-General.

One of the documents submitted to the session under this heading contains the ILO's Medium-Term Plan. This is an important document as the original Office paper and even more so the Programme, Financial and Administrative (PFA) Committee's report on the paper seem to herald a new departure for our Organisation. What is said there has been inspired by the High-Level Meeting which concluded last November that structural adjustment is needed to achieve more economic growth without inflation and called upon the international institutions concerned to join forces in facilitating such adjustment. For the ILO this means that it will have to identify possible adverse social consequences and advise on how to limit these to the extent possible and that it will have to help by way of education, etc., in overcoming such obstacles as may exist in the form of outdated social patterns and attitudes. In the PFA Committee, employers in particular, but also governments, referred in this context to the positive effects of measures like deregulation and privatisation which are unfortunately often resisted by vested interests.

The main part of the Director-General's Report this year deals with human rights. Issued on the occasion of the 40th anniversary of the Universal Human Rights and of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), it constitutes a follow-up of a similar report to the Conference 20 years ago. From a traditional point of view it is a good document. If the comments I am going to make contain criticisms it is because I and my colleagues have reviewed it also in the light of the Medium-Term Plan.

The concept of human rights as we know it is about 200 years old. Originally the emphasis was on the civil liberties or certain indivisible fundamental freedoms which are to be enjoyed by every individual subject only to such limitations as are necessary to secure due recognition of the same rights of others. These liberties or freedoms require of governments not to act – and in that sense they can be said to be absolute, and they go beyond what is written in the few international texts selected for quotation in the Director-General's Report.

Many Western countries owe their market economies to the recognition of the freedom of property and the freedom of trade by which the privileges formerly held by guilds and other closed groupings were abolished. Freedom of property is not mentioned in any of the United Nations Covenants but is recognised in the Universal Declarations and guaranteed by the European Human Rights Convention of 1950. Although none of the texts referred to expressly mentions freedom of trade, some have a bearing on it. Thus the ILO Employment Policy Convention, 1964 (No. 122), aims at ensuring that there is productive work not only for those who seek salaried employment but also for those who aspire to self-employment. And the European Human Rights Convention, in protecting the rights of workers (and employers) not only to organise but also, if this is the wish of the individual, not to organise, thereby rules out closed shop and similar organisation security arrangements on which the ILO has opted to stay "neutral".

To civil liberties and fundamental freedoms were soon added another kind of human rights, known as economic, social and cultural rights. These require governments to take positive action to ensure that every individual is in the material position to enjoy fundamental freedoms.

As national economies are not equally developed, and such action cannot extend beyond what is feasible with the resources available to each country, economic, social and cultural rights are not absolute like fundamental freedoms, but relative. Therefore, the international procedures for supervising the observance of these rights are always less developed than those concerned with fundamental freedoms.

In our view, the Director-General's Report fails to distinguish between the basic human rights standards of the ILO, on the one hand, and its other labour standards, on the other. One gets the impression that every ILO Convention embodies a human rights standard which, once adopted, can only be made more, not less, rigid, regardless of whether it gets ratified or not. Reference is made, *inter alia*, to the introduction of flexible working hours, the abolition of legal minimum wages and the creation of new jobs based on a more individual employer-employee relationship as potential threats to human rights. This is not the way to look at things if one wants the new departure heralded by the Medium-Term Plan, and we, for our part, cannot accept that way of looking at things.

This does not mean that we differ from the Employers' group of the Governing Body which continues to give one of its highest priorities to the ILO's standard-setting activities. Indeed, all three parties of our Organisation appear to us to remain committed to the concerted legislative programme which David Morse, in his human rights report to the 1968 session of the Conference, introduced in stating that the Organisation should "develop a body of international labour standards that is as complete and as widely accepted by member States as possible". That the body of standards has become more and more complete over the years is true. When it comes to acceptance by member States, however, the record is disappointing.

There are 145 substantive Conventions in all which are open to ratification. The average number of ratifications for Conventions is 32. It is 40 for Conventions adopted before 1961, 27 for those adopted in the 1960s, 24 for those adopted in the 1970s and only 5 for those adopted after 1980.

More disturbing is that the Conventions seem to become less and less relevant to the developing countries. Of the present 112 members which are not OECD or European countries, 54 have joined the ILO since 1960. Nevertheless, the 112 developing countries' share of ratifications is decreasing: 63 per cent for Conventions adopted before 1961. That share is 55 per cent for Conventions adopted between 1961 and 1970, 48 per cent for Conventions adopted between 1971 and 1980 and only 28 per cent for Conventions adopted after 1980.

The Nordic Employers' delegation has been advocating, and continues to advocate, that the future emphasis has to be on a revision of standards which, although dealing with vital subjects, are, to judge from their poor acceptance, either too high or too rigid. Admittedly, a revising ILO Convention normally supersedes the revised Convention, but there is

nothing in the Constitution which says that it has to be so and we are indeed pleased to note that the revisions completed this year have been the other way round. Certainly, there are also many standards which are universally relevant, like the most important basic human rights standards, and for these standards we propose further promotional action. As employers, we would certainly also be happy to see the basic human rights standards further strengthened in line with the new departure with a view to offering greater protection for productive individual initiative. I hope not to shock anyone by saying this.

A final word about the controversial issue of fair labour clauses in bilateral and multilateral trade agreements. We have obviously nothing against the idea as such of States agreeing to absorb certain common labour standards as a condition for trading with one another. Whether this can work when the State with the largest share of the world's foreign trade applies only four ILO Conventions, all of which are maritime, is another matter. But we are firmly opposed to the ILO getting involved in this issue. The only kind of binding international standard which our Constitution knows is an ILO Convention and the ratification by any State of such a Convention is, as far as the ILO is concerned, an entirely voluntary act. No doubt, the idea of imposing social standards through trade agreements is attractive to the theorists, but we, even those of us who happen to be lawyers, are here to initiate practical action, not to theorise.

Interpretation from Portuguese: Mr. MAXIMIANO (*Deputy Secretary of State in the Prime Minister's Office, Cape Verde*) – Mr. President, may I begin by offering you my sincere congratulations on my own behalf and on that of the delegation of Cape Verde on your election to the presidency of the 75th Session of the International Labour Conference, and also to say how satisfied we are at the competent manner in which you are conducting our work. I am sure that in this way we cannot fail to reach the objectives which we all hope to achieve at this Conference.

We should also like to take this opportunity of congratulating the Director-General on his excellent Report submitted to the plenary for discussion on the human rights issue. In so doing, he has, in fact, taken up a matter which constitutes a source of constant concern to the ILO, and one of the most important issues with which it deals.

Human rights involve the defence and preservation of the principles set out in the Constitution of our Organisation at national and international level.

The tremendous standard-setting work and the promotion of labour developed over the past decades, I think, clearly demonstrate just how deep this commitment is; this commitment which becomes more vital every day in view of the widening gap between rich and poor.

Protecting the dignity of man and ensuring a minimum respect for his rights and his legitimate aspiration to material and moral well-being in a climate of peace and social justice represent prime objectives of the State and the society of Cape Verde and they constitute the direct cause of the victorious struggle waged by the people of Cape Verde to exist as a free and sovereign nation.

The Constitution of the Republic of Cape Verde recognises and guarantees its citizens a broad range of rights ranging from political and civil rights to economic, social and cultural rights and also establishes mechanisms for the defence and implementation of these rights.

Although it is true that many of these rights are implemented automatically, and imposed daily in political and social relations, none the less, it is still true to say that a claim to other rights, and in particular economic and social rights, is still in many cases contingent upon the availability of the necessary resources at each stage of our process of development because the recognition and implementation of these rights will become credible and feasible only to the extent that the social and economic reality of the country is taken into account. And I believe that this is a decisive factor in determining the pace and extent at which benefits can be extended.

It is these circumstances, unfortunately, which impose a limit on our desiderata and which influence the action we have to take towards a policy which is feasible and in harmony with the genuine potential of our national economy, an independent and viable national economy which can only exist if we have defended and preserved our political independence.

This independent and viable national economy is possible only if there is a permanent adjustment of social needs to the deliberate action which we have to develop to encourage more participation and involvement by the citizens in pursuit of these objectives and to do so in a responsible manner.

National reconstruction, which is the main feature of this phase of development in my country, is a task which requires effort and solidarity on the part of members of all social strata. Because under the present circumstances it will not be possible to build a future or to provide the conditions necessary for satisfaction of growing needs unless this effort is supported by deliberate national political will – with the prerequisite that the fulfilment of collective and individual aspirations must first and foremost be the responsibility of the Cape Verde nation.

Cape Verde is a small country without natural resources and the manufactures of its economy are a low level of domestic production, a high level of unemployment and a high degree of dependence upon the outside world. We must look to international co-operation and solidarity for a large part of the means and resources which are required to carry out our economic and social development programme.

Because of these circumstances, we are under certain obligations when it comes to the use of these resources. And we must concentrate investments in projects which will yield a sure economic and social return, with the prospect of generating greater wealth which, in turn, will make it possible to provide more jobs, a constant improvement of living conditions and a gradual reduction of our dependence upon the outside world.

Our development strategy is based on these main guide-lines.

However, it would not be realistic for a small country such as Cape Verde to lay claim to a social policy which is not commensurate with its own strength and potential. We think it is necessary, above all, to produce, to accumulate, because in that way we can defend and consolidate our status as a sovereign people, and gradually eliminate existing

social imbalances and the contradictions generated by the development process itself.

It is in this context that my country should be seen, and it is in this context that we are working to defend human rights; human rights which we hold in the highest respect not only as a Member of the ILO whose ideals of course we uphold faithfully, but also and above all because of the essentially humanist and democratic nature of the political regime in Cape Verde.

The Constitution of our country and other laws in force both recognise and guarantee the citizen's freedom of thought, expression, assembly, association, also the right to justice, to be represented and to lodge an appeal in the courts against acts that infringe these rights. Under no circumstances may justice be refused anyone on the basis of inadequate or non-existent financial resources.

Significant efforts have been made in the fields of education, health and social security, and the available health statistics show that we are among the best in our continent. Work is a right and duty for every citizen and the State should provide the conditions within which full employment can be achieved.

New labour legislation was published recently and, in addition to reinforcing the principles of non-discrimination, equality of opportunity and treatment and freedom of association, it introduces considerable improvements in the field of regulations relating, in particular, to working conditions, collective insurance agreements, quality of life of workers, the improvement of the system for preventing and settling labour disputes, the participation of workers and their representative organisations in the life of the enterprise, vocational training, the work of miners and so forth.

The social security system is being expanded and consolidated. Studies are being carried out at present to extend its coverage to categories of workers not yet covered by this general system.

The struggle to combat unemployment, both in urban and in rural areas is our most urgent priority at the moment. Despite difficulties which arise as a result of the difficult world economic situation and because of the inadequacy of our domestic resources, the Government is now promoting and encouraging initiatives aimed at increasing employment, both through programmes which make rational use of existing economic potential and by providing a context which is likely to attract and encourage investment from outside the country in productive projects which will guarantee as many new jobs as possible.

Seeing that the majority of our population lives in rural areas, it is only natural that the Government should pay particular attention to developing this sector. These efforts take the form of systematic projects aimed at halting and reversing the deterioration of the environment and maintaining rural populations in this context while at the same time guaranteeing them minimum incomes which is in line with the achievement of a social policy.

Of these projects, those which relate to labour-intensive work are given high priority in the government policy. These help significantly to reduce the level of unemployment and guarantee incomes to a large number of families. They also help to set up the infrastructure which is necessary for the launching of further development projects.

Apart from the fact that they generate employment, these activities are also major instrument of social and productive enhancement for large sector of our rural population, who have very low vocational skills. These activities should also make it possible to raise the level of productivity of our economy under present circumstances and also to improve the general standard of skills among the workforce.

These projects should fit into an integrated approach to development, and this places new demands on our economic and social organisation and on the ongoing work carried out with the support and technical assistance of the ILO, from which we hope to achieve the following results: increasing involvement by the population involved in direct management to enhance productivity; giving the people more responsibility in solving their problems and in participating in identifying the obstacles standing in the way of development in their communities.

With this brief statement, I wanted to illustrate, on the one hand, the efforts being made in my country to promote progress and well-being amongst the population and also to identify the tremendous difficulties which we encounter in trying to achieve this objective, but we feel sure that the same difficulties are being faced with the other Members of the Organisation as well.

This is a task for one and all. As the Director-General so eloquently says in his Report, our pursuit of this noble objective would be seriously compromised if international solidarity and understanding, are not strengthened, and if egoism and flagrant economic and social inequalities are allowed to persist throughout the world.

We must also do away with the arrogance of the rich towards the poor, oppression and all forms of discrimination, and those people who are still living under domination must be granted their sacred right to live and build their future in peace and total freedom.

I would also like to pay tribute to the efforts made by this Organisation to promote the cause of peoples who are fighting for their freedom and emancipation, and to refer here, in particular, to the undeniable support given by this Organisation to the peoples of South Africa and other neighbouring countries in that troubled region, in support of their just and hard struggle against apartheid. We are convinced that this effort will be rewarded, for victory is certain.

• Mr. ABDULRESHID (*Head of the Department of Labour, Ministry of Labour and Social Affairs, Ethiopia*) – It is a pleasure and an honour for me to congratulate the President on behalf of the people and the Government of the People's Democratic Republic of Ethiopia and on my own behalf, on his well-deserved election to the presidency of this august assembly. This represents a fitting tribute to his wide experience in the field of labour and social affairs and of the ideals of the society of the German Democratic Republic.

May I also congratulate the Director-General of the ILO for presenting once again a timely issue: *Human rights – A common responsibility*. I would like to pay tribute to him for the commendable work and for the sustained action that the ILO has always taken for social justice and freedom. I am confident that member States will deliberate upon this, and

assess the contribution of the ILO in the international efforts towards the respect of human rights, and reach fruitful conclusions.

"Human rights" has always been an issue of topical importance to all progressive and peace-loving peoples of the world. Human rights questions should be examined globally, taking into account both the overall context of the various societies in which they present themselves as well as the need for the promotion of the full dignity of persons and the development of the well-being of society. The full realisation of civil and political rights, without the enjoyment of economic, social and cultural rights, is not possible. Hence, the attainment of lasting progress in the implementation of human rights is dependent upon sound and effective international and national policies of economic and social development. Human rights cannot be seen in isolation from freedom from disease, hunger, illiteracy, colonialism, neo-colonialism, apartheid and other forms of racism, and racial discrimination.

While discussing human rights, one paramount issue that we cannot bypass is the question of apartheid. Among the reports before us, there is the Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa.

From this Report, we note that the situation in South Africa is deteriorating. As has been repeatedly stressed on numerous occasions, the racist regime, in absolute disregard of world public opinion, still continues to trample underfoot the lofty principles enshrined in the Universal Declaration of Human Rights and others. The Black majority in South Africa continues to suffer from ruthless oppression and is deprived of fundamental rights.

The illegal occupation of Namibia and the aggression against neighbouring sovereign States are threatening world peace and security.

The conditions of workers in South Africa and Namibia are deteriorating day by day.

Apartheid would have been abolished a long time ago, had it not been for the material and moral support given to it by some governments which prefer to preserve their interests and unjustified gains against the genuine rights and freedom of the oppressed people.

The situation in this part of our continent calls for decisive and urgent action by all States. The firm stand of the People's Democratic Republic of Ethiopia against apartheid will continue until the complete eradication of this abhorrent system. Since only comprehensive and mandatory sanctions can destroy the inhuman system of apartheid, member States of the ILO should take effective measures to apply such sanctions and fully apply the Declaration concerning Action against Apartheid in South Africa and Namibia.

The question of human rights could be understood only if it is placed within the proper perspective of world economic, social and political reality. Unless it is seen within the objective reality of today's world, its attainment will be futile.

Our world is characterised by underdevelopment, undernourishment, indebtedness, an ever-widening gap between the prosperity of the North and the impoverishment of the South.

Today, more than ever before, the economic situation of the developing countries has assumed disas-

trous proportions. The debt of developing countries stands at more than \$1 trillion; and this has obliged them to spend one-third of their export revenues to repay it. This means stagnation of industrial production, a constantly rising cost of living and mounting unemployment.

Since resources are disbursed in the form of debt-servicing, it has a tremendous impact on the availability of domestic resources for economic development. The problem of Third World indebtedness is further compounded by the steady decline in export earnings, as a result of the collapse in commodity prices on the world market.

Today, the spectre of famine is again affecting many African countries. Moreover, in developing countries, poverty has led to a growing malnutrition and the physical and mental disabilities associated with it, and a lack of preventive medicines has led to diseases which claim a high toll in human life. Illiteracy is another rampant problem in developing countries, and the poor performance of investment in key sectors of the economy has led to a general deterioration of the quality of life in developing countries.

The alleviation of economic and social problems, therefore, is a basic prerequisite for the attainment of genuine human rights. In this connection, the need for the ILO to harmonise its efforts with other United Nations agencies, with a view to mitigating the economic and social problems of developing countries, is imperative.

As is rightly pointed out in the Report of the Director-General, the realisation of the new international economic order is an essential element for the effective promotion of human rights and fundamental freedoms and, hence, should be given priority.

In Ethiopia, human rights are accorded a very high priority in the overall development process. We believe that economic and social rights are preconditions for the attainment of other rights.

The Constitution singles out the attainment of equality, justice, basic freedom and rights through the satisfaction of the material and spiritual needs of the broad masses and improvement of the standard of living of the masses.

The fundamental objective of our revolution is not only to satisfy the basic necessities of the people, but also to build a system through which Ethiopia will develop and the viable life of its people and their basic rights will be ensured.

As a result of the struggle waged for the last 14 years, the working people of Ethiopia have been able to attain numerous victories which have laid down a solid foundation for progress. The working people have not only abolished feudal production relations but also have provided the basis upon which to speed up collective progress.

Accordingly, solid foundations have been laid for guiding economic development through a system of central planning; special efforts are being made to boost productivity in agriculture and the utmost effort is being deployed for the development of industry and other economic sectors.

The organisation of the working people on various levels has also created a suitable platform for popular participation; for example, the Urban Dwellers' Association, Women's Association and the Youth Association.

The other significant stride towards the attainment of basic human rights was the promulgation of the

Labour Proclamation of 1975, which established the All-Ethiopian Trade Union and gave unprecedented rights to the workers of Ethiopia.

To date, the Ethiopian Trade Union comprises 1,500 basic unions with a total membership of over 350,000 workers. Among the rights gained by the workers are: freedom of association and the right to organise, job security, improved working conditions, equality of women workers, non-discrimination in employment, pension rights and the right to participate fully in the nation's economic, political and social life.

A new Labour Code, which is being finalised in line with the Constitution, is expected to guarantee further rights to the workers.

The promulgation of the historical Rural Land Proclamation of 1975, which made the peasants owners of their land, restored to them their inherent rights. The peasants are now organised under more than 20,565 peasants' associations, 4,159 service co-operatives, and 2,922 producers' co-operatives with a membership of more than 10.4 million.

These peasants' associations have created new opportunities for smooth and effective dissemination of technologies and have expanded the opportunities for peasants to participate actively in agricultural and rural development ventures.

Within the programme of ensuring equal opportunity and treatment in accordance with the Declaration of Philadelphia, which affirmed the right of all human beings to pursue their material well-being and spiritual development, irrespective of their race, creed or sex, the Constitution of the People's Democratic Republic of Ethiopia guarantees equality between the sexes and nationalities. The People's Democratic Republic of Ethiopia has established the Revolutionary Ethiopia's Women's Association which has enabled women to participate in the economic mainstream of Ethiopian society by ensuring the necessary conditions of women to exercise their rights and discharge their responsibilities as mothers, workers and citizens. Concrete measures are also taken to ensure equality between nationalities through developing their culture and allowing their equal participation in the economic and social development of the country.

On the whole the Constitution provides for equality of all citizens before the law, the right to work, the right to free education, the right to health care, the right to inviolability of the person, freedom of conscience and religion, freedom of speech, press and assembly, peaceful demonstration and association.

I now turn to one of the issues for discussion during this session of the International Labour Conference, "Rural employment promotion". The problem of employment remains one of the extremely serious problems of our time, both in developing and developed countries.

Although numerous measures were taken by Ethiopia to alleviate the problem, we are still faced with an acute unemployment problem. Among the measures taken to promote employment is the nationalisation of rural land which has laid down the basis for the total transformation of the rural economy and has contributed to the alleviation of unemployment problems. As was stated earlier, the organisation of the peasants into various peasants' associations and the formation of producers' and service co-operatives

have enhanced employment generation, as labour-intensive technological policy was adopted. In 1987 alone, employment created by service co-operatives reached 11,371 and is growing at the rate of 7 per cent per year in recent years. Many multi-faceted measures which would enable the agricultural sector to absorb and utilise increased human resources were also undertaken. I hope the participants of this Conference will deliberate upon and exchange ideas and experiences on the promotion of rural employment, since the creation of employment in the rural areas, where nearly 90 per cent of the population in developing countries lives, not only reduces rural-urban migration but also results in concrete improvements in the standards of living of the rural population.

The recent drought and famine that has affected the lives of millions of people in the northern part of our country is a great obstacle to our development efforts, and is being handled effectively by national efforts as well as by the efforts of regional and international organisations. In this connection, we wish to express our appreciation and thanks to all governments, regional, international and non-governmental organisations which have rendered assistance and are continuing to supplement our efforts to mitigate the present crisis in our country.

The role of the ILO in promoting the observance of human rights has been remarkable. The standard-setting work of the Organisation is one of its principal instruments for safeguarding human rights. Since its establishment, the main concern of the ILO has been the formulation of international labour standards which mainly deal with human rights such as the prohibition of forced labour, protection of the freedom of association, elimination of discrimination in employment and occupation, application of the principle of equal remuneration between men and women for work of equal value, full employment and others.

The Government of Ethiopia has always attached great importance to the standard-setting activities of the ILO, which is an ideal focus for social progress and a source of inspiration for legislative activities and national regulations in the field of labour.

Although a body of new standards on human rights had come into existence and earlier standards have been reviewed, there are still some Conventions, which are not revised so as to fully reflect the objective reality of today's world. Moreover, the work on the supervision of international labour standards still needs improvement in terms of their relevance to the present situation and future trends. The ILO must be ready to respond to emerging problems and to changing conditions.

The participation of member States of the ILO from developing countries in the formulation and adoption of international labour standards is also indispensable for an effective implementation of standards, as (most of the time) Conventions which have no relevance to developing countries are adopted by the General Conference, making it difficult for these countries to ratify and implement them. In this connection, the need for the ILO to finance some members of the delegations from the least developed countries becomes necessary in the face of the financial difficulties of these countries whose effective participation in the work of the International Labour Conference is hampered by financial problems.

Regarding the ILO's technical co-operation activities, we note that it is becoming an increasingly major means of action for attaining the objectives of the Organisation, notably in the area of application of international labour standards. As is rightly pointed out in the Report of the Director-General, the ILO should consolidate its standard-setting work and technical co-operation activities by linking them together. Joint action of member States and the ILO is needed to ensure the observance of human rights. The ILO should, hence, respond positively to the demands for assistance from developing countries based on their requirements and priorities. Likewise, its action must be harmonised with other United Nations bodies, as the enjoyment of human rights is a "common responsibility" involving the entire international community.

I wish this Conference great success in its deliberations.

Interpretation from Arabic: Mr. TLIBA (Workers' delegate, Tunisia) – In the name of God, the Merciful, the Compassionate! I should like, first of all, to extend my most sincere congratulations to the President for the confidence placed in him and in his country by his election to the presidency of this annual session of the International Labour Conference. I am sure that this Conference will be crowned with success thanks to his competence and wisdom and to the co-operation of all the participants in it. I would also like to convey my cordial greetings to all those at this Conference, and request them to transmit these to the organisations they have the honour to represent and to their fraternal friendly countries.

May I ask the Director-General of the International Labour Office, who is our mutual friend, to accept my heartfelt congratulations on the successes he has achieved at the head of the ILO. We believe that these achievements honour all the member States of the Organisation.

The Tunisian Labour Union maintains excellent relations with the ILO as well as with other workers' organisations throughout the world, particularly those that defend the cause of law and justice. The Tunisian trade union movement came into being more than 70 years ago and ever since it has devoted itself to the struggle to defend the moral and physical rights of workers, thereby helping to reinvigorate the country and ensure its progress. Up to now, positive and fruitful results have been obtained; we continue to work unflaggingly to attain other goals and have every hope in an even better future. You are no doubt aware that in the last few years the trade union movement in Tunisia has experienced a number of difficulties that have led to an unusual situation and a disturbed climate in the union. But since May Day the normalisation of trade union activities and the reunification of the trade union organisation have begun, and some encouraging results have already been achieved. We hope that these efforts will culminate in a special conference before the end of this year with the participation of all categories of Tunisian workers, who are prepared to do everything they can to strengthen and advance the trade union movement so that the objectives of prosperity and social progress may be achieved for all.

The activities connected with the trade union situation in Tunisia are undertaken in an encouraging national climate following the change of power in

Tunisia on 7 November 1987. This date is regarded as an important turning-point and a national event of historic dimensions. In the short lapse of time from that day to this, my country has been able to bring about a number of important developments in the economic, social and human spheres that have consolidated the foundations of the country and assured its effective protection against the dangers that threaten it. Among these developments, mention must be made of the measures taken in the field of human rights, notably the release of prisoners, permission for exiles to return, the encouragement of political pluralism, the improvement of the guaranteed minimum wage in order to raise the purchasing power of the lowest income groups, the creation of jobs, particularly for young people, the removal of guardianship over our professional associations and the establishment of organisations concerned with the defence of human rights and freedoms, notably the League of Human Rights and a branch of Amnesty International.

On the occasion of the 40th anniversary of the proclamation of the Universal Declaration of Human Rights we note, in this same year – 1988, the most fundamental flagrant violations of the most fundamental human right, namely the right to live, in the Middle East and more particularly in Palestine and in the other occupied Arab territories where Arab citizens are subjected to the most horrible forms of oppression, torture and mutilation, before the eyes and with the knowledge of world public opinion. The uprising of the inhabitants of the Palestinian occupied territories against Zionist colonisation testifies to the intensification of the repression by this colonising force and of their machinery of destruction.

The Israeli occupation authorities are not content with practising terrorism within Palestine and the other occupied Arab territories; they have exported it outside the area of conflict, violating, for the second time, the territorial integrity of my homeland and committing one of the most atrocious crimes of modern times by assassinating on our soil one of the symbols of the Palestinian revolution, the militant martyr, Abu Jihad, and several other innocent citizens, thereby violating all international practices and charters in defiance of world conscience and public opinion. We see the same practices repeated in South Africa as in the Middle East. There is a close parallel because the people of South Africa are living under the pressure of apartheid and the threat of destruction, and most of their leaders are languishing in prison, in particular the nationalist leader, Nelson Mandela, who has been imprisoned for 25 years. In giving all these examples, our purpose is to remind you that our organisation has a serious and difficult task, that the road before us is still a long one, bristling with obstacles, and that these sensitive areas of action call for greater will-power and determination on the part of the international community.

As regards the defence of human rights, wherever this may be needed and whatever the situation may be, although the Report of the Director-General that we are considering here deals with the problem of migrant workers and their occupational, social and cultural situation in the host countries, and despite all the efforts deployed by the ILO to assist them since its inception, the question of greater protection for this type of worker is still one of the principal concerns of all the forces that support human rights

in the world. In this context, I would again like to request the ILO, on behalf of the Tunisian General Labour Union, to organise an international symposium to make an exhaustive study of the situation of migrant workers, particularly with regard to the future labour market in the united Europe of 1992, so that this category of workers can live, work and move around in that economic continent. This is a natural request for the protection of human rights.

Lastly, I would like to say a word about the worldwide arms race, whose consequences will be catastrophic for humankind unless it is halted. A large proportion of the world's resources are squandered for purposes of ruin and destruction, at a time when human beings urgently need these immense sums to combat poverty, famine, unemployment and disease. It is for the ILO to intensify its efforts in this field in order to contribute to halting the arms race.

I wish this Conference every success.

Mr. NEDZYNSKI (*representative of the Postal, Telegraph and Telephone International*) – I have the honour today to speak on behalf of the common front of free and democratic public service trade unions, comprising my own organisation, Postal, Telegraph and Telephone International, the Public Services International, International Federation of Employees in Public Services and the World Confederation of Teachers. Together, these organisations represent well over 25 million workers employed in the public services throughout the world.

The workers whom we represent provide a vast range of services essential for the well-being of all people and for economic development. It is impossible to imagine ever achieving the high ideals of this Organisation – the eradication of poverty, the dignity of labour, and social justice – without the effective provision of services such as health, water, education, communications and so on, which can only be provided by public services.

But the sector is important not only because of the benefits it provides to the population as a whole. It is important because in many countries the public services also constitute the largest employers and are responsible for the major part of investment in the economy. Studies by the ILO and other bodies show that the public sector in many countries accounts for about a third of total employment, and expenditure on public services often accounts for an even higher percentage of the gross domestic product.

It is, therefore, regrettable that when we examine the Director-General's Report on the Activities of the ILO in the past year, we find very few, if any, references to activities in this key sector.

Since the last session of the Conference, there has not been a single meeting which dealt with the problems facing any group of workers in the public sector. Studies and reports published in the same period have, at best, only been of indirect interest to our members.

We must repeat what we have said on previous occasions at this Conference. If the work of the ILO is to be relevant to workers, then it must reflect the massive changes in the distribution of labour which have taken place in the last few decades and which will continue in the foreseeable future.

If we look at only one group of workers which my organisation represents – telecommunications workers – we can see the scale of change taking place.

The Commission of the European Communities has estimated that by the end of the century, 7 per cent of the gross domestic product of the 12 Community countries will result from telecommunications and adjacent activities. They estimate that, via information technology, more than 60 per cent of employment in the Community will depend to an important degree on telecommunications by the year 2000.

Neither should it be imagined for one moment that workers in the public services have been enjoying a privileged or protected position. In country after country, in both the industrialised and the developing world, public services have been the subject of attacks and far-reaching reforms. Governments, forced by economic pressure, or just as frequently driven by misplaced ideological zeal, have been trying to cut back on public services and, in many cases, to hand them over to private enterprise.

Public service workers have seen their jobs threatened. Their conditions and terms of work and employment have been attacked. Permanent employment has been replaced by temporary or casual labour. Long-established procedures for the determination of conditions have been unilaterally set aside. And while this massive restructuring has been taking place, workers in many key sectors have been faced with the challenge of rapidly changing technology.

We claim no special privileges for the public services. We do believe that the ILO can make an important contribution to helping to find solutions to the multiple problems faced by public service workers. We also believe that solutions found to deal with problems in this crucial sector could be of importance to other groups of workers.

The meetings of the Joint Committee on the Public Service have agreed on numerous proposals about the ways in which the ILO should expand its activities concerning the public service. They have recommended that more standing committees should be created. We, of course, welcomed the creation of the Joint Committee on Post and Telecommunications. We welcomed the meeting on water, gas and electricity services. Although welcome, these developments are still far from sufficient.

We must repeat our demand that the ILO create permanent committees to deal with education, health and electricity, gas and water services.

We repeat our demand that a special branch should be created within the International Labour Office to deal with the public service sector.

The Fourth Session of the Joint Committee on the Public Service will take place later this year. Slightly more than five years will have elapsed since it last met.

No date has yet been fixed for the second meeting of the Joint Committee on Post and Telecommunications. The previous meeting was held in 1984. We strongly suggest that it is now long overdue and must be held as soon as possible.

The Director-General's Report on human rights identifies the crucial importance of a number of issues, such as freedom of association, freedom of expression and the independence of trade unions.

Many of these issues are of major significance for public service workers, though this is merely touched upon in the Report. For instance, the political rights of public service workers are unduly restricted in numerous countries, simply because they are public service workers.

In some countries, such as Indonesia or Turkey, the vast majority of public servants are denied the most basic trade union rights.

The Director-General stresses that "voluntary negotiation among autonomous parties remains of vital importance, precisely when it is viewed from a human rights perspective".

However, the negotiating rights of public servants are frequently severely limited compared to those of workers in other sectors. Public service trade unions cannot and will not accept that there is any justification whatsoever for this kind of discrimination against workers, merely because they are employed by public authorities or bodies. We will continue to insist that they must enjoy full and equal trade union rights.

We are particularly concerned that in recent years attacks on public service workers and their trade unions have increased. In many cases, governments seem to have identified trade unions as a major obstacle to their implementing of policies to cut back public services. Disturbingly, even in economically and socially developed countries with long traditions of the recognition of trade union rights of public servants, we have seen determined and ruthless attempts by governments to curb the activities of our unions.

The Director-General, quite rightly, stresses that the denial of racial equality and other fundamental human rights in South Africa is a challenge to the world's conscience.

In the struggle to overturn the apartheid system, which negates all concepts of human rights and dignities, one of the most significant factors in recent years has been the growth of the independent trade union movement. In the last year, we have seen major advances and bitter disputes in public service sectors, such as the railways and the Post Office.

Post Office workers in South Africa, last year, organised one of the first nation-wide strikes in the public service in that country. As a result, thousands of members of the Post Office workers' union were dismissed. Despite promises and fine words from the Government, more than 2,000 remain without a job.

By one means or another, the Government seems determined to try to crush that union. Thanks to the courage of the workers involved, it has not succeeded. Indeed, today the union organises four times as many members as it did last year.

Our International, the PTTI, together with the International Confederation of Free Trade Unions, has given (and will continue to give) as much support and assistance as is possible to that union.

While I have stressed the importance of problems facing public sector workers and their unions, we recognise that all workers, regardless of their employment or the country in which they live, must be able to exercise their fundamental human and trade union rights.

This Organisation must continue to stress that, whatever the economic or social system, it cannot accept excuses for non-observance of these rights.

The Director-General suggests in his Report a number of innovative ways in which the ILO might develop its role in enforcing international labour standards. It is, of course, necessary to try to find new ways in which the Organisation might fulfil its task.

However, the ILO must continue to insist that member States live up to their obligations as Members of this Organisation and observe the recommendations which it makes. This must be so in a case such as the United Kingdom, which continues to refuse to allow a significant group of workers in GCHQ the right to belong to a trade union, in violation of recommendations of this Organisation.

This must be so in the case of Poland, where the Government has repeatedly refused to implement the recommendations made in 1983 by the special Commission of Inquiry. Recent events in Poland have shown that whatever claims are made by the Polish Government or by its official unions, workers in Poland want to be allowed to form their own independent trade unions.

They want their union "Solidarność" to be legally recognised once again. We will continue to support that totally justified demand, however much official delegates from that country may protest. We will continue to support the high ideals and principles upon which this Organisation was founded.

Interpretation from Arabic: Mr. HUSSAIN (*Employers' delegate, Iraq*) – I should like to begin by conveying to you, Sir, the greetings of the employers of the Republic of Iraq and to offer you, on behalf of the employers' delegation, our sincere congratulations on your election to the presidency of this Conference. I am sure that your skill and experience will ensure its success.

The 75th Session of the International Labour Conference coincides with the 40th anniversary of the Universal Declaration of Human Rights. The Director-General has presented us with a major Report describing the measures taken by the Organisation and the documents it has published over the years on the protection of human rights throughout the world, as befits one of the great international organisations responsible for protecting these rights.

On the occasion of the discussion of this Report we are filled with bitterness at the sufferings endured by the children of our Palestinian people and the violations of human rights and trade union freedoms by the Israeli occupying authorities. The barbaric acts of repression perpetrated by these authorities against the unarmed Palestinian people are by now known to all and have perhaps even become daily fodder for the international press agencies to disseminate throughout the media. Hundreds of Palestinians, employers, trade unionists and students are the victims of repression and organised terrorism by the occupying authorities aimed at expelling them from their factories, their homes and their lands. This campaign has been intensified in recent months and dozens of inhabitants have been expelled, and their houses destroyed, on the pretext that they have participated in the popular uprising claiming the legitimate rights recognised by the Universal Declaration of Human Rights. These inhuman practices, aimed at paralysing the energies of the Palestinian youth, are not only contrary to the spirit of the ILO Constitution and the two resolutions passed by the International Labour Conference in 1974 and 1980 but also a flagrant violation of the Geneva Conventions of 1949.

In the name of the Iraqi Employers' delegation we call upon the Conference to condemn the acts of repression and terrorism perpetrated by the Israeli

occupying authorities against the Arab youth and workers in the occupied Arab territories, to invite the Director-General of the ILO to redouble efforts to provide assistance and support to the Arab employers in the occupied territories and to invite the Governing Body to set up a committee to ensure the follow-up of these resolutions by the occupying authorities.

Since the beginning of last year an administrative revolution has been going on in my country aimed at making radical changes in the structuring of economic and administrative activities. The object of these changes is to strengthen the role of the private sector and employers in the development process. From now on private investment can participate in projects which were previously a state preserve, and responsibility for running a number of public enterprises has been transferred to the private sector as part of a policy aimed at strengthening the role of the employers in economic life and opening up new prospects for this sector. The employers have welcomed this revolution and have made essential changes in certain industries with a view to modernising them and making them safe for the workers. In the early months of this year a number of old factories were closed so that new technology could be installed in them to guarantee the workers' safety in conformity with the progressive legislation promulgated by Iraq in the field of occupational safety and health.

I shall not dwell on the considerable development that has been occurring in my country in numerous fields and especially in that of employment. This development could have been even more extensive and more rapid and ensured the well being of all our citizens and the workers in particular. However, the pursuit of the war imposed upon us and the desire of the other party to continue this war and its rejection of all appeals and resolutions by international and regional institutions to settle the conflict by peaceful means and by negotiation have had a negative influence upon our development efforts, which can only prosper and succeed in a climate of peace.

My country has always sought peace and called for a halt to the war and the holding of negotiations. It has taken countless initiatives and launched numerous appeals for peace since the start of the war and up to the present day. It has also accepted all the resolutions passed by international bodies calling for peace, the latest of which was resolution 598 expressing the unanimous desire of the international community. This is why I invite this Conference to join its voice to those of all men of good will throughout the world to demand an end to this war which serves the interests of neither of the two warring countries so that peace can be established in the region, the workers return to their factories and combatants resume their work of construction and development.

Interpretation from German: The PRESIDENT – Mr. Hussain, I must remind you, in accordance with article 14, paragraph 4, of the Standing Orders, that you have strayed from the subject of our discussion. I must ask you to revert to the item under discussion.

Interpretation from Arabic: Mr. HUSSAIN – I call on this Conference to join with all people of good will in the world to appeal for an end to this war,

which serves the interests of nobody in the region or in the world at large.

(Mr. Adiko takes the Chair.)

Mr. IEUMBUMROONG (*Workers' delegate, Thailand*) – It is indeed my great pleasure and honour to be present here today and to participate in this Conference.

I should like to look back over 91 years of history in Thailand, starting in 1897.

The Tramway Employees Association was considered to be the first organisation of workers in our country and its objectives were to protect their privileges and all benefits they deserved.

Sixty-three years later, in 1960, the economic structure was reformed. The effect of the reformation was that we modelled our economy on the industrial development of the Western countries. Millions of workers left their homes in rural areas to the capital hoping that they would gain a better living.

During the so-called "Dictator Government" period, the wage-rate was only eight to ten bahts per day, compared to seventy-three bahts at present. But the workers' way of life is still unchanged. The increased wage-rate has not kept pace with increases in the cost-of-living. While the majority of people are workers or farmers, they are still very poor. They cannot expect or hope for any improvements in the future. They have no security in their lives. Imagine what it must feel like for a family when the breadwinner is paid only 73 bahts per day in exchange for his hard working labour! Moreover, despite the low wage-rate, there are still more than 40 per cent of entrepreneurs who refused to pay their workers the statutory minimum wage.

There are four basic human needs: food, clothing, housing and medical care. In other professions, all these needs are covered, but for workers only two can be guaranteed: food and clothing. With only 73 bahts a day, it is impossible even to think about owning a low-price small house. There are no employers' or government provisions in the event of sickness, accidents or death. This is the reason why we really need the Social Security Law.

It is regretful to have to mention the disgraceful tactics of some entrepreneurs. By using loopholes in the law, they conclude short-term contracts with workers who are forced to accept. When there was a serious problem of unemployment, some entrepreneurs took advantage and forced workers to accept the working conditions they dictated. Of course, the workers, wishing to earn their living, have to accept.

Besides inadequate wages which are below the subsistence level, labour contracts never provide for any security or any social welfare. The lack of occupational safety and health provisions and the low level of public health mean that workers are unprotected at work. The statistics on occupational accidents and sickness are on the increase.

There is a saying to the effect that the worker creates the world. But why is the creator himself leading such an unsettled and miserable life! Is this the justice of our society?

The Government is now aiming to bring industry in line with that of the Western countries. We hope that Thailand will become the fifth tiger in the next five, ten or fifteen years. As far as our fellow workers are concerned we only hope that the Government

will step up action to solve our problems. Justice must be attained – and it is the Government's responsibility. If obstacles are put in its way, it means that the Government aims at industrialising our country at the expense of its workers.

Furthermore, the privatisation policy must be reconsidered. The Government should not sell our properties to private sectors, either domestic or international. Why has the Government granted opportunities to foreign entrepreneurs to make them more forceful? What security will the majority of people have? Who will be responsible for the effect caused by this policy? The answer is no one but the majority of people made up of workers, farmers and the under-privileged.

On the past International Labour Day, 1 May, we submitted a declaration to trade unions meeting all over the country, in which it was emphasised that the Government had to solve five labour problems immediately. These were as follows: the Social Security Law has to be adopted urgently, on the lines of all the industrialised countries; all laws with loopholes, especially those authorising short-term contracts, should be reformed; the working conditions and public safety and health provisions for workers in every branch of industry should be improved; the statutory minimum wage rate should be raised to meet the needs of workers and their families; the privatisation policy should be abandoned.

The presence of all of us here is an indication of our earnest intention to overcome labour problems. I hope that this Conference will reach a successful conclusion and achieve all its objectives leading to a new era of our labour world.

Mr. NOWAK (*Employers' delegate, Poland*) – On behalf of the members of the Polish Employers' Committee for Foreign Relations, I join all those who congratulated the President on his election to this high post. I wish him and his deputies much success in leading this Conference.

The Director-General's Report recalled three anniversaries taking place in 1988 and closely associated with the development of the idea of human rights: the proclamation of the Universal Declaration of Human Rights of the United Nations in 1948; the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); and the adoption of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

The Declaration of Human Rights and the two international labour Conventions concerning human rights had and continue to have considerable impact on the development of social and political relations in the contemporary world. Although not always stressed in the Director-General's Report, the gap between aspirations and achievements in the human rights field remains very wide. The aspirations of nations correspond to their achievements. The influence of public opinion on the implementation and practical use of the ideas contained in these documents help to reduce these disparities.

The Report states that in the developing countries 70 million people are unemployed. Close to 500 million are underemployed, and about 900 million live in extreme poverty. Unemployment also exists in the rich countries of the OECD. We followed with hope the talks between representatives of the two great

Powers and our desire is that they achieved significant limitation of the arms race and that they will use the resources saved as a means to improve mankind's living standards.

I agree with Director-General's remark that "European countries with a centrally planned economy have sought to maintain the full utilisation of labour, but insufficient productivity and rigidities in the functioning of the economy have affected living conditions. Currently, there is a move towards basic reforms in the management of the economy...", and with a similar opinion expressed on page 38. These two points are apt in relation to my country. The second stage of the economic reform which is now being implemented in Poland brings about further independence of enterprises, and the new pay system links the level of earnings with the enterprise's efficiency. Limits on the building of new factories remain, and this encourages the modernisation of existing factories, which is the appropriate policy from the viewpoint of the country's economic needs. Enterprises which increase their production for export enjoy reduced taxation and preferential wages.

All the changes mentioned above, which were introduced in 1987, have contributed to an increase in the efficiency of our national economy and to a higher level of exports of goods and services. In this way, the reforms have already achieved favourable results, though not enough to meet the expectations and aspirations of the people. These expectations and aspirations have recently given rise to strikes in several factories. The strikes have now ended, and the idea of trying to spread them to other enterprises failed to appeal to the workers. It seems that a social awareness is growing in my country that strikes are not the best way to improve the economic situation and that the implementation of the reforms should be accompanied by higher discipline on the part of all those who conceive and implement them.

Many OECD countries have introduced thoroughgoing technological changes in their factories and have rationalised their production, and they are now reaping the rewards of higher labour productivity and higher quality products. These changes are often made without reference to trade unions, and even in indirect conflict with union protest.

The Director-General described such a situation as follows: "Often the position of trade unions has been weakened by declining membership, legislative restrictions and, at times, deliberate anti-union discrimination".

In Poland the union membership rate exceeds 60 per cent, which means that it is three times higher than in the United States and about twice as high as in many developed countries. Polish trade unions have been granted considerable powers, such as workers' self-management.

Comparing the rights enjoyed by employers in, for example, the United States, the United Kingdom, or Japan, and bearing in mind the high discipline in enterprises there (which is frequently associated with the elimination of trade union influence), the power of the Polish director is greatly curtailed, to the benefit of worker self-management.

I was very impressed by the ILO Report *The trade union situation and industrial relations in Austria*, published in 1986. In this valuable report, ILO experts point to the efficiency of the Austrian social partnership system, where only one trade union, the

Österreichischer Gewerkschaftsbund, is operating. The ILO experts found this system to be unusually efficient and good for the entire nation. During my visit to Vienna last April, and while talking with representatives of the Federal Economic Chamber, I verified the smoothness of the system's functioning which was reflected in the small number of strikes, among other things.

I hope that a greater role for the Chamber of Industry and Commerce, which forms part of the second stage of reform, will help to resolve some of the problems facing Polish employers. The proposed legislation on the so-called status of the director will define the role of the director in the enterprise more exactly.

The process of democratisation in Poland has made further progress in expanding the basis for dialogue between the authorities and society. This dialogue is already taking place, particularly in the Socio-Economic Council of the Sejm (Parliament), the Economic Council of the Government, a consultative organ acting for the President of the Council of State and composed of opposition people who wish to continue dialogue with the Government, the Constitutional Tribunal, the Ombudsman who commenced his activities on 1 January 1988.

Both the Ombudsman and the Constitutional Tribunal have returned a number of verdicts in favour of citizens, which have thus modified the Government's actions.

The new and promising idea of increased dialogue between opposition and government representatives is now widely discussed. The name of the proposed organisation is the "Anti-Crisis Pact" and the theme of the dialogue is the current socio-economic situation in my country.

The election law for the people's Councils has eliminated the monopolistic right of Polish political parties to nominate candidates. Now the candidates can be nominated also by various social organisations, among them groups of individuals affiliated to residents' associations.

In recent months the public was presented with interesting proposals under which socialised enterprises will be run by commissions of private persons who have enough money to pay a deposit. These enterprises can employ up to 250 people.

The new regulations made it easier for Polish citizens to open private commercial firms and services of various types and also industrial undertakings with the required formalities being reduced to a minimum. Some of the large enterprises run by the States have started selling shares and obligations. As a result of the changes in the regulations, the number of private enterprises is increasing in Poland.

Further changes were made to ease the regulations which allow Polish state-owned enterprises to form companies, joint ventures with foreign enterprises, etc. In Poland foreign investors are now permitted to run their own enterprises fully based on their foreign capital. A dozen or so big companies and about 900 medium-sized and small enterprises with foreign capital have already been operating in Poland for several months.

By taking up the question of human rights, the Director-General will certainly contribute to enhancing the role of the ILO in the contemporary world. I wish to congratulate him and also to thank the staff for providing well-prepared documents for the use of

the delegations to this 75th Session of the International Labour Conference.

Interpretation from Spanish: Mr. PEREYRA (*Workers' delegate, Uruguay*) – First of all, I should like to congratulate the President on his election at this session of the Conference of the ILO. We also congratulate the other Officers.

Turning now to the agenda, we feel that the topic was excellently chosen by the Director-General for his Report which is being submitted for the consideration of the 75th Conference.

Few matters can be of greater importance for the workers of the world than human rights which embrace, as the Director-General said, civil, political, economic, social and cultural rights. In discussing ways of guaranteeing such rights, he asks the very important question, "Have we the willpower to overcome the crisis *together* or are we going merely to continue coping with it as best we can"; and he goes on to ask, "Are we going to resign ourselves to it?"

Mentioning the struggle against need which inspires ILO activities, activities which have to be continued with unflagging energy, he asks, "can trade unions be held responsible for such major aspects of the world economy as turbulence in the monetary system, Third World indebtedness, famine and poverty, or the shifts in methods of production brought about by technological changes?" (English text, pp. 14-15).

In his defence of human rights, the Director-General also mentions freedom of association as being enshrined in various international instruments like the Declaration of Philadelphia, annexed to the Constitution of the ILO, and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), which has been ratified by Uruguay. However, despite the fact that our country also ratified the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), trade union militants and leaders are not in practice duly protected.

Employers are free to dismiss workers whose behaviour, although within the bounds of the law, goes against their profit motive and naturally they badly abuse this freedom granted by the Government. In this respect, mention should be made of Decree No. 93, dated 3 February 1986, which bans and punishes discrimination against trade unions, but stipulates only very light fines for those who violate its provisions.

All this was the subject of a denunciation we submitted to the Director-General on 14 May 1987, Case No. 1403. We have not, however, been notified of the decision taken. At the same time, we must also state our objection to the illegal limitation on the right to strike by the false declaration that certain services were essential.

In analysing human rights, the Director-General touched upon another issue of great topical interest to workers in our country, namely wages. The document submitted to this Conference for its consideration states: "The general principle of voluntary negotiation among autonomous parties remains of vital importance, precisely when it is viewed from a human rights perspective, implying the ability of individuals to say on what conditions they are prepared to provide their labour" (English text, p. 19). Violation of this very principle by the Government of Uruguay led this delegation, in the course of this

Conference, to lodge a new denunciation with the ILO. Uruguay, as we stated, has ratified Convention No. 98 and is therefore duty-bound to promote collective bargaining. This is the method advised by the ILO in setting salaries. The Uruguayan Government, taking advantage of a legal instrument enacted under the dictatorship, Legislative Decree 14.791, which enables it unilaterally to determine salaries in the private sector, is taking an aggressive stance in tripartite negotiations, laying down guide-lines which it seeks to impose unlawfully on the parties. The application of these guide-lines is tantamount to a clear drop in the purchasing power of wages.

To this end, increases beyond the limits laid down in these guide-lines are prevented from being reflected in prices; to put the finishing touch to this well-constructed system, the Government has announced that any collective agreement which does not fall into line with these guide-lines will not be approved. In order fully to understand the scope of the Government's policy we should recall the fact that Uruguayan workers' wages today amount to hardly 64 per cent of their wages at the beginning of the dictatorship.

Similarly, it should be mentioned that the minimum national wage in May of this year was equivalent to US\$73. This is equivalent to 90 per cent of the value in July 1985. It should also be known that in 1970 the payroll was equivalent to 42 per cent of national income, whereas today it amounts to a scanty 27.8 per cent. A fact of great relevance to this situation is that during the year there has been a transfer from the private to the business sector of US\$120 million.

It is obvious therefore that Uruguayan workers have not accepted and will not accept such government dictates imposed in the name of an anti-inflation policy.

In this respect, we feel that the best response to the situation was formulated by the Director-General himself when he referred to the fact that "the fight against inflation has emerged as a ... preoccupation for many of the world's policy-makers," adding that "less costly means of curbing inflation than recession and unemployment must be found". On the same point the Director-General continues: "of particular concern is that the most vulnerable groups of the population, already affected by the economic impact of the crisis often find their employment opportunities, income and living standards further eroded by painful stabilisation and structural readjustment measures".

As regards wages, another aim of our confederation is that the interested parties themselves – rural workers and people in domestic service – should be involved in setting the wages. This demand has not received support. On the contrary, it is totally ignored by the Government.

In our country there is another important violation of fundamental rights referred to in the document of the Director-General under consideration. In the chapter on the right to equality of treatment, the document states: "There is, for example, the question of the status and conditions of workers in public employment. While in many countries there is a trend to assimilate their position to that of workers in the private sector, significant differences still exist. Often they reflect traditional approaches more than objective differences in the character of the functions

performed". In Uruguay, there is an unacceptable system for setting public sector wages. In state commercial and industrial enterprises, collective bargaining is not used, as pointed out by the report of the mission sent by the ILO to our country to study industrial relations in December 1986.

In the rest of the public sector, too, the central administration and other departments, the methods of setting wages do not include collective bargaining; wages are established according to the decision of the respective authorities. It is worth pointing out that, according to official figures, workers in the central administration had a 2 per cent increase in terms of their real salaries, but if we compare inflation with government decrees, we can see that there has been a transfer in income from the salaried sector to the State amounting to 16 per cent.

This flows from the implementation of an anti-people policy which seeks to pursue purely economic and financial goals. Social aims take second place. Thus in Uruguay the system of health protection has deteriorated to unacceptable levels; there has been an increase in unemployment as well as a rural exodus. This goes hand in hand with the concentration of capital and a furthering of private interests which seek to give the country away to foreigners.

A key point in this policy is the recent approval of Law No. 15.921 which sets up tax-free zones. On the one hand, these favour foreign capital; on the other hand, they will have a negative impact on the weak industrial structure of our country. This inevitably affects the conditions of employment of the country's workers.

I now wish to refer specifically to unemployment. ECLAC reported that more than 740,000 Uruguayans, that is 25 per cent of the overall population, are under the poverty line and 12 per cent are indigent. For every ten Uruguayans who wish to work, one is unemployed and 1 1/2 are underemployed. This is the time once again to recall the impact that the foreign debt has on this aspect of people's lives. In our country in the 1985-87 period, this debt increased by 20 per cent despite the fact that \$350 million has been paid on the average each year over the past few years. The burden of the debt as at March 1985 amounted to \$1,500 per inhabitant; as at 1 March 1988, it amounted to \$1,870; as at 1 May 1990, it will have risen to \$2,100 per inhabitant.

At present, Uruguayan workers are faced with a situation which is directly linked with human rights. As is well known, we are directly attacked under the still not so distant dictatorship; we had to suffer arrests, exiles, torture and assassinations. When Uruguay began to set up its institutions once again, during a transitional period – which we are still under going – an Act was adopted which granted impunity to those who, from within the state structures themselves, had committed these violations of human rights. The people's reaction was immediate, and in accordance with the Constitution of the Republic, the requisite signatures have been gathered to hold a plebiscite which will enable the people, on the basis of their sovereign right, to repeal this law which should never have been approved. Indeed, 634,702 citizens have signed the request for a referendum. This is far in excess of the 25 per cent that is laid down by the Constitution of the Republic.

To conclude, we wish to say that we have come once again to this Conference with the aim of helping

the ILO attain its objective, which is set out in the first paragraph of its Constitution, namely: universal and lasting peace can be established only if it is based upon social justice. Peace and disarmament are absolutely necessary for the development and progress of peoples.

This is the right time to recall, as the Director-General has done, that 1988 marks the 40th anniversary of the Universal Declaration of Human Rights and that of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

These are undoubtedly two of the most important documents for peoples and workers in this century. The first, as pointed out by the Director-General, covers the concepts of human dignity, tolerance and solidarity. The second made workers responsible participants in the human endeavour. Under the protection of this Convention, they have been able to join with their fellow men in building a better world.

We wish to greet all the participants to this Conference. We hope for a dignified peace in Nicaragua. We wish to express our support for the peoples of Panama, Paraguay, Chile, El Salvador, Colombia and Guatemala; also, the Arab workers in Israel and the occupied territories. We strongly condemn violations of human rights in that area.

Once again, we wish to reiterate the historic solidarity of the Uruguayan trade union movement represented by our confederation PIT-CNT.

Mr. HILB (*Employers' delegate, Israel*) – It gives me pleasure to congratulate the President on his election. I should also like to commend the Director-General on his excellent Report on human rights and international labour standards contained in Part I.

I should like now to comment on the Report contained in Appendix III. Before doing so, however, I have to express my deep sorrow that the Director-General, in his Preamble to that appendix, found it necessary to deviate from the long and proud tradition of impartiality, objectivity and refraining from value judgements which have characterised his own and other ILO leaders' attitudes hitherto. He made a point of qualifying riots and acts of terror perpetrated by extremists among the Arab population, armed and led by the PLO and other terrorist organisations, as an "uprising"; he furthermore states that the status quo cannot last and bases this statement on "universal agreement".

There seems to be a basic contradiction in the Director-General's attitude. He places all the emphasis on the political side of the Palestinian conflict without leaving much doubt as to which side he identifies with. Yet, since the ILO is a social and not a political organisation, his emphasis makes it crystal-clear that the solution of the conflict is outside the scope of the ILO's competence.

As to the report of the official visitors itself, there are several questions beyond one's comprehension. One of them is that while the mission notes that what they call an "uprising" results in organising strikes of commerce in the areas and employment in Israel, either by persuasion or by intimidation, facts that doubtless result in serious obstacles to normal economic activities, the mission concentrates on some, mainly imaginery, restrictions of freedom of opportunity and choice imposed by the Israeli Government which are marginal, if at all.

Another question of this kind is: while Israel offers growingly gainful employment to all the unemployed in the areas, including those that became redundant in the Persian Gulf countries, the mission insists on blaming Israel for "draining off" about 38 per cent of the active population of the territories. Would they blame the United States of America for draining off Ireland's active population if they decided that this is within their competence?

Contrary to the apprehension expressed by the mission's previous reports that unemployment in Israel would be exported to the administered areas, the reality was otherwise, and the employment of residents of Judea, Samaria and Gaza in Israel was not reduced, but even increased and reached more than 100,000 workers in 1987, while the level of unemployment in Judea, Samaria and Gaza dropped to below 3 per cent during this year. Even the ILO delegation reports in paragraph 19 that "a purely arithmetical comparison of the data shows an unemployment rate for 1987 estimated at 2.2 per cent".

While the mission reports in paragraph 65 the negative influence of the settlements in the administered areas regarding the structure of local agriculture, it fails to review and analyse in this connection the substantial increase in agricultural output and productivity which has occurred in local farming. The successful application of modern technology to agriculture in the areas has resulted in a marked expansion of farm output which significantly increased productivity and incomes. This improvement in agricultural performance is a major factor to be taken into account in any consideration of the utilisation of land and water resources in this region.

It is disturbing that the official mission has again failed to present an objective view of the overall situation by not comparing the situation in the areas under discussion with the trends that existed there previous to 1967. Had they done so, they could not deny the provable facts that the pace and pattern of economic activity, the growth in employment, the virtual elimination of unemployment and the improvement in the levels of living, wages and social benefits, education and training since 1967 stand in sharp contrast to earlier periods and compare favourably with those of neighbouring countries, other developing regions and with the United Nations development goals. Before 1967 and the advent of Israeli administration in the areas, the situation there was characterised by a low level of development, slow growth, substantial emigration, a very low educational level, very limited capital stock, low employment and the stagnation of income levels.

It is with regret that I must confess to a great disappointment. Since this is the first yearly session of the Conference which I have attended, I admit that I had expected and looked forward to quite a different experience. I had hoped to listen to and maybe participate in serious deliberations on international standards, technical assistance and the exchange of professional experience. What I actually found are many delegates attacking my country, abusing this rostrum to make unrestrained accusations having no basis in fact – be it even facts mentioned by the mission. This is the price that we pay for permitting this Organisation to deviate from its normal and legitimate causes and to slip into political brawls.

I hope that those delegates who are genuinely concerned with the best interests of this Organisation and the aims for which it has been established will do their utmost to return the ILO to its proper course.

Interpretation from Spanish: Mr. GOMES (*representative of the Latin American Central of Workers*) – First of all, we would like to refer to the Report of the Director-General focused, in particular, on human rights, as this is the 40th anniversary of the Universal Declaration of Human Rights and the Freedom of Association and Protection of the Right to Organise Convention (No. 87).

In Latin America, through the struggle of the peoples and the workers, we are freeing ourselves from the various dictatorships and establishing major processes of democratisation in virtually all countries. In the light of this new situation we would like to refer very briefly to the situation of human rights and, in particular, to freedom of association in our region. In both respects, major progress is being made in comparison with the situations that existed under the now overthrown dictatorships and in those countries where dictatorships still exist. None the less, we want to condemn with special energy and concern the situation obtaining in every country as a result of the neo-liberal and monetarist handling of the current crisis by the political, economic and financial powers. Indeed, the socio-economic and cultural components of human rights are now at stake for they are ignored and flouted, mainly because of the handling of the external debt but, above all, because of the prescriptions and policies laid down by the International Monetary Fund which basically acts as the long arm of the transnational financial centres. The CLAT, together with many other organisations of workers, has been denouncing and repudiating this situation, which violates the most fundamental human right – the right to life – among most of our populations. The Church itself, in December of last year, condemned the current handling of the debt, and its socio-economic consequences, as violating the ethics of survival, that is, the most fundamental rights of human beings and workers.

At the Fifth Latin American Conference on the Human Rights of Workers and Peoples, held in November of last year at Mar del Plata, Argentina, and sponsored by CLAT, all these problems were discussed in depth and the Latin American Charter of Rights and Freedoms of Workers and People was adopted. We officially transmitted this Charter to the President of this session of the Conference and the Director-General of the ILO.

This document clearly defines all the social, economic, political and cultural requirements that flow from human rights and workers' rights. They should be fully shouldered by civilian society and governments if genuine progress is to be made with the democratisation and consolidation of democratic societies based on true genuine freedom, social justice, solidarity and popular participation.

In this same context, we wish to insist on what we have already denounced in preceding ILO Conferences. There is a fatal and unacceptable contradiction between the policies and values which, on a tripartite basis, we are building and promoting through the ILO, and the policies and values defended and upheld by the International Monetary Fund, although both institutions are part and parcel

of the United Nations system, and both are duty-bound to uphold and promote the same human rights throughout the world.

In terms of freedom of association, improvements have occurred but once again we must denounce the absolute lack of freedom of association under the dictatorships of different kinds that still exist in Latin America.

We also wish to refer to situations obtaining in countries with civilian governments, elected by the people, which purport to be democratic regimes. First of all, we wish to denounce the behaviour and policies of certain very powerful, influential sectors of private enterprise which use all sorts of ways and means to prevent the workers from organising freely.

I wish to refer, in particular, to the situation in Ecuador, Colombia, Costa Rica, El Salvador and Guatemala. In the latter two countries, there are certain private enterprise sectors which go so far as to destroy trade union organisations in their enterprises. In the case of Guatemala, some sectors of private enterprise – as the Government itself has emphasised – financed and supported the recent attempted military coup against the democratic regime. What is most serious is that these anti-trade union situations are almost always viewed with indifference by the governments themselves, which fail to enforce full respect for freedom of association.

Unfortunately, we must also point out that in Venezuela – a country where, in general, there is respect for freedom of association – for some inexplicable reason, two brothers from our affiliate (the CGT) have been imprisoned for more than one year without any justification. We would request the Committee on Freedom of Association to continue its action until these two brothers are freed.

We wish clearly to state that in other parts of Latin America private enterprise in general has understood in practice that it is fitting and necessary for workers to be able to organise freely; the positive results that this has achieved for all are obvious.

However, there are many complicated, different situations. Consequently there is a need for better documented, more specific study in this regard. Therefore, the CLAT wishes formally to propose to this Conference that it set up, as a matter of urgent necessity, an ILO committee to check in the field the conduct and action of certain private enterprise organisations, in order to verify such violations of freedom of association. We cannot allow this situation to continue any longer; especially if one takes into account the fact that these sectors, though presenting themselves as the most fanatic defenders of totally free markets and free enterprise, are denying the workers all possibility of free and democratic organisation.

Although these neo-liberal arguments are highly debatable, when all is said and done democratic freedoms are indivisible. There can be no freedom for those who represent capital and repression and even the physical liquidation of those of us who are struggling for the rights and freedoms of labour and its workers.

Interpretation from French: The PRESIDENT (Mr. ADIKO) – I am sorry. Your time is up and we still have a long list of speakers. Kindly conclude your statement.

Interpretation from Spanish: Mr. GOMES – We consider that in Latin America it is necessary to pursue a special campaign along these lines. With the active participation of the ILO, trade union organisations and other social, political and cultural protagonists, in order to speed up policies, programmes and activities in favour of our populations in general.

Mr. MELIN (*Employers' delegate, Finland*) – First, I should like to congratulate the President, Mr. Beyreuther, on his election and give him all the well-deserved credit for the able way in which he is chairing our meeting. My congratulations also go to the Vice-Presidents.

One part of the Report of the Director-General is the ILO Medium-Term Plan 1990-95, which contains the main ideas for future action of the Office. From Chapter 1, "The world situation in the 1990s: New challenges and the ILO response", I quote: "Another key component in ILO work on the implementation of long-term employment promotion and structural adjustment strategies must be the development of a climate favouring entrepreneurship and the expansion of the small enterprise sector".

The Finnish employers strongly support the ILO's activities to develop entrepreneurship and small enterprises in developing countries and, in particular, such training activities that are carried out by the employers' organisations in these countries. We should be happy to share our experiences and know-how with our employer colleagues in the developing world. I therefore should like to refer to some ideas and experiences as regards encouragement and training for entrepreneurship in Finland.

Unemployment has been a problem in our country. At the same time, however, there has been a growing shortage of labour. The shortage involves trained, skilled staff.

On the other hand, the employment files are full of untrained and unskilled workers. This situation will only grow worse in the future unless additional emphasis is placed on training. At the same time, new jobs must be created to replace jobs that have been lost. This means supporting enterprise and entrepreneurship.

Finland's economic development and employment have always been based on entrepreneurship and its ideas. Many factories which have grown into large production units began as small village workshops. If we do not have such small shops today, we shall not have large ones tomorrow.

Business enterprises provide work, income and security. In order to ensure employment and welfare, a basic strategy has been to stimulate enterprise and entrepreneurship. New Finnish legislation regarding vocational training in fact calls for teaching enterprise and for improving knowledge of enterprise activities.

What is enterprise? Enterprise includes external enterprise, or the establishment of a business and its operation as an independent entrepreneur. It also includes internal enterprise, or enterprising activity at school, in one's free time or in the service of a business.

Enterprise consists of qualities which are not inborn. They are acquired at home, at work and through training. Since many of these qualities are assimilated in youth or perhaps mainly at home,

training in entrepreneurship and how to develop an enterprise must begin early in life.

The goal should be to see that training young persons to be entrepreneurs is viewed as an equal alternative to working in another person's service. School-age students should also be trained in internal enterprise.

This requires that teachers accept the idea that training students in enterprise and entrepreneurship be included in all forms of teacher training; instruction promoting enterprise and entrepreneurship should be included in the curricula for general studies as well as for vocational training and university studies; enterprise should be included in textbooks and other teaching materials and taken into consideration in local curricula; efforts should be made to make students' and teachers' attitudes more favourable to enterprise; co-operation between educational institutions and business should be promoted; students and teachers should be given a chance to learn about business.

The first step in training students to become entrepreneurs is to develop their internal enterprise. This is reflected in diligence, initiative, creativity, goal orientation and the striving to achieve better results.

At the municipal level, enterprise and entrepreneurship can be promoted by encouraging students at vocational training institutes to establish small-scale businesses. These businesses would conduct small-scale production activities in school facilities and sell products or services in the school's immediate environment.

Enterprise and entrepreneurship can also be promoted by starting "mock companies" at school, whose operations would be simulated as if they were real enterprises; allowing students to buy shares of local enterprises such as banks, insurance companies, wholesalers or industrial companies and then have them follow stock market progress; using various business games, either computer-based or otherwise, as part of instruction; increasing business management training in all educational institutions; and inviting entrepreneurs to schools to speak about their businesses.

As of the 1980s, entrepreneurship and enterprises have acquired a new status in the ongoing social and political debate in my country.

It has been commonly understood and accepted that entrepreneurship plays an essential role both as a possible career for individuals and as a generator of economic development and provider of employment. It is especially important because it creates new jobs. Experience has shown that permanent opportunities for work can be created most economically by prospering enterprises.

Public opinion in Finland has traditionally been quite positive towards entrepreneurship. However, the socio-political development by the end of the 1960s and the beginning of the 1970s led some political decision-makers and mass media to adopt a stand which was almost hostile to entrepreneurship.

It is difficult to say which factors accounted for the change in the general atmosphere from the beginning of the 1980s. The hard lesson in economic policy Finns had to learn during the down-swing resulting from the energy crisis certainly plays an essential part in the positive development of this new attitude.

Experience of high inflation and rising unemployment in the 1970s achieved one object which should

not be underestimated, and that is the education of the general public, political parties and employers as well as unions in the inexorable laws of economics. Everybody, from individual citizens to the highest political decision-makers, had to admit that without profitable and competitive enterprises the standard of living could not be raised nor the employment situation controlled, let alone improved.

Something similar has happened also in education. A decade ago it was useless to look for the introduction of the concept of entrepreneurship or the role of the entrepreneur in standard curricula or textbooks. The schools now, however, after a considerable delay, started to react to the general change in the cultural climate. As late as 1977, when the reform of the secondary education curriculum was in its final stages, a statement in principle by industry on the role of the concept of entrepreneurship in educational programmes was recorded only in a dissenting opinion of an official report.

In the aftermath of the two oil crises, there has emerged a national consensus, a common denominator of interest between government, industry and unions as to their respective roles and responsibilities with all our partners working towards the same end. Some of the underlying basic assumptions which are generally accepted include the following: one cannot pay for the welfare state and all that goes with it without economic growth; freedom of action for private enterprise, the powerhouse of the welfare state, is the cornerstone of the Finnish economy, but this freedom should be accompanied by social responsibility; a general understanding that the country should not have to subsidise industry which it can ill-afford to do. Enterprises should manage on their own. Government for its part should set the right framework and provide the necessary infrastructure, including, above all, an advanced system of education and vocational training.

In recent years the tide in market economies has turned towards stronger emphasis of the role of the individual and individual values like the pursuit of private interests. Criticism of this new trend and for a tendency to selfishness reflects the predominant social philosophy of past decades. We were in fact in market economies used to restrictions of freedom of choice and responsibility of the individual in favour of collective decision-making and collective responsibility.

The dominant party and organisational structures of the past no longer attract the young. But people who solve problems earn respect among them, not those who use harsh rhetoric and make empty promises. The young generation is sensitive to anything that concerns environmental human rights and they are against any form of discrimination. Now that the current trend has led them away from collective solutions, some are beset with the feeling of insecurity. However, if this change in attitude had not come about, private enterprise would have lost its momentum.

If we want private enterprise to function properly, we must see to it that there is decentralisation of ownership and decision-making. In my opinion there is no justification whatsoever for branding as selfishness such attitudes as self-reliance and individual responsibility whereby some individuals and families prepare to look after their own needs and no longer need to rely on society for support. The less some

people depend on society's support the more thus released resources can be channelled to the needy. To rely on government to do everything would mean to deny our own initiative and responsibilities. In saying this I am not advocating the unrestrained exercise of the individual will; individualism without restraint involves risks. It was Kipling, if I remember correctly, who said: "Down to Gehenna or up to the Throne he travels the fastest who travels alone". But this individualism has to be balanced by respect for others and generosity towards them, and this is precisely the sort of atmosphere in which responsible entrepreneurship should thrive.

Mr. DOUGLAS (*Workers' delegate, New Zealand*) – I congratulate Mr. Beyreuther on his election as President of the 75th Session of the International Labour Conference. I wish him every success as he chairs this Conference.

It is very appropriate for the Director-General's Report to concentrate on the fundamental issue of human rights as a common responsibility for all, and it is a matter that is having a growing relevance to New Zealand and our region of the South Pacific. On the occasion of the 40th anniversary of the adoption of the Universal Declaration of Human Rights, and 20 years after the International Year for Human Rights, this Session provides us with an opportunity to take stock of the action taken by the ILO to promote and protect the enjoyment of human rights everywhere.

It is most appropriate that the ILO raise concerns about human rights at this point in world history. The ILO is unique amongst the United Nations agencies in having a tripartite structure. It is fitting that the major players in the promotion and protection of human rights have an opportunity to address this key question.

The Director-General in his Report notes that the question of human rights is becoming increasingly important at a time when demographic expansion is speeding up, indebtedness is increasing, unemployment and poverty are stagnating and in danger of spreading, where the gap between rich and poor – individuals as well as nations – is becoming wider, the disarmament process has still to get fully underway and regional conflicts threaten peace.

All nations have a role to play in this process. New Zealand has made and is making its own particular contribution to this process. The abolition of all nuclear weapons by the twenty-first century is an objective that meets the needs of all peoples of all countries. Like so many of the Conventions adopted by this Organisation, it will have to be worked and struggled for. The huge resources at present locked up in arms production are urgently, desperately needed in breathing life into the issues of the work of this session.

The New Zealand trade union movement is also concerned at the increasing threats to the protection and promotion of human rights, and agrees fully with the Director-General that the time for decisions has come.

New Zealand workers have enjoyed many basic human rights that are sadly not found in other parts of the world. However, with the growing power of international capital and large multinationals being unleashed by advocates of a free market, flexibility and individualism, many of those rights – the right to

work, to earn an income, to equality of opportunity, to stability – are under threat.

There are extremely serious developments in the South Pacific region that are at the very heart of the issues of the Director-General's Report. The events in New Caledonia, as the Kanak people continue to be denied their legitimate rights of independence, are not only of concern because of the slaughter and bloodshed but also for the impact on all countries of the region. There must be a speedy solution to the outstanding grievances of the Kanak people in conformity with the principles of the United Nations and this Organisation.

Likewise, the position in Fiji where basic democratic and trade union rights have been usurped by the gun. The conditions of Fiji's workers have deteriorated dramatically. The regime at this moment is continuing to violate Conventions, victimise representatives of the workers and has taken into custody prominent leaders of the trade unions. The regime's inability to win popular support for its usurping of power is being forced to use all manner of pretexts to suppress the resistance of the people and to defy the attempts of the international trade union movement to protect fundamental freedoms in that country. These developments are a significant setback for the peaceful development of the region. They each in their own way weaken the region as a zone of peace and stability and threaten the continued improvement in having the Conventions of this Organisation widened and expanded in their ratification by all countries of the region.

The greatest concern within the ranks of the New Zealand workers' movement is that the right to full productive and freely chosen employment, in line with the first article in Part III of the International Covenant on Economic, Social and Cultural Rights, is declining rapidly in New Zealand. Currently in New Zealand the registered unemployment rate is over 100,000 people, representing over 7.6 per cent of the New Zealand workforce. Outside the main cities, many communities are experiencing registered unemployment rates of well above 10 per cent. This situation is of great concern to the New Zealand Council of Trade Unions. As pointed out by the International Labour Conference in 1979, "in the trilogy of growth, employment and needs-satisfaction, employment provides an essential link. It yields an output, it provides income to the employed and it gives an individual a feeling of self-respect, of dignity and of being a working member of society."

Full employment must be our collective goal. As the Director-General points out, the question is not whether full employment should remain a central goal, but how it can be attained. The New Zealand Council of Trade Unions is addressing this essential question at the present time, and I would like to take a few brief moments to outline the difficulties that we are facing and to share with you some of the proposals that the trade union movement is working on in order to ensure that all workers have the right to work.

The New Zealand economy, like all international economies, has been influenced by the fluctuations of the international economy, particularly those of the late 1960s and early 1970s. As we look back now, we can see that the New Zealand economy did not adjust itself quickly enough to the vast changes that were being thrust upon it against its will. Rising

international indebtedness, low growth, rising inflation and rising unemployment were the hallmarks of the New Zealand economy through the 1980s. The Labour Government elected in 1984 began a series of radical economic reforms that were built around broadly-based market liberalisation, a rapid closing of the fiscal deficit and a control of the money supply through an aggressive (high interest rate) market stance by the central bank.

There was nothing particularly novel in this approach, built as it was on conventional IMF and OECD remedies. However, the pace and the form of its application have increased economic insecurity, widened inequalities and resulted in rising unemployment.

There is, in our view, a specific linkage between human rights and all that is covered by this term and the principles of economic policy. Consequently, we are strongly of the view that the process of economic deregulation and free marketism directly threatens many of the traditional rights and values that have underlayed the concepts of an expanding industrial base and social welfare system.

It is one thing to change and restructure. The New Zealand trade union movement recognises the need for change and stands ready to participate in the process of change. However, we are not and can never be indifferent to the form of that change. Change that destroys jobs without creating alternative work will be resisted, change that takes no account of the future of small communities cannot be accommodated. Change that does not recognise the values, the traditions and the vision of society has nothing to offer us. Change that increases uncertainty will generate a resistance to change, and ultimately produce a social and economic outcome far removed from what the architects of that change intended.

As the Director-General points out, faster growth and expanded employment are clearly necessary. It is also clear that lower inflation must be one of our targets. However, the fight against inflation has emerged as a greater preoccupation for many of the world's policy-makers, at the expense of jobs, social equity and stability. New Zealand has not been spared that preoccupation. It is the view of the New Zealand Council of Trade Unions that policies being implemented at the current time which aim at lowering inflation are being pursued at the expense of jobs.

It seems clear to us that tight monetary policies with the associated high interest rate regime is being used as a deliberate attempt to discipline the workforce into accepting wages that do not keep pace with the cost of living, thereby squeezing inflation out of the economy. As the Director-General notes, reduced or low inflation may be viewed as a precondition for the resumption of stable and steady growth. However, low inflation is a necessary but not a sufficient condition for jobs. If we want full employment, we must have policies designed to create full employment.

Any economic reform must have underlying objectives of jobs, social equity and stability. These objectives will not automatically flow from low inflation, expansion of world trade, reduction of indebtedness and so on. For although an essential part of economic reform, such changes merely establish the environment within which such objectives can be

achieved. The free market has no heart and soul and consequently no concern for people. Left to operate without restraint the free market will not provide secure employment. The central focus of the policies of the New Zealand Council of Trade Unions is to identify the restraints on the free market which are necessary to achieve these objectives and to ensure they are applied and to identify the positive steps that governments must take to create the balance in society required for the enjoyment of human rights.

In New Zealand, tight monetary, high-interest-rate policies have diverted investment away from productive areas of the economy into speculative areas; the value of the New Zealand dollar has remained high, leading to export difficulties and a loss of import competitiveness. Deregulation has cost many jobs in industries such as manufacturing, as New Zealand workers try to compete with workers from other countries who do not enjoy protection of similar minimum wages and conditions. Pressure to reduce government spending has resulted in massive job losses, as well as threatening the universal nature of our health, education and welfare system – once a model for the rest of the world.

It is widely recognised that governments must intervene to regulate the worst effects of the deregulated marketplace. The major questions for the New Zealand Council of Trade Unions is how will the Government intervene and what will be the consequences of that intervention?

The New Zealand Council of Trade Unions does not believe that the reforms that have been thrust on workers have taken enough account of the need to promote stability and full employment. The time has come therefore to pause to take stock, to check the compass to see if the course is correct. The major worry throughout the country at the moment is jobs. Unemployed people want them, employed people are scared that they are going to lose them, young people wonder whether they'll ever have them. This insecurity in the community must not be allowed to continue.

The New Zealand Council of Trade Unions believes that a range of policies – active labour market policies – must be promoted if we are to move forward to full employment. To get the economy out of stagnation and people into jobs, the New Zealand Council of Trade Unions is promoting a range of policies to steer us through the economic difficulties that will clearly be with us for the next decade.

We have identified seven main policy ingredients in the recipe for a return to a fairer and more balanced economic, social and industrial structure.

The first is to upgrade the importance attached to job creation amongst macro-economic policy objectives. We must get away from the single-objective obsession with controlling inflation at any cost. There is a cost and right now that cost is too high.

Secondly, macro-economic policy interventions have to be deliberately used to lower interest rates and moderate their impact on the exchange rate. The price of foreign currency and the price of money are both too important to be left to the moods and fancies of speculators and money manipulators.

Macro-economic policy has to be related to a national development strategy, led and inspired by the Government and supported by unions and employers. This strategy should identify national goals for the development of resources, for promoting and co-

ordinating research and development and for training and retraining workers to meet the workforce opportunities that the strategy will create.

We are very sensitive to the impact of the economic changes on provincial New Zealand, and we therefore see our fourth ingredient as including a specific regional development policy which will require regional emphasis on research, training, infrastructural and resource development and investment.

The final variation needed to macro-economic policy is a reassessment of tariff policy to ensure that dislocation of New Zealand industry and jobs only takes place as new opportunities are created.

We do not believe that it is enough to get the macro-economy right. Our final two ingredients look at change at the industry level to reinforce a drive towards jobs, stability and equity.

The sixth ingredient, therefore, involves a more planned approach to restructuring through the establishment of tripartite industry councils which would attempt to monitor economic change in various industries in New Zealand and attempt to bring change through stability and planning.

Finally, a more co-ordinated, coherent approach to training and retraining policy, integrating the various programmes being run by our major training institutions, can link labour market change to industry and economy-wide developments.

The fact is, however, that even if these policies were implemented tomorrow, it would take some time for the effects to be felt.

Consequently, we need immediate job-creation programmes to get New Zealand working again, even if they are of a transitional nature. It seems ludicrous that we have people who want to work, things that need to be done, while at the same time paying out massive unemployment benefits which are state-funded in our country, as well as all the other hidden costs of unemployment – violent, crime, distress, family breakdown and alcoholic problems.

In summary, then, the New Zealand Council of Trade Unions is not only reflecting the anger, frustration and despair that is being felt by our members over rising unemployment, but it is also pressuring the Government with the support of the wider community to support local, regional and national employment initiatives.

At the same time, of course, the New Zealand Council of Trade Unions is promoting other aspects of human rights as outlined by the Director-General in his Report. Such things as equality of opportunity for all people, the right to just and favourable remuneration, the right to favourable conditions of work, the right to social security, are all things being promoted by the workers' movement in New Zealand.

The New Zealand Council of Trade Unions is promoting a planned, managed approach to reform that ensures jobs, equity and stability for all workers, with the trade union movement taking its rightful place around the decision-making table.

In conclusion, I wish to comment on the obvious problems facing the ILO in respect of funding. In our view it is important to ensure the ongoing and developing role of the Organisation. This is something that all delegations must give urgent attention to. I would hope that the New Zealand delegation attending this Session makes, from its collective experience, some positive suggestions on this delicate matter. This unique forum, while the innovator of

significant change itself, must be able to guarantee an ongoing and expanded role for the ILO.

Interpretation from French: The PRESIDENT (Mr. ADIKO) – Before I give the floor to the last two speakers, I want to make something clear. Speakers exercising the right of reply will be interrupted if they exceed the time-limit for their speeches, which is of three minutes, or if they go beyond a brief and precise response. If the statement is a contribution to the general discussion, they will also be interrupted. On that understanding, I call upon Mr. Ghali, Government delegate, Iraq, for a right of reply to the statement by Mr. Salimian, Workers' delegate, Islamic Republic of Iran.

Interpretation from Arabic: Mr. GHALI (Government delegate, Iraq) – Thank you for giving me the right of reply, which I would not have wanted to exercise had it not been for this morning's statement by the representative of the workers of Iran, who mentioned my country in his speech in English – in a passage which was not translated into Arabic.

To say what he said about the party which was responsible for starting the war between Iran and Iraq is wrong – absolutely wrong. And the whole world knows it is wrong. It was the Iranian regime that imposed war on our country, that prepared for it by deploying on our borders, that tried to make trouble in our country, that exported its doctrine to other countries. Our country was left with no choice but to defend itself in accordance with rights and laws, be they divine or worldly.

Iraq merely defended itself, and then requested the United Nations to use its good offices to reach a peaceful settlement of the differences in a spirit of good-neighbourliness. That is our approach. The approach of the other party is quite different. It rejects all peace initiatives, of whatever kind. It defies the international community. It holds up to ridicule United Nations Security Council resolution 598

which enshrined the international proposals that might have meant that an end could be put to this conflict.

In the first few days of this week, the Iranian regime attacked the southern part of our country, trying to establish itself on new areas of territory – a clear indication of its real intentions.

I should like to say that the path towards peace is easy if everyone displays goodwill and a little logic. It is the way my country has chosen, since it enables each country to live in peace according to international law.

Interpretation from French: The PRESIDENT (Mr. ADIKO) – I now call on Mr. Gaidaienko, Employers' delegate, USSR, who has asked to exercise his right to reply to the statement made by Mr. Smith, Employers' delegate, United States.

Interpretation from Russian: Mr. GAIDAIENKO (Employers' delegate, USSR) – I wish to say a few words about today's statement by the Employers' delegate from the United States, Mr. Smith.

It is a matter of regret that this gentleman showed so much disrespect for our Conference. He used the open method of demagoguery. It is a great pity that Mr. Smith himself is obviously unable to understand that he has taken upon himself the scapegoat role of initiating confrontation. The Conference is dealing with some very difficult questions regarding the international community's responsibility for human rights. It is trying to create more and more constructive co-operation in this area, and sooner or later Mr. Smith will have to face this fact.

Our times do not call for demagoguery, but actual activities in favour of human rights and active struggle to create the necessary guarantees to ensure the social, economic and political rights of the workers.

(The Conference adjourned at 6.15 p.m.)

Thirtieth Sitting

Friday, 17 June 1988, 8 p.m.

President: Mr. Beyreuther

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL: DISCUSSION (*cont.*)

Interpretation from German: The PRESIDENT – We resume our discussion of the Reports of the Governing Body and of the Director-General.

Mr. BATCHELOR (*representative of the Public Services International*) – May I add my congratulations to the President and the Vice-Presidents on their election at this session, and express the hope that in this year, which commemorates the 40th anniversary of the Universal Declaration of Human Rights and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the session will take further steps towards the fulfilment of these fundamental basic rights.

The Director-General has provided the platform for this in Part I of his Report devoted to human rights issues. This excellent Report not only serves as a comprehensive source of reference but also clearly identifies many of the problems and difficulties in the struggle to achieve these standards and conditions which, taken together, comprise essential ingredients for the realisation of basic human rights.

I am speaking on behalf of my organisation, the Public Services International, one of the oldest Internationals, founded in 1907 and now representing more than eleven million blue- and white-collar public service workers in democratic trade unions from 80 countries throughout the world.

We fully support the concept of the Director-General that human rights issues are a common responsibility, and for our part we are fully committed and dedicated to playing our part, and share in that responsibility, particularly in our activities within the ILO and by our constitutional requirement to campaign for the implementation of ILO Conventions and Recommendations.

The Director-General has also very properly drawn attention to the application of double standards by the non-observance of solemn declarations and ratified international instruments, thereby denying the application of agreed standards to those people they were designed to protect. There is plenty of evidence for this in the large number of complaints which are received by the Committee on Freedom of Association against violations of ILO Conventions. And in our experience, it is only the most serious violations of trade union rights which are being directed to the Committee. We believe that workers' organisations are acting responsibly in this respect, but it should be recognised that there are some governments which remove very large and significant

groups of workers from the protection of international standards, either by applying their own selective interpretation of ILO Conventions or by implying that membership of a trade union would be a threat to national security or, for example, unilaterally changing the status of groups of workers by defining their work sector as an essential service. There are many cases in public service employment where workers are totally denied trade union rights or have discriminatory restrictions placed upon their trade union rights and activities. We have many bitter experiences where the State has introduced government regulations or even legislation directed specifically at limiting the trade union rights of its own employees. Such actions make up a further example of double standards. In that section of the Report of the Committee of Experts on the Application of Conventions and Recommendations submitted to this session, the Committee's observations on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), show that out of the 25 countries reported upon there are 12 where public service workers are either totally or partly excluded from the provisions of this Convention.

The public service workers in those countries are not celebrating the 40th anniversary of Convention No. 87. For us in the public service sector, it is another anniversary. It is the 10th anniversary of the adoption of the Labour Relations (Public Service) Convention, 1978 (No. 151). At the final record vote for adoption there were 331 votes in favour, no votes recorded against and 54 abstentions. Despite this overwhelming support, only 19 countries have so far ratified the Convention.

These are very cogent reasons, therefore, why we welcome and support the Director-General's Report which emphasises in clearly defined terms how trade union rights are an integral part of human rights. The denial of trade union rights is the denial of human rights.

The Report also demonstrates the close link between human rights and economic development, and these two factors are embodied within the high principles of this great Organisation. They include the eradication of poverty and unemployment, the satisfaction of the basic needs of the community and the creation of a new world of work. It is our belief that these principles cannot be achieved without the construction and maintenance of a vigorous and effective public service. This is crucial to long-term stability and the development of the needs of society as a whole.

Not too many years ago, it was possible to look to many parts of the world, where, apart from some notable exceptions, strong and efficient public services were being developed in harmony with the private sector. There was widespread belief that a civilised and just society required a properly equipped and fully staffed public service. The public sector was, in fact, often used by governments to stimulate the national economy, and played a major part in the attempts towards full employment.

Today we see a reverse situation, where public services are being cut back with negative effects on the economy and on social services which were designed to protect the most vulnerable sections of society. We strongly oppose this trend which is a further diminution of human rights and we will do all in our power to seek a return to social solidarity and equality.

Public services and public service workers make up the largest single organisations and the largest groups of workers under one employer in almost every country. The 3rd Session of the Joint Committee on the Public Service stated: "The public service as a whole is the biggest employer in nearly all countries, and should, as a major employer in quantitative and qualitative terms, serve as a model of good personnel management practices for other sectors of employment."

Maybe this could have found a place in the Director-General's Report under the heading "The gap between aspiration and achievement", because we have demonstrated how far removed this is from reality. And that is why we turn to the ILO for more assistance to overcome these problems for those workers who have put their trust in us.

Our close colleague, Stefan Nedzinski, General Secretary of the Postal, Telegraph and Telephone International, defined these needs and the reasons for them when he spoke earlier on behalf of the common front of free and democratic public service trade union. We strongly support the contribution he made and the need for an expansion of ILO activities concerning the public service. The internal structure of any organisation should respond to the needs of its constituents and the vast expansion of public services over the past 40 years, which has been an essential ingredient for economic growth and social improvement, must be recognised by the creation of ILO machinery to match this growth.

A special branch of the International Labour Office for the public sector is long overdue, and the case for this must surely now have been proved.

Their relevant importance to the community, the economy and the broad spectrum of human rights demands permanent ILO Committees for the teaching profession, for health service workers and for electricity, gas and water services. All three are truly international in that these services exist in all countries, and permanent joint committees would bring together a rich source of expertise and practice in these fields.

There are, of course, other identifiable areas of immediate concern. High on the list is the concern for the special problems related to women workers. Despite all the initiatives and good intentions, the need still exists for specific activities to transform these into positive action programmes. Once again, this is a problem which is closely associated with human rights.

Women also occupy the largest number of posts in part-time employment and, as we have said previously, this group is one of the most highly exploited in terms of pay and working conditions of employment. We call once again, therefore, for a special study and a meeting on the subject of part-time workers.

We welcome the decision of the Governing Body to convene a second Joint Meeting on Employment and Conditions of Work in Health and Medical Services. An earlier ILO report showed that these services are now a major employer in all countries, and in the shadow of the possibilities of major health disasters, of which we are all aware, the stability and resources of an efficient and well-organised health service are essential factors of life.

No contribution to this session is complete without reference to the gallant struggle of the Black South African trade union movement against the evils of apartheid in South Africa. We would include also our brothers and sisters in Namibia. All our words of support must be converted into action to help their cause. We welcome, therefore, the Programme of Action against Apartheid and will continue to give our fullest support in the most practical terms possible for its implementation.

There are so many areas of concern to us that it is impossible here to elaborate on each of them, but in view of our long association with our Turkish affiliates in the fight for human and trade union rights in Turkey, I would like to recall that we made the challenge against the violation of trade union rights in Turkey immediately after the events of September 1980. We still continue that challenge and we deplore the abusive procrastination of the Turkish Government over the case against them which has been with the Freedom of Association Committee since February 1981.

Finally, I would like to thank you for the opportunity of placing some of our views before the Conference and to assure you of our continued support and belief in the high ideals and principles of the ILO.

Mr. HERRERA (*Workers' delegate, Philippines*)

— As the spokesman of Philippine labour, may I convey to the President our warmest congratulations on his auspicious election. The workers of the Philippines, 23 million strong, join the rest of our countrymen in thanking the delegates to this Conference for the warm reception extended within these august halls to our Head of State, President Corazon Aquino of the Republic of the Philippines.

I speak as a Filipino worker who, in spite of his historic burden of poverty and want, today enjoys a climate of freedom — especially freedom of association — unparalleled in our history. Few of the world's leaders living today can speak with as much authority as Mrs. Aquino on how the hopes for democracy and human rights of peoples subjugated by their own rulers or victimised by homegrown repression can, and must, ultimately triumph.

I also wish to join the previous speakers in congratulating and thanking the Director-General, Mr. Francis Blanchard, for his incisive and eloquent report on the theme of human rights. The ILO's contributions to the movement for human rights, especially in the developing world, have been achieved mainly through its international labour standards, especially those that guarantee the right of workers to self-organisation. Thus, it is auspicious for mankind as a

whole that in this 75th Session of the International Labour Conference, we commemorate four decades of existence of Convention No. 87 and four decades of the Universal Declaration of Human rights.

The Director-General's Report rightly pointed out that the denial and violations of human rights can hardly be helped under conditions when political absolutism has taken hold in a society. Given the best will in the world, governments that subsist on arbitrary and non-accountable power may render the best lip-service to human rights but in reality will have no choice but to disparage, downgrade and ultimately deny them. Under dictatorships human rights can never take their rightful place in a nation's hierarchy of values; instead they have to be perceived as ranking high in a hierarchy of threats to the existing order, the *status quo*, because human rights are by their nature subversive to absolute power and hostile to any form of tyranny.

That is the reason the Trade Union Congress of the Philippines, of which I am the Secretary-General, has given the highest priority to the restoration and the strengthening of democratic institutions in our country. It has been my good fortune to win election to the Senate of the Philippines as a candidate of free and democratic labour. Before I left for Geneva, I had the privilege of beginning the sponsorship of a new labour Bill, endorsed by the Aquino administration, which would overhaul the existing labour relations system to make it more democratic, more open, more stable and free.

I was also proud to affix my signature to a historic piece of legislation that will make the ordinary tiller owner of his own land, thus realising the fondest dreams of many generations of small farmers and farm workers. It was for this that our forefathers fought in two hundred revolts during the long occupation of Spain. It was largely over this historic issue of land justice that our country has been riven by a series of armed insurgencies since the end of the Second World War, the latest of which, under Communist inspiration and direction, is perceived today as the main threat to our political and social stability.

But it is not my intention to sound pollyanna-ish about the conditions in the Philippines, or about the future of our country. The attainment of political structures conducive to labour freedom and human rights does not complete the workers' struggle; at best, this is a sound beginning. Even democratic governments can be notoriously indifferent to the observance of human rights, where this conflicts with other priorities such as the security of the State or the political safety and convenience of the ruling elites. On the other hand, irrational and subversive social forces can generate their own pressures to increase the temptation for governments to violate human rights or to cover up their violations.

The enforcement of human rights, including those made concrete through the ILO's international labour standards, requires a degree of resolution and commitment to human dignity which government can only summon with great effort. This is true of normal times. But in societies beset by nascent civil wars, the enforcement of such rights can be even more demanding.

In the Philippines today, for example, the Communist Party has started implementing a strategy of urban terrorism directed not only towards agents of the State, such as policemen peacefully doing their

duty, but also to leaders of democratic trade unions. In the TUCP, over the last three years, we have lost over 60 of our best trade unionists to organised assassins of the Communist-led New People's Army. It is of course true that some well-known trade union leaders of the radical left have fallen victim to assassinations believed to have been engineered by secret agents of the Armed Forces. One of them, Rolando Olalia, leader of the Kiluang Mayo Uno, symbolised the best qualities of the radical left in the Philippines.

The faithful observance of human rights becomes extremely difficult in such an atmosphere of politically engendered terror. And yet the CPP and the New People's Army, together with labour unions under their discipline, constantly justify and even boast of their strategy of political murder against their ideological opponents in print and in the mass media. And their numerous foreign supporters, especially in Western Europe, do not hesitate to exalt them to the rank of patriots and fighters for democratic values and human rights.

I submit, Mr. President, that when the Filipino people overwhelmingly ratified their new Constitution on 1 February 1987, signalling the restoration of democratic institutions, the Communist Party's recourse to armed violence lost it its historic *raison d'être*.

The Government of President Aquino has restored complete freedom of association; it has enacted a historic land reform law. In spite of an overwhelming popular mandate, repeated twice over in national referenda and free elections, it has humbled itself, in the spirit of national reconciliation, by consenting to sit down and negotiate with the National Democratic Front, representing the Communists and the NPA, and the Moro National Liberation Front in complete sincerity and good faith – relying solely on the power of democratic dialogue. And yet the Communists have spurned all these initiatives, preferring civil war and mass terror to the ways of peace and to the peaceful observance of human rights in a peaceful, stable and orderly society.

And they have brought this spirit of fraternal conflict and endless confrontation to our country's industrial relations. Recently, Carlos Fajardo, the president of the TUCP affiliate in a major textile factory just outside Manila was shot and killed by an NPA assassination squad. Just before that, an official of the Department of Labour and Employment mediating a strike dispute just outside Manila was also killed, with the NPA proudly claiming responsibility. Three prominent industrialists have also been killed over the past two months. All these are deliberately and widely advertised by the Communists as genuine political achievements.

It is for that reason that the mandate of the Human Rights Commission of the Philippines has been widened to include jurisdiction over violations committed not only by members of the Armed Forces but also by members of rebel forces. There is no question that the main task of enforcing human rights is still one of protecting ordinary and helpless citizens from the abuses of the minions of the State. A condition of civil war, however, must necessarily put the Armed Forces of the State under a severe disadvantage: as one member of the Constitutional Convention has put it, the Filipino soldier in President Aquino's Armed Forces is now obliged to fight with a gun in one hand and a copy of the Constitution in the other.

And this he must do in face of an insurgent movement already known as the New Khmer Rouge in south east Asia because of its propensity to kill in a wanton manner.

Today, wherever the New People's Army holds sway, and it is believed that no less than one-fourth of our municipalities and villages have fallen under their influence or control, entire communities live under an atmosphere of terror and fear for their lives and their scarce possessions. Some of the labour organisations in the Philippines who endlessly curry favour with the international labour movement support this campaign of terror. The trade union character of these organisations is merely incidental to their principal and overmastering purpose: the forcible overthrow of the Philippine State and the installation of a one-party State that will immediately abolish pluralistic democracy.

Within the framework of the Report of the Director-General, I believe it is also necessary to point out that the promotion of rural employment, one of the technical items on the agenda, cannot prosper except under conditions of peace and tranquillity in the countryside. We believe that, in the Philippines, we are right to insist that the structures of feudalism and repression on the land be first dismantled through comprehensive agrarian reform before we can release the new energies that can generate economic dynamism in the rural areas. The privileged land-owning class, by assuring fair compensation for the land to be redistributed to the tillers, will now be helped to transform themselves into entrepreneurs capable of building small and medium-sized industries, and therefore creating new jobs and incomes, in the countryside.

The other technical items, especially those dealing with equality in employment and safety and health in construction, demonstrate once again the ILO's genius to focus on concrete social problems as the basis of new standards. The International Labour Code in its totality expresses the minimum standards of both a spiritual and a material civilisation that is the common denominator of our humanity in the world of work, regardless of the differences in our stages of development or in our social and economic systems. But I believe the jewel in the crown of the International Labour Code remains Conventions Nos. 87 and 98, which enshrine the primacy of human rights in the social realm through the freedom of association and the right to collective bargaining of the working people.

If I have to leave one final word to this great Conference, this will be a renewed expression of the Filipino workers' faith in the ILO's great vision of peace based on social justice. To a remarkable extent, this vision has been adopted as the directive principle of our collective efforts in the Philippines to reconcile, reunify and revitalise our society after more than a decade of dictatorship. The democratic workers' movement in our country deeply believes that democratic institutions have the inherent power to promote both economic growth and social equity, and therefore to secure lasting peace and brotherhood in our own national society.

We reject the path of violence and civil war. We believe that those who reject peace have to pay the wages of self-destruction.

Whether at the level of a developing nation, or at the level of the world community, the search for

peace based on social justice will be generously rewarded. The ILO's vision is universally valid, for all times and places. For the trade union movement of the Philippines, it has become our article of faith.

Interpretation from French: Mr. BURADA (*Employers' delegate, Romania*) – May I be allowed to extend to the President my sincerest congratulations upon his election to the presidency of the 75th Session of the International Labour Conference and to wish him every success in his endeavours.

Our session is taking place at a time which is marked by the existence and the intensification even of the processes which are exerting a negative influence on the overall development of international life.

The armaments race, involving both conventional and nuclear weapons; the proliferation of local conflicts; the practice of a policy of force; the persistence and worsening even of the world crisis in all its aspects are all factors which are a heavy burden, especially on the developing countries.

These are the first to bear the consequences of this negative situation, which is illustrated by a slowdown in rates of economic development, an increase in the external debt, a trade imbalance vis-à-vis industrialised countries, a drop in the standard of living and a pervasive atmosphere of uncertainty.

In spite of these difficulties which are affecting the world economy today, economic and social growth in my country are proceeding in all their various aspects, both quantitative and qualitative.

This is reflected in an increase in the number of employed and in the changes which have taken place in the structure of the labour force. Thus, in the past 40 years, more than 5.6 million new jobs have been created. In 1950, 75 per cent of the population was occupied in agriculture, but now the non-agricultural sector represents about 72 per cent. You can see that this is a complete reversal of the figures.

Commending the activities engaged in by the International Labour Organisation in 1987, I would like, as the representative of the Romanian employers, to dwell on a few aspects of particular interest mentioned by the Director-General in his Report.

First, a few words about technical assistance and the relation between the new technologies and employment, and in particular, present requirements in the field of vocational training.

Taking advantage of its tripartite structure, the ILO could play a more important role in shaping and helping to implement programmes of technical assistance, orienting them towards results which are important to us all by fostering to a greater degree consultation between the three parties concerned.

May I dwell briefly on a few problems which preoccupy the employers of my country.

First of all, a few words about our concerns with relation to the improvement of the economic effectiveness of enterprise. I would like to pay a tribute to the enterprises and to their employers for the efforts they are making in promoting special programmes with a view to modernising techniques and technologies and improving management.

We are in particular concerned with energy-intensive technologies and products because we want to replace them with others that are better from that point of view, so as to improve the technical performance of products and their dependability and reduce production costs.

In parallel, we are going to undertake a broad programme of rationalisation, as regards the size of enterprises, in particular by merging small economic units.

In the same area of the efficiency of enterprises, employers are taking part in a general effort to implement better the specific principles established in my country more than 20 years ago relating to self-management.

A major concern for us at the present time is that of improving safety at work and manpower training.

A large number of issues dealt with by the Director-General in his Report constitute for us Romanian employers areas of daily preoccupation.

As regards vocational training, I would like to inform the session that we have set up a system of education directly linked to production with a mobile programme that responds to the rapid evolution of technologies, and is oriented towards satisfying the economy's real needs in terms of skilled labour.

Thus, vocational schools and industrial high schools are operating in all the large enterprises and offering students the possibility of serving their apprenticeships in the enterprises concerned.

I would also like to point out that a system of advanced training has been established for all workers. I might cite in this connection the periodic training courses set up for employers and other managerial staff, and retraining courses for those who have to change their professional activity.

All of this has contributed to increasing labour productivity in industry and other sectors, and has also contributed to a greater stability of manpower and a better adaptability of workers to the positive changes taking place in our economy, which has enabled us to extend considerably our co-operation with a large number of developing countries.

Without abandoning the classical aspects of technical assistance by experts, the implementation of studies and projects, and the organisation of seminars on individual problems, we have also initiated modular forms of advanced training and vocational training in Romania or in interested countries, generally under the patronage of large industrial complexes and of study bureaux affiliated to the Romanian Institute for Consulting - Romconsult - which can justly be proud of having trained many generations of specialists of various kinds.

To conclude, I would like to say that we consider the objectives which our session has set itself to be quite realistic, and we are convinced that the right to work and to social security can and must be guaranteed to all, even in the difficult economic conditions that prevail at the present time the world over.

Trusting that our experiences and our abilities may be of use in helping to achieve the aims of the ILO, we wish to assure you that we will fully support any co-operation activity intended to achieve success for common activities.

Interpretation from Arabic: M. HOWAYDI (*Workers' delegates, Libyan Arab Jamahiriya*) - I have pleasure in congratulating you most sincerely upon your election to the presidency of the 75th Session of the International Labour Conference. We are sure that your competence and your abilities will play a crucial part in ensuring the success of this important Conference.

I should also like to thank the Director-General and draw attention to the efforts he is making. I consider that the Report of the Director-General submitted to this Session is of vital importance, for it deals with the topic *Human rights - A common responsibility*. The choice of this topic coincides with the celebration by the international agencies and organisations of the 40th anniversary of the Universal Declaration of Human Rights. We greatly appreciate the choice of this topic, which deals with the ILO's role in promoting human rights, and sheds new light on the problems facing mankind. In the present international situation, when the struggle is worsening between peoples hungering for freedom and peace, and imperialism, Zionism, racism, and international monopolies that wish to colonise States, appropriate the wealth of the people and destroy their determination, the Libyan Arab people succeeded on 1 September 1969, thanks to its revolutionary command, in winning a decisive victory over the foreign bases on its territory - American, English, and Italian - and over a royal regime based on repression, arbitrary treatment and exploitation, in which the fundamental rights of the people were disregarded, human rights violated and the freedom of that people in its own land was non-existent.

The violation of the power and of wealth of the peoples means that they are enslaved, degraded and crushed, and their ability to fight and to challenge weakened. This was the act of faith of the glorious revolution of 1 September in its first bulletin. The progress of the people took this path: the power belongs to the people and to no one else, and it is exercised through the people's congresses, the people's committees, the trade unions, the federations and the occupational leagues. Defence of the motherland is the responsibility of every citizen, for if arms are placed in the hands of a class, a party or a community, in the midst of an unarmed people, this puts the whole people at the mercy of whoever has the arms in his possession. Thus an end was put to traditional military institutions, and the people took their place.

When the revolution took place in 1969 it proclaimed in its first bulletin that man and his freedom were sacred. This conviction was strengthened by the people's revolution of 1973, which witnessed the destruction of all laws, regulations and measures that stood in the way of man's freedom and constrained his will. These rights were crowned and confirmed in a historic document which proclaimed the installation of the authority of the people in 1977. For the people is the instrument of power, the guide and the sovereign, and it holds in its hands power, wealth and arms. Thus the first Jamahiriya in history was born in 1977, confirming direct popular democracy: "No democracy without people's congresses", "Committees everywhere".

When the 11th anniversary of the installation of the people's power was celebrated in March 1988, the freedom of Jamahiriyan man was strengthened - a man who believes in freedom and liberation, without distinction of colour, race, language or belief. The liberating guide destroyed prisons, freed prisoners, tore up lists of people who were forbidden to travel, pulled down the international frontiers set up by colonialism at a time when the Arab people did not have the right to exercise its freedom throughout its national territory, and opened up the path of vast

and global freedom to the free Jamahiriyan man. For human rights are natural, sacred and inalienable: freedom of expression, freedom of movement, freedom of labour, freedom to set up trade unions, federations and occupational leagues, freedom of belief. Justice is independent, corporal punishment is forbidden, the aim of Jamahiriyan society is to abolish the death penalty. Women are totally free, exceptional measures are prohibited, clandestine work is prohibited, the use of force, violence and terrorism is a betrayal of society's ideals and values, the exploitation of religion is criminal, education, knowledge and the arts are the natural right of all peoples. Peoples who do not have in their hands power, wealth and art are peoples who must fight for their complete freedom. The freedom of the peoples will remain complete freedom. The freedom of the peoples will remain incomplete until the freedom of all peoples becomes a reality.

These principles which have strengthened the progress of freedom and confirmed the right of men and of peoples to live in freedom and peace have been the cause of the savage and barbarous American-Atlantic-Zionist aggressions against my country, the latest of which took place in the month of the bird in 1986. Our great people, under the command of the liberating guide, faced the aggression of a great power against the home of the guide and against the Arab Libyan people. The aggressor was driven back, vanquished and destroyed at sea, and the Arab people deserved the victory and our revolutionary country deserved to become the world supporter of freedom and the foremost enemy of imperialism, Zionism and racism.

These principles and values, which our Libyan Arab people has paid the price of affirming and consolidating with the blood of its martyrs, in order to strengthen freedom throughout the world and confirm the right of all the peoples of the planet, are the principles which our glorious people has set out in a great Green Book for peace and human rights in the era of the masses, for our people deeply believes that the rights of the man that God created on earth are not the gift of anyone, and that these rights have no existence in societies where arbitrary treatment and exploitation prevail, since freedom is the people's power and not the people's expression. Power belongs to the people and it is exercised directly in the people's congresses and committees without representation or mandate.

The Libyan Arab people, which considers freedom as sacred and defends it everywhere, also considers labour as sacred, for labour is the right of everyone within the limits of his abilities, alone or with the participation of others, in accordance with the rule that he who produces is he who consumes. A free society is the society of partners, not the society of wage-earners. Ownership based on effort is sacred and untouchable except in the public interest and for equitable remuneration. The children of Jamahiriyan society are free of the slavery of wages, in confirmation of the right of man to his endeavour and his production. Everyone is free to choose the work that suits him, and the children of Jamahiriyan society are free of feudalism, for the land belongs to no one, and everyone has the right to work it and use it. They are also free of rent, for a house belongs to the person who lives there. The children of Jamahiriyan society are free of any form of slavery, exploitation and

arbitrary treatment. It is a society of solidarity which is subject to a sacred law with given provisions, which is religion or custom. It is a society of virtue and noble values which aims to achieve a society without war, without aggression, without exploitation, without terrorism.

This shining, creative society, in solidarity and unity, which refuses discrimination in all its forms, believes that citizenship is a sacred, untouchable and inalienable right. It is a society of equality and justice, for discrimination between men and women is an injustice, servants are the slaves of the modern era, and the most sacred rights of man include the right to grow up within a supportive family with one's mother, one's father, one's brothers and sisters.

This glorious society is one that believes in peace among nations and calls for peace, the right of people to self-determination, the sanctification and defence of peace throughout the world, and the abolition of the trade, industry, and export of arms which are an instrument to oppress and degrade the people and deprive them of freedom.

Our Arab Libyan people has given the world the *Green Book* as a guide to emancipation, a method of liberation, and an instrument to announce to the masses a new era when evil regimes will fall and when arbitrary treatment and exploitation will disappear.

On this day and in this month of 1988, after 40 years have gone by since the adoption of the Universal Declaration of Human Rights by governments, the great Green Book on peace and human rights has arrived. It came from a people which has struggled and risen up to break all its chains and demolish the walls of prisons. This document comes from a free people and is intended for all peoples hungering for freedom and subjected to fascist, dictatorial and reactionary regimes. It is a guide for freedom, a path for peace, and a beacon for freedom. May candidates compete in its service and he who has the honour of putting it into effect will obtain the Khadafi peace prize, which our people has reserved for the noble fighters and apostles of freedom and peace.

The cause of human rights and of fundamental rights and freedoms is the essence of the Constitution of this Organisation, which sets out the role that it must play in facing violations of these rights and freedoms. The Report of the Director-General on the situation of the Arab workers in Palestine and the other occupied Arab territories gives an example of these serious violations of human rights and trade union freedoms by the Zionist occupation authorities. The personal visit of the Director-General to occupied Palestine allowed him to become aware, on the spot, of the tragic situation experienced by the Palestine Arab people in Palestine and the occupied Arab territories, and of the destructive consequences of that racist colonialist occupation, of its repressive practices and barbarous crimes.

The ILO mission saw that tragic situation, which reflects the crimes committed by the Zionist occupation forces and its continued violations of human rights and fundamental freedoms, the implementation of a policy of all forms of racial discrimination, not to speak of the various methods of torture and terrorism, the murders, imprisonments, expulsions, mutilations, the miscarriages of pregnant women, the burial of living people, the closing of trade union premises, the forfeiture of the right of association,

the confiscation of land and water, and the other violations of the most basic human rights.

The tragic situation that the mission saw has worsened still more during the last six months, in particular since the widespread popular revolution of the Palestinian Arab people in Palestine and the other Arab territories, which has resulted in an escalation of barbarous measures and practices by the Zionist occupation authorities, far exceeding Nazi crimes:

We therefore consider that the true and final solution is to put an end to the Zionist aggression and occupation of Palestine and all the occupied Arab territories, and to allow the Palestinian Arab people to exercise its legitimate right to self-determination and establish its independent Palestinian State on the whole of its Palestinian land, under the command of the Palestine Liberation Organisation, its sole legitimate representative.

We in the Libyan Arab Jamahiriya confirm our unlimited support for the struggle of the Palestinian Arab people until victory under the command of the Palestine Liberation Organisation, the sole legitimate representative of the Palestinian Arab people.

In the context of human rights and the defence of freedom everywhere, we confirm our material and moral support for the struggle of the people of Namibia and South Africa against the loathsome racist regime and place ourselves and all our possibilities at the service of the achievement of the complete independence and freedom of the people of Namibia and South Africa. We strongly denounce and condemn the criminal acts perpetrated by the racist regime of Pretoria against the people of Namibia and South Africa and likewise we strongly condemn the cowardly aggression perpetrated by that racist regime against the front-line States which support the people of Namibia and South Africa in their struggle for independence, freedom and equality.

Moreover, we condemn anyone who deals or co-operates in whatsoever fashion with the racist Zionist entity and the racist regime in South Africa, for co-operation and relations with these racist entities or support for them is support for the crimes that these regimes commit against the rights of the peoples of these regions.

Forward! The struggle will go on until victory!

Interpretation from Spanish: Mr. LABAT (*Government delegate, Uruguay*) – Before I start speaking on behalf of the Government delegation of Uruguay, I should like to point out that the speaker today should have been the Minister of Labour and Social Security, Mr. Hugo Fernández Faingold.

Unfortunately, for reasons of *force majeure*, because of problems which arose in recent days concerning his own portfolio, it was impossible for him to take part at this 75th Session of the International Labour Conference, at which normally he would of course have been representing my Government. However, he has asked me to wish you every success in your work.

My delegation would like to congratulate you, Mr. Beyreuther, on your election to preside over the work of the Conference, which is a very difficult task.

We know from recent experience what this responsibility implies but we are pleased to say that your well-known abilities augur well for the success of our work.

We should like to congratulate also the Vice-Presidents.

The theme chosen by the Director-General for this debate – *Human rights – A common responsibility* – is closely connected with the very foundations and objectives of the ILO; is it unquestionably a brilliant idea on his part.

The recognition of dignity as a corollary of human rights is only possible through peace and social justice, which are goals of the ILO.

I feel that the theme is particularly appropriate since we are celebrating the 40th anniversary not only of the Declaration of Human Rights, approved by the General Assembly of the United Nations, but also of the adoption of the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

The Declaration of Human Rights of 1948 is an important milestone in the historic process of the recognition of human rights.

It was the point of departure for a universal concept which has been extended to the extent that it has become the subject of human rights it is today – a subject which concerns and involves humanity as a whole.

While the choice of the subject, and its timeliness, was excellent, I should like add that the Director-General's approach in his Report was also excellent. However, without wishing to undermine the progress realised in this field at the international level, we should like to point out that achievements have indeed lagged behind our aspirations; that the impressive number of declarations and standards drawn up in connection with human rights in the last 40 years, and the introduction of specific measures to observe, assess or implement these instruments, have not lived up to our expectations.

We should like to make quite clear also that while the subject and the problem of the implementation and effectiveness of human rights is, and must be, a universal subject and problem, so is the establishment and development of the necessary economic conditions for strengthening democracy. As the title of the Report aptly puts it: "Human rights – A common responsibility".

This responsibility cannot be satisfied simply with declarations, denunciations or condemnations, nor even with technical and financial co-operation, although this is important in improving the situation of our developing countries; but it is powerless to shorten the distance, to fill in the gap separating us from the developed countries.

The implementation of human rights is indissolubly linked with the endeavour to achieve social justice, and in our modern, complex and interdependent world, this endeavour must be our common task, claiming – imposing – solidarity between all nations.

The solidarity we need is one not limited to declarations, but one which can and must be translated into specific actions connected with the external debt and international trade, leading to the establishment of a more just international social and economic order.

Uruguay, which for many years was a shining example of democratic coexistence, later came under authoritarian dictatorship and the consequent flouting of human rights, and only three years ago recovered its democratic institutionality. Now it is trying

to consolidate it and we know from experience the importance of sustained economic and social development for the stability of the democratic system.

We also know through experience that, as long as it is not adopted as an act of faith, permanently renewed and put into daily practice with conscious responsibility, this democratic system cannot have its survival guaranteed.

In this connection, may I, speaking from our own experience, appeal for constant vigilance in the exercise of democratic values, to be ever striven for and never achieved.

The Report of the Director-General calls attention to the importance, in the list of human rights, of freedom of association. Our country has a long and prestigious record of respect to and promotion of trade union rights.

This has its first expression in article 57 of our Constitution, dating from 1934, and reappears in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), ratified by Act No. 12.030 of 27 November 1953, which were passed with majority support under the monist system, but were unanimously accepted legally, and entered in the internal legal order as being directly applicable.

However, the Government regulated all of these activities and prohibited any anti-trade trade union action. The almost abstentionist system, as far as concerns the application of Conventions Nos. 87 and 98, lasted for about 20 years (November 1953 to 1973) and finds its *raison d'être* in trade union resistance to any state activity attacking trade union rights. This resistance was founded on ideology, its origins lying in the early development of a modern society capitalising on a time of prosperity and well-being, when the system of labour relations with a respect for human rights was established.

The de facto regime, which in all fields sought to destroy liberal traditions in every direction, laid down numerous regulations on trade union rights, though fewer than at the earlier time just described.

It would be superfluous to repeat the observations that the Committee on Freedom of Association and the Committee of Experts on the Application of Conventions and Recommendations made at the time regarding these directives, reporting how they were disregarded in terms of their apparent conformity with international rules.

Just before the general election in 1984 which returned the country to democracy, the National Concertation Programme was in force, a group comprising the political parties, social forces, workers and employers, in search of a national consensus to facilitate the transition and lay a basis for its consolidation.

In considering the whole field of trade union freedoms and labour relations in this context, there was agreement on the inapplicability of the regulations set by the dictatorship in a democracy, which were unsuitable as regards both the provisions of the constitution and international obligations, and it was decided that they should be quashed.

But the newly established democratic Government, under Act No. 15.738 of 13 March 1985, brought in the annulment and just not suspension of the so-called laws on occupational association, collective agreement, strikes, trade union law and the

so-called "fundamental" law on strikes by public officials.

The retroactive nullification of the rules put into force by the dictatorship meant that the legal system in force prior to 1973 was restored as far as trade union rights are concerned, based exclusively, one might say, on the constitutional text and international labour Conventions Nos. 87 and 98.

Thus, in Uruguay we now have a trade union regime characterised by an absence of rules by collective independence.

There is also full respect of freedom of association as provided by Convention No. 87, particularly as regards positive and negative freedom of association, the freedom to form trade unions, internal autonomy, freedom to affiliate to international organisations and to dissolve themselves, both in the private sector and for public servants.

This was expressly recognised by the Committee of Experts on the Application of Conventions and Recommendations in 1987, when, in considering Conventions Nos. 87 and 98, it noted with satisfaction the sanction of Law No. 15.738. In particular, it noted with interest the fact that in practice workers and employers may constitute organisations with the guarantees provided by Convention No. 87, and that the right to strike can be exercised and is fully exercised, both in the private industry private sector and in the public service.

While it is true that freedom of association is a *sine qua non* for a system of labour relations worthy of a democratic country, it is also certain that such freedoms is not sufficient to ensure that the system of labour relations will be solid and functional.

The system of labour relations is a key element in the whole process of economic growth and social development which are indispensable to ensure the right to full, productive and freely chosen employment, equal opportunity, fair and satisfactory remuneration and social security.

The creation of a flexible, mature and dynamic system of labour relations is a fundamental and decisive responsibility of the social partners. It is they who, by co-ordinating the political responsibility of the Government with the collective autonomy of the social organisations, must provide such labour relations with a clear and reliable institutional framework.

This responsibility must be discharged in accordance with the ethical principles laid down in the Universal Declaration of Human Rights, as the Director-General reminds us in his Report: the idea of human dignity, that is, that all human beings are entitled to freedom and equality of rights and opportunities, as well as the necessary requirements to live in dignity, and the principle of tolerance implying respect of the ideas and beliefs of others and enabling everyone to have a say in the conditions affecting his society.

One of the basic functions of this system of labour relations is to determine labour conditions in an appropriate manner. During the authoritarian regime, working conditions deteriorated considerably in our country, particularly as concerns the purchasing power of wages.

Once democracy was re-established to restore a normal situation, since Uruguay is a small country with a dependent economy, facing the crisis which is threatening all developing countries, particularly the

threat of uncontrollable inflation characteristic of our region, the State of Uruguay, while promoting collective bargaining, assumed an active role in it, as a representative of the public interest. As a result of the system thus established, we have achieved a significant increase in real wages: about 30 per cent in three years. Although it is not yet sufficient, it does confirm the suitability of our machinery to create the necessary conditions for a lasting recovery and the significant increase which has been achieved in the rate of employment.

Moreover, the urgent need to solve wage and employment problems has not made us forget that working conditions and environment form a single whole, of which the various elements – wages and work organisation, safety and health, welfare services and so on – are interdependent and all have a decisive influence on the quality of life of workers.

We have therefore undertaken, under the International Programme for the Improvement of Working Conditions and Environment, tripartite activities with a view to identifying problems in this field and adopting measures to progressively improve these conditions.

We are therefore particularly happy to see the growing importance of the standard-setting activity in the field of working conditions and environment and occupational safety and health, and we welcome the increasingly close connection between this standard-setting activity and the technical co-operation provided by the ILO.

In conclusion, we should like to stress that we fully agree with the point of view put forward by the Director-General, that the best contribution of the ILO to stepping up the defence of human rights should be through co-ordination of its standard-setting activity with technical co-operation.

The continuous action of the ILO along these lines today has made it possible for Uruguay to renew its vote of confidence which led us to join the ILO from the very beginning.

Mr. BOEDJOSASTRO (*Employers' delegate, Indonesia*) – Allow me on behalf of the employers representing the Employers' Association of Indonesia to convey our congratulations to Mr. Beyreuther on his unanimous election as President of this International Labour Conference.

The employers in Indonesia have always paid great attention to the continuous discussions and efforts to achieve the ultimate aims of universal and everlasting peace, social justice, greater human dignity and the well-being of Indonesian people. In line with these goals, the Report of the Director-General to this Conference has been particularly relevant, stressing as it does the importance of human rights, international labour standards, employment and conditions at work.

In our world of diverse socio-cultural backgrounds, different levels of economic development among nations always exist. At the micro level, a similar diversity can also be observed. In Indonesia, along with its geographical distribution over thousands of islands, we find over 250 ethnic groups with different socio-cultural backgrounds and levels of economic progress. As one nation, we in Indonesia have certainly tried to adopt universal measures throughout the country, but in the implementation of these measures, flexibility should be applied by tak-

ing into consideration the social background and economic potentials of the various groups or regions.

Allowing flexibility in the implementation of national or international standards reflects the principle of human rights and democracy by taking account of the different needs and expectations of each social group in the formulation and implementation of social standards. Democracy led by the wisdom of deliberations and representation is a living reality in our community life and is a reflection of the right to organise and freedom to express one's opinion.

Bipartism and tripartism as systems of deliberation on an equal footing among the social partners in industry is the basis of our current industrial relations system for maintaining industrial peace and economic progress. Therefore, the adoption of the principles of social democracy is one of the prime movers of national development and economic progress. During the past five years, a number of recommendations made by the Indonesian Tripartite Body were ratified and adopted by the Government of Indonesia in the form of Government Regulations and/or Ministerial Decrees.

A National Campaign for Occupational Safety and Health was announced by the President of Indonesia in 1985.

Occupational safety and health in the field of construction was discussed at last year's Conference and a symposium on the same subject was organised in Thailand early this year. In those fora it was noted that, by recognising the varying levels of development among countries, we should concentrate our efforts on sharing information about potential hazards, and intensify training programmes through the technical assistance of the ILO.

Preventive and protective measures on occupational safety and health should be progressively developed, whilst awareness of potential dangers should be made part of our educational and training system.

The Employers' Association of Indonesia, together with its social partners in the National Tripartite Body, has made a commitment to pay more attention to the issues of employment, the protection of women workers, family planning, the further development of workers' co-operatives, training and development and the implementation of Pancasila Industrial Relations throughout the industry.

It is also gratifying to note that in 1985 the Government of Indonesia initiated an unemployment assistance programme for dismissed workers. A pension scheme for the private sector was introduced by the Government and has been widely accepted within industry. However, due to the different wage levels and different forms of salary administration, there should be flexibility in the early stages of the implementation of this scheme. In this connection, I support the views of the Employers expressed at this Conference regarding the importance of flexibility in the implementation of ILO instruments.

In conclusion, the ILO should play an important role in promoting the implementation of standards in all countries to guarantee economic progress and the well-being of society. However, given the diversities in population size, stage of economic development and employment situation, it should be understood that policy requirements and priorities applicable to employment problems of individual countries should differ among nations.

What is more important is my hope and my confidence that this Conference will be able to inspire each party to resolve employment problems and related matters in each respective country.

Interpretation from Spanish: Mrs. MARMOL-JOS (*Workers' delegate, Dominican Republic*) – On behalf of the Dominican workers I wish to extend my greetings and congratulations, both to you, Sir, on your election to the presidency of this 75th Session of the Conference of the ILO and to all the administrative and technical staff of this Organisation who, during the year between the last Conference and this one have devoted themselves wholeheartedly to making labour relations something more than just Conventions and Resolutions, making them concrete realities so that peace and social justice may reign in those countries which have recognised the importance of the role played by an instrument such as this.

We have studied with attention the Report of the Director-General and it is quite clear from this study that we must all reflect not so much upon what has been accomplished in the past year but rather the mission and the role of the ILO in the future: that is to say, its role in the defence and promotion of human rights, the promotion of employment, the constant improvement of conditions of work and the strengthening of social security protection, all of which elements can be listed under the broad heading of human rights.

I wonder to what extent countries such as ours can in fact guarantee these rights in a situation such as we find ourselves in at the present with an accelerating deterioration of our conditions of life and work.

What human rights can a country such as the Dominican Republic guarantee when we have an external debt of more than \$4,000 million and an obligation to repay our creditors more than \$900 million this year, an amount which is more than \$100 million in excess of the total value of the estimated exports for the year 1988?

It is extremely difficult to guarantee human rights in a country whose economy is suffering systematically from a drop in the price of the raw materials we export to the world markets when every day the terms of trade deteriorate to such a degree that in a mere four years – that is to say from 1980 to 1984 – we have lost \$550 million solely in export prices.

The subject of human rights, which is a vast one and which cannot solely be limited to the question of prison or unjustified dismissal of a worker, has to be looked at realistically: the guarantee whereby every human being, independently of the continent in which he happens to be born, has the right to food, to a roof over his head, to health and to education, that is to say to live with dignity and decorum, a situation which will not be achieved in the underdeveloped countries such as ours until there has been a thorough revision of the protectionist policies of the major industrialised countries.

We are absolutely in agreement with what the Director-General has said about an improvement of conditions of life being a form of guarantee of human rights. Nevertheless, at this point in time, such conditions can only be created with great difficulty, not only in our country but also in countries whose economy is in jeopardy because of the burden of external debt.

Every day we see a rise in the rate of interest on existing loans which our governments, particularly that of the Dominican Republic, have entered into with the World Bank. We suffer from unfair competition from industrialised countries, which not only reduce their purchases of natural raw materials but also replace them with synthetics, thus contributing to a further deterioration of the economy of our countries and the vast majority of people being unable to see a true national policy which guarantees the full implementation of human rights.

In such times, we the workers in underdeveloped countries are submerged in a state of poverty and desperation, suffering as we do from the inflationary process which has been unjustly transferred by the industrialised countries to ours. This obviously contributes to a situation where peace and tranquillity are unknown in our society. How can we hope, in a situation such as this, for guaranteed human rights.

At this Conference, I quote the example of my country, the Dominican Republic, which at the present moment has a disrupted economy resulting from the progressive deterioration of the value of our money, which is quoted at the present moment at 6 pesos to the dollar whereas the law specifies a parity of the peso with the North American dollar.

National production of goods and services in the Dominican Republic contains more than 70 per cent of imported components. The balance of trade is in deficit and leads to speculation with the dollar, dealing in which in fact has been transferred to a free market in violation of the legislation and contrary to the national interest, favouring in this way a small group of speculators in the financial sector.

We have a population of 6.7 million, of which an estimated 2.7 million belong to the economically active population. Of this 2.7 million, 29 per cent are fully unemployed – that is to say 783,000 – and 45 per cent are underemployed – that is to say some 862,000.

The cost of living has risen by more than 30 per cent per annum, and there has been at the same time a serious deterioration in the basic services such as water, energy, transport, health, education, etc.

In the strictly trade union sphere, although we just signed a tripartite agreement in the month of May which establishes a wage adjustment, the climate of trade union freedom continues to be very precarious since, in the midst of negotiations, various trade unions were annihilated both by the private sector and by the Government.

Hundreds of workers found themselves on the street because they had tried to organise themselves into unions, and this in violation of the provisions of ILO Conventions No. 87 and 98 which were ratified by our country. Other workers such as rural workers and public employees are unable to organise.

Today more than ever our Ministry of Labour is ineffective, and the Government itself does not fulfil its commitments established by law in tripartite institutions such as the Dominican Institute of Social Security, the Institute of Professional Technical Training and the Workers Bank. This disastrous situation creates a very confused picture in the Dominican Republic: in 1984 there was a social explosion leaving hundreds of dead and injured, thousands of prisoners and much property destroyed.

The tripartite dialogue enshrined in the postulates of the ILO has been initiated in the Dominican Re-

public. However, in view of the fragility of this mechanism, and the rapidity with which existing agreements are losing their validity, we ask the ILO to do its utmost to further the tripartite effort initiated in our country since guaranteeing the implementation of those agreements and progress in other areas despite the general economic deterioration in which we find ourselves would help to preventing an explosion and further chaos and would at least help to ensure the relative democratic stability which we have gained, together with some of the elements of what we generally term human rights, to which the ILO has devoted special attention this year.

Finally, I should like to take advantage of this occasion to express the Dominican trade union movement's solidarity with the Haitian migrant workers in our country in the present unfortunate situation. We consider, as emerges from the investigations carried out by the expert committee of the ILO, that these workers are not guaranteed the essential minimum conditions and are having to work in subhuman conditions and we therefore welcome the Dominican Government's request for an ILO mission to establish standards to assist in solving the serious problems which affect the Haitian workers in our country.

We also wish to take this opportunity to express our solidarity with those workers and peoples who are struggling for independence and self-determination, particularly so that an agreement may be reached in Central America to permit the development of Nicaragua. We further express our solidarity with the people and the workers of Panama and we give our support to the people of Palestine struggling for the liberation of their occupied territories, and we energetically condemn the regime of apartheid which denies all human rights.

Mr. KHADKA (*Workers' adviser, Nepal*) – It is a great pleasure, singular honour and privilege for me to have an opportunity of addressing this global parliament of labour on the occasion of its 75th Session. On behalf of the workers of Nepal and myself I would like to extend to you our best wishes for fruitful deliberations. Also with much appreciation, I wish to extend on behalf of the workers of Nepal, our warm congratulations to Mr. Beyreuther on his election to the presidency of the Conference. I am convinced that under his able guidance the Conference will achieve its objectives.

I would be failing in my duties if I did not congratulate the Director-General warmly for his excellent and exhaustive Reports, particularly on the social dimensions of human rights, in which he describes human rights as aspects of the ILO's basic social standards. We entirely agree with him that human rights are fundamental and inalienable.

I represent the Nepal Labour Organisation, which was formed in order to preserve and protect the rights of labour, bearing in mind their role in and contribution to the socio-economic development of the country. The idea of a separate organisation for workers in Nepal dates back 50 years, but the distinct form of a recognised entity – the Nepal Labour Organisation – came into existence 27 years ago. Every worker can now exercise his or her rights, and workers can now decide how they are going to play their role in their development and welfare.

We have plans to participate in various measures that would improve the conditions of workers: skills training and upgrading, the provision of legal consultation, organising family welfare programmes, creating opportunities for employment abroad, dissemination of information from the ILO and other related intergovernmental and non-governmental organisations to the workers at the plant level, and the publication of labour journals and periodicals.

I know that these activities are not sufficient, and much work needs to be undertaken. The legal provisions for the labour force are very inadequate, and these stand as a barrier to our efforts. We are making every effort to expedite the ratification of the existing labour laws which would bring Nepal in line with ILO Conventions and Recommendations, including Factory Acts currently in force. I am happy to state that His Majesty's Government of Nepal is moving in the required direction, and is also formulating separate Acts for workers in the tea plantations and the transport sector.

Progress in this direction has not been satisfactory, due mainly to the lack of know-how and trained trainers. We can handle the work ourselves, and for that no assistance from anywhere is required. But what is needed is trained trainers in area of labour affairs to assist the workers of Nepal. Perhaps the ILO and other bilateral as well as multilateral bodies could take note of our needs and come forwards to help us in advancing the cause of labour in Nepal.

As is well known, we are a consistent supporter of the United Nations' policy of action against apartheid.

There has been a tremendous increase in the number of workers in the Third World. I greatly appreciate the work done for construction workers in respect of their health and safety, and we look forward to a Convention and Recommendation in this respect.

The efforts of the ILO with regard to rural workers' employment problems are highly appreciated, and we hope that the ILO will be able to initiate measures to safeguard workers from age-old exploitation.

The United Nations and its specialised agencies have been providing assistance and advice to all the developing countries including LDCs. We now feel that adequate attention has not been paid by the UN system to the needs and requirements of these countries. May I, therefore, suggest that the Conference ask the Director-General of the ILO to set up a separate unit to assess and look after the needs of developing countries.

We have been in the Organisation since 1966. In spite of our heavy involvement in and preoccupation with development activities, we have been actively participating in the work of the Organisation, and we are very keen to increase our involvement therein.

Interpretation from Spanish: Mr. PEREZ NAVARRO (*Workers' delegate, Chile*) – I should like to greet the President on behalf of the Chilean workers of our delegation, and congratulate him on his election. Our delegation is attending this session of the Conference with a desire to take part in the deliberations and agreements to be adopted here, in a constructive spirit, feeling that the ILO is a world parliament which must maintain its independence so as to contribute more efficiently to doing away with diffi-

cult economic and social conditions of which the workers of the world are victims.

There is nothing more accurate than what the Director-General said in his Report with respect to human rights, a doctrine which, though it has always been talked about, was incorporated in the universal discussion only 40 years ago; when the member States of the United Nations – including my own country – proclaimed their freedom and made the Declaration of Human Rights, and the ILO promulgated the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), universal agreements which guided the workers, employers and governments towards building a world of greater justice and solidarity.

As in previous years, some bodies have challenged our trade union representativeness at the Conference, with the object of favouring certain other *de facto* and not *de jure* groups, in contravention of point 5, of article 3 of the Constitution of the ILO itself. We believe that to ignore our legitimate credentials as trade union leaders of a democratic and representative union is not only a real attack on trade union rights which our affiliates exercise every two years to elect and to be elected in a direct, free, well-informed and secret ballot, but it is also trying to ignore, unfortunately under the aegis of the procedures of the ILO itself, the sacred right that all workers have to choose the people whom they feel most suitable to represent them in their trade union organisations and in international bodies. On this subject, we feel that the procedures already established should be regulated more effectively, since this kind of attack simply weakens the moral force of the ILO, which is its great strength.

In his Report, the Director-General stresses particularly the action which the ILO has always carried out in the technical field. Anyone who claims that this Organisation should deal with political problems, first and foremost, is wrong. We believe that the ILO must continue to be a technical body which helps to improve the conditions of workers throughout the world seeking social justice, and giving the workers real possibilities to progress in their own occupations, to eliminate poverty, and give them the means to create decent kinds of work, and find solutions to all their various problems, such as hunger, unemployment and poverty.

There could be nothing worse that could happen to this Organisation than for its activities to be politicised, because then it would cease to have its guiding role and the workers would lose their only world forum. The Chilean workers, which I have the honour to represent, greatly appreciate the work done by the ILO to the extent that it stimulates us to do a better job, to be better workers and better trade union leaders. We cannot ignore that in my country, as in all countries of the world, there are trade union problems which we should refer to on this platform, because they are permanent aspirations of the trade union movement in Chile.

Although in the last year in Chile there were 1,958 collective agreements affecting 178,525 workers of which only 81 negotiations involving 9,913 workers ended with a strike, there are nevertheless certain unions which have not so far used this machinery to determine better economic or social conditions; they receive adjustments only through law or have to accept conditions arising from individual negotia-

tions. This is the case of workers in the public administration and the civil service, those belonging to the retail trade and small agricultural units, teachers and health workers.

Moreover, the maritime and building trades unions, which have had their regulations modified recently, hope to set up tripartite committees by sector, to resolve their collective problems.

We should add that workers on the minimum wage find that it is insufficient in spite of the efforts which have been made, and the problems of debt because of the high cost of loans and so on.

With all these concerns, the organised workers have asked the Government for various measures to ameliorate the situation. Many of these have been corrected or improved, but others are still pending and we are hoping that something will be done soon to relieve the workers in these sectors. But we should not only talk about these present problems. We should also, as the Director-General says, raise our eyes to the future of the Organisation and according to the Medium-Term Plan should undertake important subjects of world-wide importance in the ILO in the last five years of this century.

Looking to the future, without forgetting the present, we could perhaps have a better appreciation of the conflicts of today, that they are circumstantial and that a long-range view may perhaps enable us to overcome them and achieve better conditions. I would like to say something about what the Director-General suggests in the Medium-Term Plan 1990-95 of the need to be united in facing the beginning of the twenty-first century. There will be a population explosion of some 6,200 million inhabitants throughout the world. These will be the mouths that have to be fed and arms that will need to work.

Nations should not only concern themselves with fulfilling these two basic needs, but should also consider housing and training, and that higher production is achieved in workplaces protected against pollution and contamination. On this subject, we view with growing alarm the various inhuman atomic experiments which are being carried out in the South Pacific, which affect our climate and our right to live in an area free of contamination. By the end of the century there will also be greater needs in the field of health and social security, without taking account of the way in which population growth will fuel social conflicts, the orientation of which, of course, will be in the hands of trade union leaders and social leaders who will need to channel these forces to serve the cause of progress in the world of labour. Looking to the future, we must also see everything that the ILO has been able to tell us about youth unemployment. The need is for all of us adults to try to find a solution for young people who are joining the labour force with or without training, in order for them to be able to take up productive work and to provide a home and livelihood for themselves. The concern of active workers to prepare their own future is in most countries subject to the whims of governments. We are committed to fight for adult workers, to provide a better way of life for them; and we are concerned for the situation of our children who are beginning to work at too early an age without any protection.

In the field of social security in our country 72 per cent of our active population is covered by social security, whereas the world average is 41 per cent, and in Latin America it is about 40 per cent.

The group that I represent has made enormous strides to achieve the objectives I have talked about. The creation, three years ago, of our pension fund system is a good example. This example is being followed by workers in telecommunications, telephone and electrical enterprises who are running their own pension schemes, and other workers will be following them this year.

With these steps forward, Chilean trade unionism is increasing its possibilities of progress in the field of social security and we hope by the year 2000 we will be directly administering most of the pensions of the workers of our country to give them a better, more just retirement pension than under the old system.

Full solidarity will be achieved once the employers pay additional contributions to permit earlier retirement for workers working with dangerous substances or in particularly difficult work.

So far as participation and integration are concerned, we say that the channels we have opened so far, such as worker participation on the boards of directors, the direct participation and administration of welfare and health schemes and the administration of pension funds, accident insurance and compensation funds and so on, family allowances; all of this has made it possible for us to have a considerable degree of participation in various bodies which have been created in recent years which will make it possible for us to give greater protection of the interests of workers. I am thinking of the Council of State and the Economic and Social Council, a tripartite national body which has been in existence for four years. There are also regional, communal development councils. We are thus participating at other levels which will transform the Chile of the future.

This is part of the reality of today, which the Chilean workers who in the next few months will decide to enter into a new modern democratic system, so as to continue to promote economic and social development of our country. This reality unquestionably gives the lie to all the things that are falsely alleged about our country, and encourages us to move forward.

Interpretation from Portuguese: Mr. GOMES (Employers' delegate, Guinea-Bissau) – To express appreciation for a gift received is only just – and it is this belief which is prompting our statement today on behalf of the employers of the Republic of Guinea-Bissau; after ten years' attendance at this international forum, during which time we have listened to some very brilliant statements, we are representing the employers' organisations of Guinea-Bissau, our country of origin.

In 1978, we took our seats at the International Labour Conference for the first time, encouraged by the outstanding soldier of peace, Mr. Mário Posla, a Puerto Rican, technical expert of the ILO, who was on mission in Guinea-Bissau for more than two years, between 1976 and 1978. During the two years we lived side by side with him, he sparked a flame in our hearts to serve humanity and to be committed to the spirit of tripartism which we defend and are ready to serve at any time and in any place. We owe everything to Mário Posla, who spoke to us for the first time about the ILO and tripartism in 1976 and never left us until, in 1978, he spoke to us of our participation at the International Labour Conference; we then had our first contacts and advice from

Mr. Omar Bongo and Mr. Elias Mabere, good friends and good technicians, to whom we would like to extend our deepest gratitude.

At this point, it might be a good idea to introduce ourselves so that you might have a better idea of what we are talking about. I am the President of the Commercial, Industrial and Agricultural Association of Guinea-Bissau, which represents private and independent employers. The words that we are going to pronounce are our entire responsibility, in accordance with the statutes of the ILO and paragraph 54 of the report of the Working Party of the Governing Body on the structure of the ILO.

I took office in 1974 at the time of the transfer of colonial power to our present Government in Guinea-Bissau. It was a very painful heritage because of the historic framework of the free and independent organisation of our country in its struggle for social justice. I stand now before this forum inspired by the same principle of struggle for humanity and social justice. I should like to give you a short historical outline of our organisation.

The Commercial, Industry and Agricultural Association of Guinea-Bissau was founded in 1918-19 by a group of Portuguese merchants. It was a different undertaking because of the course followed by the process of decolonisation, which was, of course, not provided for in our statutes, since we were a private organisation. With our economic, fiscal and legislative resources, our Association, which had the approval of the colonial government of the time, may be considered the originator of this type of work, as is shown by our publications from that period.

Always run by experienced men, the Association was in good standing with the colonial Government, acting as a true arbiter, advising on economic and fiscal matters, a link in the chain between the Government and its economic associates.

In 1932, as a result of the difficulties inherent in our struggle as a free and independent organisation, we had our first conflict with the colonial Government which required premises and equipment for its administration at the time of the transfer of the capital from Bolama to Bissau. It therefore occupied our headquarters and revoked our statutes.

In 1934, the situation changed: our statutes were republished, we resumed our normal activities and were granted a contribution of 0.25 per cent of the value of exports from the Port of Bissau.

Thanks to the energetic participation of its associates in profitable activities, in 1953-54 the Commercial Association built and opened its headquarters right in Republic Square in Bissau.

After national independence, the Government first supported the Association's statutes but then adopted an underhand policy of hostility to our independent attitude, and withdrew many of our prerogatives, leaving the board with an organisation virtually deprived of power. This led to the loss of members and associates of the organisation, since it was incapable of making itself felt in the corridors of powers.

You will naturally be wondering how an organisation without funds could survive and how its presence here can be justified. We have made the sacrifice voluntarily, we have paid the necessary expenses, the journey, upkeep, etc.

In September 1977, after many difficulties, the headquarters of our organisation was occupied by the Government, which was overthrown in November

1980, to install the headquarters of the PAIGC Party. This was the final stage of the intention to destroy us. We have been protesting about this situation for a number of years, without any result to date.

However, in July 1986 came the first fruits of our struggle. The Government of Guinea-Bissau, through the Minister of Trade, announced the total liberalisation of economic activities and prices, a measure which has had a dynamic effect on the economic life of the country.

You will appreciate that it took 14 years of struggle with the almost total paralysis of private economic activity. This is how our organisation has evolved. We appeal to all friendly countries and international bodies, particularly the ILO and the International Organisation of Employers to unite in our cause and to help us in our task of reconstruction in a poor country, without foreign exchange, where employers in the private sector have run up against many difficulties due to the years of paralysis.

When the Government announced the liberalisation of economic activities, it asked for our statutes to be revised and updated. The statutes were revised on the basis that our organisation was a private, independent body. In September 1986 we submitted them to the Government for approval. We are still awaiting results.

After the presentation of our statutes to the Government for approval and after a preliminary draft had been submitted to all those concerned, with a time-limit set for replies, many months passed and nothing happened. When we tried to present this documentation to the General Assembly, an opposition group proposed the installation of a joint management and private Chamber of Commerce instead of our private social and independent organisation of almost 70 years' standing. Everything seems calm for the time being and the indications are that our employers' organisation will be able to continue, providing a focus for all those interested in defending the private activity of the Commercial Industrial and Agricultural Association of Guinea Bissau. We would like to appeal to the ILO and all international organisations concerned to do all in their power to give more attention to the struggles of national organisations and more protection to their leaders and members of their families who have suffered in the defence of freedom of expression, which is the basis of democracy, as stated in the Director-General's Report.

In this connection it would seem appropriate to quote the words of Pope John Paul II, that you cannot speak of democracy where all levels of society are not represented. Employers are so far not represented in any of the decision-making bodies of our country. We have made very effort to achieve this, but to no avail. But we are still hopeful; dialogues have taken place. We will just have to wait; after all, Rome was not built in a day.

As is clear from this outline that I have given you, we think that the action of the ILO, of the International Organisation of Employers and of the international trade union organisations, should be strengthened in favour of workers' and employers' organisations because they deserve to have their struggles followed more closely.

We feel that you cannot talk about the reconciliation of interests that we are trying to achieve without interfering in the internal policies of member States.

The ILO should involve itself in the internal policies of member States, participating more fully in organisations of workers and employers, giving more assistance in conflicts of interests, constantly offering assessment assistance and advice to the leaders of these organisations to enable them to deal with the difficulties mentioned and to improve their methods, etc.

Part I of the Report of the Director-General, submitted to this Conference, speaks of basic human rights and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

This year, in which we commemorate the 40th anniversary of the adoption of the Universal Declaration of Human Rights, we feel that it is an obligation for all participants to make a more effective contribution to achieving the objectives of peace and welfare for all mankind. International organisations and their governing bodies should channel this contribution to realising more objectively the commitments adopted by the Helsinki Agreement so as to avoid each country making a different interpretation, dragging the whole of humanity down into the calamities which we are already experiencing.

From this point of view, paragraphs 54 and 58 of the fourth report of the Working Party on Structure are relevant here.

Paragraph 54 stipulates that freedom of speech is a vital principle for the ILO. Here one must ask the following question: is there anyone here who can say that he is unaware of the suffering going on in the world, or of the fact that there are people in his country who demand that their governments honour their obligations under the Declaration of Philadelphia? Such suffering affects their families and the most intimate interests of citizens in situations where freedom of expression seems like a backdrop, but very pale in colouring and very flimsy in material. Then how can you ignore the inefficiency of the methods that have been adopted so far?

We feel that a total revision of the methods is essential to achieve concrete objectives which will be possible only with more effective protection of the citizens, enabling them to struggle, even with suffering, in their own countries to oblige their governments to live up to their commitments regarding human rights. Governments too must be helped to respect these rights.

Paragraph 55 speaks of freedom of expression, which should include freedom to reply. Nevertheless, experience shows that denial of freedom to reply is one of the strategies resorted to by certain governments to shirk their responsibilities.

Paragraph 56 speaks of social justice; this is important, of course, for the establishment of democracy, but we must not ignore the fact that social justice in certain countries is applied according to the government's desires or convenience. Citizens are listened to only if they collaborate with certain political interests. Hence speaking of social justice without going out and listening to these citizens is wasting time. In this memorable year of Perestroika, when the Chairman of the Central Committee of the USSR has said that two super powers are trying to put an end to international tension through nuclear disarmament we feel that the ILO and other organisations working for peace, such as the United Nations, the OAU and so on, should be equipped with better tools, allowing for more effective activities vis à vis governments so

as not to go back to the state of tension which we have overcome. There is no doubt that the undermining of social justice is responsible for much of the tension prevailing in the world. The adoption of measures to control relations between governments and citizens and between governments would contribute to doing away with these evils that are afflicting us. It would also help if the representatives of certain rich countries became aware of the respect they owe to the laws of the countries where they are posted and to the interests of the free citizens of these countries instead of forcing the governments, through their co-operative relations, into a certain complicity which runs counter to the interests of their citizens which has led to real disturbances in certain areas.

We cannot fail to call the attention of all the countries here and of the ILO, to a concrete example in my country, that of the application of Decree No. 3/84, approved by the Council of State, concerning the increase of rent for the housing of diplomats and diplomatic missions. A lawsuit has been brought by certain countries attacking this and saying that this law is unconstitutional and should be repealed; some countries, such as France, wish to avoid paying a fair and proper rent which the owners of the property should receive. The Government was obliged to intervene in this shameful situation.

We request the ILO to investigate all aspects of this matter in which rich countries, talking of co-operation, give with the right hand but take back double with the left.

Interpretation from German: The PRESIDENT – You have exceeded the time limit, Mr. Gomes, and you are straying from the subject. Kindly conclude.

Interpretation from Portuguese: Mr. GOMEZ – Speaking objectively of my country, I cannot but

refer to a problem which recently has agitated the whole world, as well as Guinea-Bissau. I refer to the problem of toxic waste. Our Government was very sternly and harshly taken to task by all organisations within the country and outside, as a result of which proposals were made and studies undertaken to see how they could be implemented. We can therefore state that we are indeed doing all we can to ensure the safety, health and well-being of our people.

In conclusion, we should like to pay tribute to the ILO and its soldiers of peace in the activities which they have been carrying out for the past ten years. We should like particularly to thank the International Organisation of Employers for the personal invitation that was sent me in October 1987 to take part in the seminar on training and retraining of management staff which took place in the beautiful city of Cabo Verde under the auspices of that great general of the soldiers of peace, Mr. Daniel Bà, whom I had the pleasure of knowing during that activity.

I would also like to thank the ILO and its secretariat for the support that has been given to our young continental organisation, the Pan-African Confederation of Employers.

I should also like to congratulate the President, on his election to preside over this Conference. All of us I think trust that the Organisation will achieve even greater prestige in future.

We should like to thank, in conclusion, Mr. Francis Blanchard for the great work that he has been carrying out and will continue for the Organisation's benefit and for the benefit of all of us. We hope he will remain at the head of this Organisation for many years to come.

(The Conference adjourned at 10.15 p.m.)

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Thirty-first sitting

Saturday, 18 June 1988, 10.15 a.m.

President: Mr. Beyreuther, Mr. Tsujino

COMMUNICATION TO THE CONFERENCE

Interpretation from German: The PRESIDENT – Before we proceed to our agenda I would like to inform you that the Director-General, Mr. Blanchard, has addressed a telegram to the President to the President of the Republic of South Africa, Mr. Botha.

I call on the Clerk of the Conference to read out the text.

The CLERK OF THE CONFERENCE – The telegram reads as follows:

For P.W. Botha, State President, Pretoria, Republic of South Africa

The Seventy-fifth Session of the International Labour Conference at present sitting in Geneva has asked me to convey to you urgently an appeal to you concerning the six persons awaiting execution of the death sentence and known as the Sharpeville Six. The plenary session of the Conference comprising representatives of governments, employers and workers from one hundred and fifty member States of the ILO appealed for clemency and the sparing of the lives of these young persons and expressed the view that clemency at this time could provide a spark of hope at a time when hope is desperately needed. It went on to state that it cannot be in anyone's interest to add to the tragedy and suffering of mankind by these executions; nor is there any possibility that clemency could be misinterpreted. On behalf of the International Labour Conference I send this urgent appeal in the name of mankind to you.

FRANCIS BLANCHARD,
*Director-General,
International Labour Office.*

REPORT OF THE COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION: SUBMISSION, DISCUSSION AND ADOPTION

Interpretation from German: The PRESIDENT – We now proceed to the first item on our agenda, the examination of the report of the Committee on Safety and Health in Construction. The outcome of the discussions of the Committee on Safety and Health in Construction appears in the form of a proposed Convention and Recommendation concerning safety and health in construction, which will be submitted to the Conference for approval.

Mr. Mirza, Government delegate, Pakistan, Chairman of the Committee, is unfortunately ill and cannot be with us. We wish him a speedy recovery. Mr. Halliwell, Employers' delegate, Canada, the Employers' Vice-Chairman, has also unfortunately already had to leave for home. I therefore invite Mr. Panzke, Government adviser, German Democratic

Republic, Deputy Chairman and Reporter of the Committee, and Mr. Chiluba, Workers' delegate, Zambia, Workers' Vice-Chairman, to come to the rostrum.

I call on Mr. Panzke, Deputy Chairman and Reporter of the Committee, to present the report.

Interpretation from German: Mr. PANZKE (*Government adviser, German Democratic Republic; Deputy Chairman and Reporter of the Committee on Safety and Health in Construction*) – Unfortunately, the Chairman of our Committee, Mr. Mirza, cannot be present for reasons of health today and therefore I am now speaking both as Deputy Chairman and Reporter and on behalf of Mr. Mirza.

The Committee on Safety and Health in Construction today is putting before you for consideration the proposed Convention and Recommendation on safety and health in construction (*Provisional Record* No. 25). These documents were the results of expert deliberations by the International Labour Office in 1985 and of the first discussion that took place during the 73rd Session of the International Labour Conference last year. At that Session, the preliminary drafts were submitted to and approved by the International Labour Conference.

The new instruments are to replace the Safety Provisions (Building) Convention, 1937 (No. 62), the Safety Provisions (Building) Recommendation, 1937 (No. 53), and the Co-operation in Accident Prevention (Building) Recommendation, 1937 (No. 55), in order to take into account the enormous scientific, social and economic changes in construction that have been made in all countries. The instruments contain many vastly detailed obligations for governments to control or monitor questions of working and living conditions, particularly in health and safety, and to implement these in legislation in different regulations. The employers are given the responsibility by the instruments for the protection of the health and safety of the workers. Sometimes, great detail is provided about how this responsibility is to be carried out through technical and organisational measures. But the workers also have new duties under these instruments to protect their own life and safety.

There are three essential features of these instruments. First, they contain technical and technological provisions and recommendations; secondly, they are based on the spirit of co-participation by workers in all questions of occupational safety and health that concern them; and, thirdly, they are the basis for occupational safety and health in major international construction.

The first feature may appear strange, but it is vital for construction because of its very specific nature. For non-technicians, these instruments are too specialised, but they are not sufficient for specialists. An important consideration is the non-stationary nature of construction which constantly involves new working and living conditions. Working outside, which means working in bad weather, in cold and heat, damp and wet, is also a specific aspect. As for the work itself, there are particular threats to health, like falling from the roof, from great heights, falling objects or moving masses of earth. Often, a large number of workers is a danger in itself. Sometimes, working conditions are made more difficult because the workers are a long way from their families. I should not like to go into further detail because this has already been done, and the International Labour Office has also provided a great deal of material on the subject, for instance, on page 5 of *ILO Information*, Vol. 24, No. 2, May 1988.

The second feature of these instruments is no less important, because the right of workers to take part in decision-taking, especially on with regard to establishing work sites and procedures at the workplace, is one of the basic rights and is essential if work is to be done in the best possible conditions.

The third feature of the instruments will certainly become more important in the future because, to an increasing extent, major construction projects are being carried out with the participation of many different countries. There is therefore a need for provisions which can be used as a basis for further, more specific regulations concerning such construction. The instruments therefore contain a number of provisions setting out the rights and duties of, and co-operation between, the different employers on major construction projects, and also regarding co-operation between employers' and workers' representatives.

Last year, I suggested that the International Labour Office should compile a set of definitions of frequently used concepts in order to make the work of the Committee easier. We now have this compilation and I am very pleased, and also express my thanks for the fact that my suggestion has been taken up.

This compilation of concepts is something that will also help to facilitate work in other committees.

I should like to take this opportunity to express my thanks to Mr. Halliwell, the Vice-Chairman of the Employers' group, and to Mr. Chiluba, the Workers' Vice-Chairman, for their support and their demonstration of tripartism. Their technical knowledge and carefully balanced contributions have made the job of Chairman of the Committee much easier, and have contributed to the Committee's being able to finish its work three days earlier than was planned.

On behalf of the Committee, I should like to thank Mr. Kliesch and his colleagues in the secretariat, and all those in the International Labour Office who, by their work before and during the Conference, have laid the foundations for success.

Construction workers throughout the world, very often work in difficult conditions when building houses, cultural or sporting facilities, and in industrial areas. These new instruments should contribute to protecting the life and health of these workers; and in the interests of the construction workers of the world, I would ask you to give your support to them.

Interpretation from German: The PRESIDENT – The discussion of the report is now open.

Mr. SKAU-JACOBSEN (*Employers' adviser, Norway*) – On behalf of the Employers' group of the Committee on Safety and Health in Construction, I wish to associate myself with the distinguished delegates who have preceded me in extending to the President warmest congratulations on his election.

On behalf of Mr. Halliwell, the Employers' Vice-Chairman of the Committee on Safety and Health in Construction, it is an honour and a privilege for me to place before this session the views and concerns of the Employers' group of this important Committee.

The construction industry is a leader in every country in the world. It is one of the world's largest employers of skilled people and the results of our work in this great industry remain for the use and enjoyment of successive generations.

It is appropriate that the ILO instruments pertaining to health and safety of workers in construction be of a high standard, and that they set forth workable and realistic guide-lines for member States to adopt.

Construction is a complex set of related operations which, in the end, produce a finished product. This product may take many forms; it may be a building, a bridge, a power station or a dwelling, but it is always the result of skilled people working in a combination that eventually results in a durable structure.

It is due, in part, to this complicated multitrade system which takes place on a construction site, that safety and health becomes a primary concern.

Our work in this Committee spans two sessions of the International Labour Conference. It has taken us many hours of diligent and co-operative work to arrive at completed documents.

When Mr. Halliwell spoke to this plenary at the conclusions of our work last year, he expressed the concerns the Employers' group had for several articles in the text after the first year's discussion. He referred to many areas where unrealistic provisions would prevent the Employers' group from supporting a Convention supplemented by a Recommendation.

At the outset of the Committee's work this year, Mr. Halliwell noted that some improvement had been made in the proposed text, but stressed that Employers still had difficulty with several issues before us.

It has, from the outset, been the goal of the Employers' group in this Committee to achieve a Convention and a Recommendation which were meaningful and yet which governments could adopt. This same objective guided the work in our Employers' group this year.

As the work of the Committee proceeded under the capable leadership of Mr. Mirza, with assistance from Mr. Panzke, the shape of a new Convention and Recommendation slowly began to take form. With great diligence and patience, the Employers' group was able to provide Government and Worker representatives with a better understanding of some of our most serious problems. As our work proceeded, the text began to take a more practical direction and we realised that in the true spirit of tripartism it might be possible to find common ground.

In the final days of our work, both the Convention and the Recommendation began to reflect an im-

proved understanding of the real world of construction.

It would not be proper for me to say that all of the Employers' concerns were sufficiently dealt with. Nor would it be right to say that the Employes were completely satisfied with the end result of our work.

Unfortunately, we understand there is a minor difference in the translation of one phrase between the English and the French texts and we would ask the Drafting Committee to take the necessary action. I am pleased, however, to advise this assembly that the Committee has produced a Convention and a Recommendation which the Employers' group supports.

At this 75th Session of the Conference, the true spirit of tripartite discussion was very much alive in our Committee. The proof of course lies in the production of the proposed instruments which are before us today, and which were adopted in the final hours of our work in the Committee.

In closing, the Employers' group would like to acknowledge the excellent work carried out by the Occupational Safety and Health Department of the ILO. Their efforts made our work much less demanding and each person concerned is to be congratulated on a job well done.

The Employers would also like to pay tribute to the Government members of our Committee, who made a sincere efforts to understand our concerns and who often offered a helpful suggestion for compromise.

Mr. Halliwell has asked me to express his warm regards to Mr. Chiluba and the entire Workers' group. While Mr. Chiluba advanced the views of the Workers' group with vigour and effectiveness, he never lost sight of the need to find solutions through compromise. Without this understanding, we would never have achieved the goals of the tripartite Committee.

Finally, I want to pay a sincere tribute to Mr. Mirza, our Chairman, and Mr. Panzke, who together guided our very difficult work to a successful conclusion.

Mr. CHILUBA (*Workers' delegate, Zambia; Vice-Chairman of the Committee on Safety and Health in Construction*) - Allow me to join those distinguished speakers who came before me to congratulate you on your election to the office of the President of the 75th Session of the International Labour Conference. Let me, on behalf of the Workers' members of the Committee on Safety and Health, join you in wishing Mr. Mirza quick recovery.

The two proposed instruments before this Conference on the question of safety and health in construction represent the culmination of many years of research, debate and wide-ranging consultation with governments, employers' and workers' organisations.

As far back as 1964, the Building, Civil Engineering and Public Works Committee of the ILO expressed the view that the Safety Provisions (Building) Convention (No. 62) and Recommendation (No. 53) of 1937 no longer reflected the reality of the construction industry and failed to address the many new and complex health and safety hazards of that industry.

This was 24 years ago. It was valid then. How much more valid is it today as the industry has continued to grow in complexity during those 24 years?

The Workers' group believes that the revision and the updating of the Convention and Recommendation of 1937 fulfil the long overdue commitment by the ILO to prepare a new instrument aimed at improving the health and safety of millions of construction workers throughout the world.

Safety and health in construction is relevant to every country, to the industrialised countries and to the developing countries. Whilst the labour risks and hazards in the construction industry may vary as between these countries, they all have one basic fact in common and that is that the construction industry in all countries continues to have a very high accident rate resulting in needless loss of life and serious injury.

The construction industry is of course a relatively dangerous industry. In the past this perception of the industry has led to a certain complacency about the loss of life and about serious injury to workers in the industry. This complacency was reflected at international and national level. As a result of this the needless loss of life and maiming of workers continued almost unabated. Indeed, in many countries there has been an increase in the accident rate in the industry, reflecting the low priority given to health and safety matters, particularly in times of economic recession. Safety and health measures, where they exist at all, are very often no more than an afterthought, not just by the employers but also by the designers, manufacturers and planners of construction sites, equipment and machinery.

The Workers' group rejects this old approach and we consider that the time is right and ripe for governments, employers' and workers' organisations to pioneer a new approach to health and safety in the construction industry. The impetus for this, we believe, is contained in the text of these new draft instruments. They represent a challenge to the inadequate and outdated approach of the past. With this new approach the Workers' group is confident that the current unacceptable accident rate can be substantially reduced and the construction industry changed so as to provide a safe and healthy work environment for all its workers.

To achieve this, the co-operation of governments, employers' and workers' organisations will be crucial. This tripartite approach is an integral part of the new instruments. The Workers' group believes it is the cornerstone to the new approach to health and safety in the industry and we are therefore fully committed to it.

Since 1937, developments in the construction industry have been radical from the point of view of technological changes and modernisation of plant and equipment, but I am afraid the benefits of these changes did not spill over to the health and safety area. These changes were rarely accompanied by improved training, disclosure of information or adequate consultation with the workers. The workers were thus ill-prepared to deal with these new hazards, and as a result their working conditions deteriorated from a health and safety point of view as they were increasingly confronted with new, complex and dangerous machinery and technology.

The Workers' group believes that the new proposed instruments address these issues in a compre-

hensive manner. They represent, we believe, a new spirit and approach on the part of employers and governments, to matters of health and safety in the construction industry, as well as setting out a new charter of rights for construction workers. These new rights include the right to information, training, consultation and protection against risks and hazards in construction sites. For the first time – for the first time indeed – the concept of good ergonomic principles is introduced into the construction industry. This concept is fundamental to good health and safety.

These and other concepts contained in the instruments are not in themselves new but they are new to the construction industry, and that is important.

The Workers' group believes, therefore, that these new instruments will bring health and safety in the construction industry into line with health and safety developments in other industries. They will also introduce health and safety practices to deal with technological and other developments which have taken on construction sites over the last 50 years.

As I stated at the outset, these texts represent the culmination of many years' work. Along the way, it has not been easy. Along the way, we were confronted with many difficulties and problems which we believe have not been resolved in a satisfactory manner.

These difficulties included some complex legal questions concerning the interpretation of absolute terms in Conventions. The Committee was assisted in this matter by an opinion from the Office. The Workers' group is satisfied that the opinion of the Office on this matter does not dilute the responsibility of the employer for safety and health because in situations where serious or lethal risks exist the duty to provide adequate protection will continue to be expressed in no other than absolute terms in Conventions.

Finally the successful conclusion of the work of the Committee was due to the careful work of our Chairman, Mr. Mirza, and Mr. Panzke, our Deputy Chairman, who also chaired the meetings of the Committee in the absence of Mr. Mirza.

We also express our very sincere thanks to Mr. Halliwell and all his group as they were very ready to talk, discuss with us and compromise. We are highly indebted to all the distinguished members of the Committee on Safety and Health in Construction. I also wish to express my own sincere thanks to all the members of the Secretariat.

I urge all distinguished Governments, representatives, Employer representatives, and workers alike, to bless the efforts and enthusiasm of the Committee on Safety and Health in Construction by adopting the report unanimously.

Interpretation from German: Mr. OPFERMANN (Government adviser, Federal Republic of Germany, on behalf of the European Community) – On behalf of the representatives of the Governments of the member States of the European Community, I would like to thank sincerely the Chairman, the Vice-Chairmen and all the members of the Committee on Safety and Health in Construction for the outstanding work that they have done during the past weeks. I believe the results achieved represent an important step forward.

I would like to send all wishes for a speedy recovery to the Chairman of the Committee, Mr. Mirza. I

would also like to express my thanks to the International Labour Office and to all those who have carried out remarkable work since the Conference last year. My special thanks go to the Drafting Committee. The Legal Adviser's office of the ILO, in drawing up the proposed Convention, has played a useful part by providing clear interpretation of an important point of law, and on behalf of the member States of the European Community I would like to express my thanks to them.

The texts before us and whose adoption we are expecting from the Conference contribute to the extension and updating of the Safety Provision (Building) Convention, 1937 (No. 63), and the Safety Provisions (Building) Recommendation, 1937 (No. 53). We hope that the new Convention will be ratified everywhere very quickly and that thus the safety and health protection of workers on construction sites will be improved world-wide.

The member States of the European Community will naturally study these texts very rapidly with a view to their ratification. This study will take place in a positive spirit. The new impetus which the Single European Act has given, at the Community level, to improving the working environment will no doubt play a part in this.

The Single European Act, which came into effect on 1 July 1987, gives the Community new legal bases for promulgating legal provisions on protecting the health and safety of workers.

The European Community, with a view to the single internal market, attaches great importance to all measures to improve safety and health at work. In this context the work of the Committee on Safety and Health in Construction is, of course, of special interest. The construction industry throughout the world is still experiencing a deplorably high accident rate. For this reason it is the task of all of us to improve significantly safety and health conditions in construction. I would like to assure you that on a longer-term basis too we shall devote great attention to this problem within the European Community.

The work of our Committee has led to texts which form a flexible framework for this particularly important question of safety and health in construction. I am certain that many States will be favourably disposed towards them. In these circumstances we can take it that the results of the work of this Committee will be reflected in improved protection for the workers in the construction industry.

The positive results obtained by the Committee would not have been possible without the spirit of co-operation shown by the representatives, Employers', Workers' and Governments. I would like to thank all three groups for this. I would also like to take this opportunity to emphasise the fact that the promotion of co-operation between the social partners, social dialogue in fact, is one of the main goals of the Single European Act.

I hope therefore that a positive spirit of constructive co-operation in the future as well will also prevail in the future examination of this highly important question.

The texts before us represent good work. They are of vital importance for millions of workers in the world. 10 million of whom are in the European Community alone, and we hope that they will be adopted by the Conference so that the working environment of the millions of workers will be improved.

Mr. AHMED (*Workers' delegate, Pakistan*) – I feel it my great privilege to associate myself with earlier distinguished speakers who have supported the adoption of this important report. We appreciate the work done by the Committee in the formulation of the Convention and Recommendation, which concern a very important segment of the working class all over the world, in both the developed and the developing countries.

The workers engaged in the construction industry have made great efforts to improve the quality of everyday life and working conditions. Therefore, they deserve full support in the matter of their health and safety and I think the ILO has made a very important contribution to their well-being.

On this occasion, I would also like to express appreciation of the work done by the Chairman of the Committee, Mr. Mirza, who happens to be my countryman. He was unexpectedly by admitted to hospital yesterday evening, but he has conveyed his gratitude for the contribution made by all the members, in particular the Vice-Chairmen, Mr. Halliwell of the Employers and Brother Chiluba representing the Workers' group, as well as Mr. Kliesch and his good team. I too appreciate the work done by the distinguished members of our Committee, including the Secretary and the Deputy Chairman, and therefore strongly urge the adoption of this report.

Interpretation from German: The PRESIDENT – If there are no further speakers and if there are no objections, I shall take it that the body of the report, that is paragraphs 1 to 276, is adopted.

(The report is adopted.)

PROPOSED CONVENTION CONCERNING SAFETY AND HEALTH IN CONSTRUCTION, SUBMITTED BY THE COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION: ADOPTION

Interpretation from German: The PRESIDENT – We now come to the adoption of the proposed Convention concerning safety and health in construction, beginning with the Preamble.

(The Preamble is adopted.)

Interpretation from German: The PRESIDENT – We shall now adopt the proposed Convention, Article by Article. (*Article 1 to 36 are adopted seriatim.*)

Interpretation from German: The PRESIDENT – We now go on to the adoption of the proposed Convention as a whole. If there are no objection, I shall take it that the proposed Convention is adopted as a whole.

(The proposed Convention is adopted as a whole.)

Interpretation from German: The PRESIDENT – In accordance with article 40, paragraph 6, of the Standing Orders of the Conference, the proposed Convention concerning safety and health in construction will be referred to the Drafting Committee of the Conference for the preparation of the final text.

PROPOSED RECOMMENDATION CONCERNING SAFETY AND HEALTH IN CONSTRUCTION, SUBMITTED BY THE COMMITTEE ON SAFETY AND HEALTH IN CONSTRUCTION: ADOPTION

Interpretation from German: The PRESIDENT – We now come to the adoption of the proposed Recommendation concerning safety and health in construction, beginning with the Preamble.

(The Preamble is adopted.)

Interpretation from German: The PRESIDENT – We shall now take the proposed Recommendation, Paragraph by Paragraph.

(Paragraphs 1 to 53 are adopted seriatim.)

Interpretation from German: The PRESIDENT – We shall now take the proposed Recommendations as a whole. If there are no objections, I shall take it that the proposed Recommendation is adopted as a whole.

(The proposed Recommendation is adopted as a whole.)

Interpretation from German: The PRESIDENT – In accordance with article 40, paragraph 6, of the Standing Orders of the Conference, the proposed Recommendation concerning safety and health in construction will be referred to the Drafting Committee of the Conference for the preparation of the final text. All that remains for me to do is to thank the Officers of the Committee sincerely for their excellent, substantive and skilful work which has won our profound appreciation. Thanks to their efforts it has been possible to prepare excellent texts, and previous speakers have rightly pointed out that this was the result of constructive tripartite co-operation. On behalf of the Conference I would also like to thank Mr. Kliesch and all the other members of the Office who have served us so well.

REPORTS OF THE GOVERNING BODY AND OF THE DIRECTOR-GENERAL. DISCUSSION (*concl.*)

Interpretation from German: The PRESIDENT – We continue with the discussion of the Reports of the Governing Body and of the Director-General.

Interpretation from Portuguese: Mr. REAL MAZULA (*Government delegate, Mozambique*) – My first words will be words of congratulations to the President on his distinguished election to the presidency of this 75th Session of the Conference, as well as words of appreciation for the enlightened manner in which he has conducted our debates which already affords a guarantee of their success.

It is only appropriate that I should make a contribution to this debate, and I could not do so without paying a tribute to the tireless efforts of the Director-General of the ILO, Mr. Francis Blanchard, in pursuance of the lofty ideals of this Organisation.

The Report of the Director-General to this session of the Conference raises a number of questions on human rights which deserve thorough consideration in view of their topicality in our country and their obvious implications for the problems of the working

world. It is undeniable that human rights cannot be dissociated from freedom of association, equality of opportunity and treatment the right to full employment, the right to fair remuneration, the right to decent and favourable working conditions and the right to social security. That at least is the theory.

How can we reconcile this theory with the fact that workers in my country and in the Third World in general earn only one-hundredth of what their fellow-workers earn in the industrialised countries? How can we change our approach when we see the gap widening day by day between the prices of raw materials and the prices of manufactured products? How can the international community be made to accept the fact that the principle of human rights is a common responsibility when there is inequality of and a great reluctance to transfer know-how? How can one obtain the success of the principles proclaimed in 1919 and backed up by the Declaration of Philadelphia in 1944, and the Universal Declaration of Human Rights in practice when statistical estimates show that in the Third World there are more than 70 million unemployed, 500 million underemployed and about 900 million persons suffering from extreme poverty?

This is the sombre picture presented by the People's Republic of Mozambique. I should add that since the proclamation of national independence, Mozambique has never experienced the joy of peace for reasons which are only too well known to the international community.

Today the situation in my country continues to be characterised by an economic boycott, military aggression against our economic objectives and against our population continuously being carried out by the apartheid regime, using as its main instrument armed bandits, in flagrant violation of the Nkomati Accord. I shall refrain for the moment from giving a tedious list of the serious economic and social consequences this war represents for Mozambique. I shall simply state that at the present time we have around 70,000 unemployed who are officially seeking jobs through our placement services and approximately 4 million displaced citizens living in hostels or simply without roofs over their heads. There has also been the destruction of important economic infrastructures which could have provided new jobs; the direct losses resulting from the South African economic boycott and military aggression against my people amount to more than US\$6 billion, which is double our external debt. As well as the economic aspect, the destabilisation activities of the South African regime have already caused the deaths of more than 100,000 people, and millions of families have lost their houses, their farms, their schools, their hospitals and their personal belongings.

Factories, farms, roads, bridges, railway lines, schools, hospitals, lorries and convoys have been destroyed or are unable to function.

To add to all that, our country has not escaped the effects of the international economic crisis which has so profoundly affected all the underdeveloped countries; and the terms of trade between our countries and the industrialised countries have deteriorated.

Because of this situation, the Party and Government of Mozambique have drawn up a programme of economic recovery with a view to halting the decline in economic activity and initiating a progressive recovery of the vital sector of the national economy.

This programme requires of necessity an increase in production and productivity, more economic use of raw materials, fuel and equipment and the rationalisation of human resources.

Furthermore, the main objective of this programme is to rehabilitate the economic and social life of the countryside, notwithstanding the existence of 4 million displaced citizens who are affected by drought and are the victims of armed banditry.

In this connection, I am convinced that the debate on rural employment promotion which will take place at this session of the Conference will help to improve implementation of this programme in our rural areas.

We cannot dissociate human rights problems from the policy of apartheid. This policy is contrary to the principle of equality of opportunity and treatment because it is fundamentally discriminatory. Under the apartheid regime, men are treated according to the colour of their skin, or even their country of origin. For this reason, more than 20,000 Mozambican emigrant workers were forcibly repatriated to Mozambique.

It was simply because it once more repudiated this policy and demonstrated its solidarity with the oppressed peoples of South Africa and Namibia that my country was represented at the tripartite Conference on Action against Apartheid, held in Harare from 3 to 6 May this year.

This session has updated the Declaration concerning the Policy of Apartheid in South Africa and proposed the Programme of Action which I hope the session will adopt.

Despite an unfavourable economic and political situation, the Government of my country is endeavouring to create working conditions which will improve the lot of Mozambican citizens within the context of the standards of the ILO. Within that context the Government of my country last October set up a department for employment promotion which was designed to create production jobs. In the initial phase, the department intends to absorb surplus manpower resulting from the process of technical and industrial organisation and integrate the miners who have been forced to leave the South African mines. To achieve this gigantic task my country needs international support.

And in that connection legislation has been promulgated providing for a minimum monthly wage for workers – for employees as well as those working in agriculture – so as to give fair remuneration to all workers.

Our labour legislation also provides for a limit on working hours and guarantees occupational safety and health under the conditions imposed by the national economic situation. The report of the Director-General recognises that there are shortcomings in the application of international labour standards, one of the causes being the difficult economic situation of a country like ours.

The solution of the problem, or at least an attenuation of it, must take place through co-operation between the various countries and the ILO. This is a complex question which calls for a revision of this Organisation's standard-setting activity and an adequate mechanism of technical co-operation that takes account of the specific needs of the developing countries.

Meanwhile, I should like to stress, and express my satisfaction with, the high degree of co-operation between my country and the ILO which has led to the sending of two missions to help draw up plans for the absorption of Mozambican miners, repatriated as a result of the decision taken by the South African Government in October 1986; the holding of a sub-regional course for labour inspectors from Portuguese and Spanish-speaking African countries in Maputo from 28 September to 2 October 1987; the sending of a mission to give technical assistance to the Labour Inspection Department in July 1987; and the sending of a mission to collaborate with the Ministry of Labour on drawing up a plan for a social security scheme in my country. I hope that in future this co-operation will be increased still further and will take in other areas of labour matters.

This Conference is taking place in the context of the Universal Declaration on Human Rights proclaimed 40 years ago by the United Nations, and I should therefore like to conclude my statement by saying that the People's Republic of Mozambique is a peace-loving country which defends human rights.

As proof of this, the People's Assembly has approved Amnesty and Pardon Laws. The Amnesty Law applies to all citizens wishing to give up terrorist or criminal activities against the people and the State, and who present themselves voluntarily to the national authorities. Under the Pardon Law, sentences will be reduced or pardons granted for citizens who are guilty of crimes against the security of the people and the State. Millions of citizens have already benefited from these measures and reintegrated into society, rejoined their families and are now working as free citizens on the task of national reconstruction.

We are convinced that the community of nations and the ILO will joined with us in our efforts to promote peace, justice and human well-being; this objective merits our proclaiming that the struggle continues.

(Mr. Tsujino takes the Chair.)

Interpretation from Arabic: Mr. ALFAQI HAN (Government delegate, Libyan Arab Jamahiriya) – In the name of God, the Merciful, the Compassionate!

It is a great pleasure for me to be able to associate myself with all the delegates who have spoken before in congratulating the President, on behalf of the delegation of the Libyan Arab Jamahiriya, on his election to the Presidency of the 75th Session of the International Labour Conference. I would not wish to fail either to congratulate the Vice-Presidents, while expressing my good wishes to all for the conduct of our work so as to allow this Conference to adopt Recommendations and resolutions which are commensurate with the importance of the subjects on the agenda.

The Director-General has chosen the subject of *Human rights – A common responsibility* on the 40th anniversary of the Universal Declaration of Human Rights. This Declaration, which has been recognised by the entire world, mirrors the Declaration of Philadelphia of 1944.

The Director-General was right to emphasise the link that exists between this subject and the realisation of the Organisation's objectives of achieving

social justice for all and of promoting and safeguarding human rights. Thus, a large number of international labour standards and Conventions and Recommendations on employment and social security have been elaborated in order to improve working conditions to protect the labour force against occupational accidents and disease, to guarantee equality between men and women and equality of opportunity and to protect old people, children and women.

The achievement of the objective enshrined in the Universal Declaration of Human Rights, as the Director-General has said in his Report, can take place only through the implementation of measures nationally and internationally. The Declaration is the concretisation of a moral principle which is none other than respect for human dignity and the guarantee of the physical and moral integrity of all individuals throughout the world by a number of international criteria and principles.

Among the most important measures taken by the Libyan Arab Jamahiriya to promote the freedoms of mankind is the elaboration of a human rights documents within the Arab society of our country. It was adopted by the People's Congresses at the municipal level, after being drafted by the General Council of the People and came into force on 11 June last, which was also the 17th anniversary of the withdrawal of British forces from our country.

This document set out the fundamental principles of human rights in the Libyan Arab Jamahiriya of which we shall give some examples. Firstly, the fact that the Libyan Arab Jamahiriyan society considers that Arab freedom is sacred, and is committed to dialogue, as a source of understanding among all peoples and is opposed to the use of force in any form whatsoever except for legitimate self-defence. Secondly, in the Libyan Arab Jamahiriya, knowledge is a natural right that is enjoyed by all individuals in our society. There are all free to choose the skills that will allow them to find a job that is compatible with their possibilities and occupational qualifications and satisfies their needs and ambitions. Our society has the duty of disseminating knowledge in all fields in order to eliminate ignorance. It is only fanatical and stupid individuals and groups who try to monopolise knowledge by depriving others of it. Thirdly, society in my country must strive to safeguard and defend liberty in all parts of the world, defend the persecuted and oppose injustice, exploitation, racism and imperialism in accordance with the principles of the struggle of peoples against the enemies of freedom.

The promulgation of this document also represents the practical application of the principles of human rights in the Libyan Arab socialist Jamahiriya. Thus, the leader of the revolution of 1 September, brother Colonel Muammar Khadafi himself freed the prisoners and destroyed the prisons. This is tangible proof that these principles of human rights are applied in the Libyan Arab Jamahiriya, and are, in fact, the same principles as those set out in the Universal Declaration of Human Rights, which the international community is endeavouring to implement.

The Libyan Arab Jamahiriya attaches increasing importance to international labour standards, and has ratified more than 27 Conventions, including the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining, Convention,

1949 (No. 98), the Abolition of Forced Labour and the Convention, 1957 (No. 105). Discrimination (Employment and Occupation) convention, and the 1958 (No. 111).

My country also attaches considerable importance to the conclusions of the Committee of Experts for the Application of Conventions and Recommendations with respect to the way in which the Jamahiriya has applied the Conventions it has ratified. A tripartite technical committee has been set up to examine the Committee's conclusions and review the Conventions not yet ratified by my country, with a view to ratifying some of them in the near future.

Meanwhile, education, free medical care and the right to social security are guaranteed for all residents of the Libyan Arab Jamahiriya.

Forty years have passed since the Universal Declaration of Human Rights and there are still millions of people in various parts of the world who are not even allowed their human dignity or the minimum standard of living essential to mankind. Entire peoples are still under the yoke of oppression persecution and racial discrimination, as in South Africa and in occupied Palestine.

For 40 years the Arab people of Palestine have been the victims of barbarous aggression by the Zionists, directed at their very existence. As the Director-General has said in his Report, the situation of workers in these Arab occupied territories will worsen as long as the occupation lasts.

The fanatical practices and actions of Zionism in Palestine and the other occupied Arab territories is a flagrant violation of human rights. Since the creation of the Zionist entity in Palestine, Israel has been committing the most terrible crimes, with a heavy record of genocide, massacre, torture and other horrors such as amputating limbs and burying people alive.

These actions, which cause deep revulsion, are perpetuated by Israel, supported and encouraged in these violations of human rights by American imperialism, which provides moral and material support and, in particular, uses its right of veto to protect the Zionist entity from condemnation in the United Nations Security Council.

The Zionists deprive Palestinian employers and workers not only of their legitimate rights but also of their right to live on their own territory. If we really wish to work for respect for human rights... (*speaker interrupted by the President*).

Interpretation from Japanese: The PRESIDENT (Mr. TSUJINO) – I must ask you, in accordance with the rules, to keep to the subject of the Director-General's Report. The Reports of the Governing Body and the Director-General must be the object of your speech. You must not stray beyond this subject. Please do not name or accuse any country.

Interpretation from Arabic: Mr. ALFAQI HASAN – We have studied the Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa and Namibia. We demand the application of all the sanctions imposed on South Africa by the whole of the world community and we call on the world community to condemn the attitude of the major States, companies and employers who co-op-

erate with the racist South African regime, whatever reasons and justifications they may give.

We also call for rigorous measures to be taken, not excluding the use of force, to eliminate the White minority regime in South Africa and allow the indigenous population to decide their own fate under the guidance of SWAPO.

The agenda of this session of our Conference also includes many other important points, particularly safety and health in construction, the protection of aboriginal and tribal populations and the promotion of employment, social security and rural employment. We hope that the Conference at this session will adopt positive resolutions by the application of which production may be increased and the human and spiritual objectives of all peoples may be achieved.

In conclusion, we hope that the international community will respond to the appeal launched to it by the Director-General, Mr. Francis Blanchard, and that it will redouble the necessary political will and solidarity to guarantee human rights and usher in peace and security, above all for the weakest and the least privileged. We would not wish to fail to address our thanks to the Director-General and the whole staff of the ILO for all the efforts that they have made in different fields.

I would also like to thank all our brothers who interpreted my speech and the technicians who recorded it.

Mr. AHMED (*Government delegate, Somalia*) – On behalf of the Somali delegation and on my own, I would like to congratulate the President on his well-deserved election to guide the deliberations of the 75th Session of the International Labour Conference. I would like also to extend my congratulations to the Vice-Presidents and other Officers of the Conference on their election.

My good wishes and congratulations also go to the Director-General, Mr. Blanchard, for his valuable Report which is under discussion at this session. The Report is divided into two parts, Part I devoted primarily to human rights and Part II to a detailed analysis of the Organisation's activities during the year 1987. We fully share the views of the Director-General that human rights are an integral part of the efforts to secure man's material well-being and spiritual development. The Director-General has identified the crucial areas of strain in the world economy. He has pointed out that the workers' rights relating to the freedom of association, equal opportunities, minimum wage protection, working conditions and social security have suffered under the existing economic conditions in member countries.

We welcome this opportunity for examining the most critical and urgent human rights issues and problems affecting the world of labour.

Equality is a fundamental condition of human dignity and social justice, which must at all times be respected in the determination and application of social policy. I would like to assure the Conference that the Government of the Somali Democratic Republic is doing its best to guarantee the political and social rights of all its citizens. Provision is made in our Constitution and Labour Code for equal opportunity, irrespective of race, creed or sex. No doubt, as regards social security systems, Somalia like any other developing country has a long way to go;

however, various laws and regulations have been enacted to safeguard and promote the welfare of labour in the country; for example the Disabled Persons Act, the Trade Testing Promotion Act and the Apprenticeship Trading Act contain several provisions to protect the workers' interests.

Recently my Government adopted economic reform policies and established self-employment schemes in agriculture and fisheries for rural employment promotion. The eradication of unemployment and poverty are the principal challenges facing my Government. My delegation therefore welcomes the inclusion of the item on rural employment promotion in this year's Conference agenda. Unemployment and poverty also remain challenges for international organisations and I commend the ILO, and the employment department in particular, for taking the lead in propagating the message of agriculture-focused equitable growth in the report on Rural Employment Promotion. My delegation has read this report with great satisfaction, especially in view of several references to ILO research on the economy of our country.

I want to assure the Director-General that this kind of research is useful to us in policy formulation at a juncture when we are faced with conflicting advice on the so-called "structural adjustment programmes". This kind of research should be widely publicised.

On a more general point I want to join many of my fellow African delegates in urging that the ILO should continue to have a special role in advisory services in Africa. Our continent is going through a very critical phase in its development, when two decades of industrialisation and progress are threatened because of the economic crisis. We urge the ILO to continue its work on questions of rural-oriented development and on structural adjustment, employment and food security in order to strengthen its advisory capacity. Africa will for a long time have to turn to international organisations for technical assistance and from our experience the ILO is the most sympathetic international Organisation because of its special mandate. We hope it will continue to play this role.

We thus find the general discussion on rural employment very timely. Rural development is vital for our country, as about 70 per cent of our population live in rural areas. In solving the problems of unemployment and poverty, governments have to play the major role, but at the same time the international community must not escape its responsibility. Today most of the developing countries have been experiencing enormous social and economic problems, deficits in the balance of payment and low growth rates, low capital formation and increasing food insecurity. The unfavourable external environment has contributed to some of these problems and by the same token the international community has some responsibility in helping us overcome them.

Turning now to another important issue, the Middle East today is one of the regions of conflict in the world and a serious threat to world peace. The presence of Israeli settlements in Palestine and other Arab States are of utmost concern, as they expose the workers to inhuman conditions of existence and deprive them of their basic rights, owing to the illegal practices perpetrated by the Zionist regime. Recent investigations have clearly shown that the occupying

forces persist in their aggressive attitude and continue to ignore the exhortations of the international community to apply minimum employment standards and respect workers' and trade union rights. This Conference should adopt concrete measures to put an end to these inhuman and illegal practices of the Zionist regime. In examining the sad situation of the Palestinian workers and of workers in the other occupied Arab territories, we should apply the basic concept of social justice embodied in the Declaration of Philadelphia: "All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, ... and equal opportunity".

We appreciate the efforts made by the Director-General and the mission which visited the occupied Arab territories and we ask the ILO to continue to monitor the situation of the Palestinian workers. The Director-General has confirmed in his Report the continued deterioration of the situation of Arab workers in the occupied lands due to the Israeli policies and practices to deny them their basic human rights and legitimate national aspirations.

It is painful to witness the war that has been going on for some years now between two neighbouring Moslem countries, Iraq and Iran. Its victims include thousands of men, women and children. As we know, the United Nations, the Islamic Conference, the Non-aligned Movement and all the peace-loving countries have requested the two countries to put an end to this war. We call upon the ILO to join these international efforts to terminate the bloodshed and re-establish peace and order, so that all the energy and resources which are being wasted in destruction may be devoted to the progress and well-being of the people and the socio-economic advancement of these two countries.

The universal conscience continues to be afflicted by another tragedy resulting from the policy of apartheid pursued by the racist regime in South Africa. We have considered very carefully the Special Report of the Director-General and we congratulate the ILO on its contribution to combating and eradicating the nefarious system of apartheid. The International Labour Conference has at its previous sessions tackled this question extensively and considered the detrimental effects inherent in the unjust policies and illegal practices of the racist regime in South Africa that continues to perpetrate crimes against the African workers, who are the victims of the most inhuman methods of exploitation. The ILO has to sustain more resolutely and more vigorously the fight for the abolition of apartheid and racial discrimination in southern Africa. This is a fight that must inevitably be won in the course of time.

In conclusion, we hope that the 75th Session of the International Labour Conference will, through its discussions, arrive at conclusions that will be of benefit to us all. We express the hope that the ILO be endowed with greater resources to continue its noble actions.

Interpretation from French: Mr. FLOREA (*Workers' delegate, Romania*) – I would like to congratulate the President on his election to this important office and express my greatest wishes for success.

The Report of the Director-General to the 75th Session of the International Labour Conference is

devoted to problems concerning human rights and trade union rights to which the General Trade Union of Romania has always given and continues to give special attention.

The conquering of political power by workers and the subsequent construction of the economic, technical and material base for socialism in Romania have represented the fundamental premises and the political and economic framework for the construction of a new socialist society. The democratic potential of socialism has become a reality thanks to the ongoing and perseverant measures taken during the past 20 years upon the initiative of the President of socialist Romania.

The workers' democracy which Romania has created in these past two decades is a complex system marked with qualitative features which express the very essence of the new society. This is evident, on the political level, inasmuch as the people have become the sovereign holders of power, and on the economic level, since the people have become the collective owners, producers and beneficiaries of the fruits of their work. On the social level, democracy is evident in industrial relations, in relations between the individual and the State and between the individual and society, which make it possible to promote the fundamental values of the new society and guarantee conditions for the multi-faceted development and manifestation of the members of society. On the national level, the spirit of democracy finds concrete expression in the full equality of rights of all workers, without any type of discrimination.

Thanks to its comprehensive form and operational mechanisms, democracy in Romania offers an appropriate framework and the necessary political means for promoting swift and harmonious social progress, the refinement of social relations and the affirmation of the human being in its multi-faceted development. This is the reason why we subscribe to the idea expressed by the Director-General in the Preface of his report to the Conference concerning "the indivisible character of human rights which encompass, without distinction, civil and political rights and economic, social and cultural rights".

In our view, participation in deciding the future of society expresses all dimensions of democratic life, ensuring at the same time full exercise of civil rights. This participation opens to all citizens the practical and real possibility of taking part, in accordance with the law, in the conduct of society, a process which is conceived and implemented in the dialectic unity of the constitutive elements: the formulation and adoption of decisions, the implementation of the same, and the monitoring of the manner in which these decisions are put into effect.

The concrete expression of the direct participation of the masses in social administration is workers' self-management. The system of political administration of society has been endowed with a network of truly democratic workers' bodies, from the enterprise level to the national level; these include the administrative bodies and general assemblies of workers in the enterprises, through which the workers participate in management, and the departmental councils of workers, workers' sectoral congresses, national workers' councils, which provide permanent machinery for workers' self-management.

I would like to emphasise that we do not consider our system of workers' democracy as immovable or

immutable. Just as in other areas of activity, we feel that improvements may and must be made in the light of the real and constantly changing conditions in society, especially in the context of workers' self-management, primarily by increasing the responsibilities of the general assemblies and councils of workers as collective administrative bodies.

It is in this democratic system that trade unions in our country exercise their activities as organisations of the workers, representing their members in all workers' democratic bodies, from the level of the enterprise to the government level. I would like to mention the fact that in Romania we constantly endeavour to improve legislation to enhance the framework for direct participation of the masses of workers in the formulation and implementation of economic and social policy. The legislation adopted these past years guarantees the legal framework for the exercise of trade union rights, for the participation of trade unions as occupational organisations of workers and as representatives of their economic and social interests for economic and financial management and for the monitoring of all measures concerning working and living conditions of workers of all categories.

Referring to the spirit of Freedom of Association and Protection of the Right to Organise Convention, 1948, (No. 87), we can state that in Romania trade unions benefit from a wide and well-defined legal framework which guarantees their direct participation in all economic and social activities in the country at every level. Trade unions also participate in the work of the highest legislative body of the country, the National Assembly, through a large number of deputies elected from among trade union leaders from various trade union organisations.

In the context of participation in collective social activities, trade unions, through the workers' collectives, discuss Bills submitted for consultation. On this basis, the trade unions contribute to the formulation of legislation through proposals which result from these discussions. At the same time, trade unions exercise their right of legislative initiative by proposing to the National Assembly Bills dealing with any aspect of the conditions of work and life of workers.

Following the extension of the principle of collective administration and the enactment of legislation concerning the participation of trade unions in all collective administrative bodies, the President of the Central Council of the General Trade Union of Romania is an ex officio member of the Government; the members of the executive committee of the Central Council and other trade union officials participate with voting rights in the collective state bodies such as the Ministry of Labour, the State Planning Committee, the Ministry of Finance, the Council for Culture and Social Education and so on. The presidents and vice-presidents of the executive committees of sectoral federations are also ex-officio members in the collective administrative bodies of the respective ministries. In turn, all territorial trade union bodies are represented in local administration bodies, and participate directly in all matters concerning the workers.

The participation of trade unions in administrative bodies and their active co-operation with state bodies have improved co-operation between trade unions and the State, and thus the representation of the

interests of the workers; on the higher level of common interests between trade unions and the State, participation and co-operation, through the intermediary of trade unions, facilitate the direct participation of the workers in the solution of vital problems in our socialist society.

Given the fact that our agenda includes the Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa, and since we are discussing problems which concern trade union rights and human rights in general, before concluding I would like to say that the General Trade Union of Romania is deeply concerned by the intensification of repressive measures taken by the racist regime of Pretoria against the Black workers and people of South Africa.

On this occasion, we also wish to state that the General Trade Union of Romania firmly supports the just national liberation struggle of the Namibian people, under the direction of SWAPO, for the independence of Namibia, and condemns vigorously the racist policy of apartheid of the Government of South Africa; it calls for the cessation of all repressive measures against the majority population of this country and the cessation of all aggression against southern African States and independent neighbours.

These are the few remarks I wished to make concerning the problems outlined in the Report of the Director-General to the 75th Session of the International Labour Conference.

Interpretation from Arabic: Mr. AL-SAMAK (Workers' delegate, Bahrain) – In the Name of God, the Compassionate, the Merciful! May I begin by congratulating the President on his election to the presidency of the 75th Session of the Conference. I am convinced that, thanks to his experience and skill, this Conference will be crowned with success.

I should also like to pay a tribute to Mr. Francis Blanchard, Director-General of the ILO, for wisely choosing the subject of human rights on the 40th anniversary of the Universal Declaration of Human Rights.

In his Report, the Director-General has declared that the disregard and contempt for human rights are at the root of war and underdevelopment and have reduced millions of people to misery, poverty and disease. He added that the protection of human rights and human dignity must be based on social justice which is the only means of bringing peace to the world.

In talking of human rights, I must describe the experience of workers in Bahrain in the context of organised labour, and in the context of social solidarity and integration, based on the principles of civilisation, social justice and Arab authenticity.

Since the foundation of our workers' organisation and its legal recognition five years ago, the workers of Bahrain have made great progress which would not have been possible without the co-operation of the social partners. The gains we have realised are the result of improvements in the Labour Code and the Social Security Code, which are now more modern than those of many advanced countries. The closest co-operation prevails between the social partners as concerns the State's efforts to promote employment through programmes which are at develop-

ing the skills of workers, and programmes which are designed to upgrade national labour institutions to meet the standards prescribed by Arab and international conventions.

The State's commitment is evident in the number of training centres and further training programmes. The workers' organisation participates with employers in framing the policies for these programmes, through tripartite councils and other national committees.

The democratic rights of workers, including the right to elect their representatives and the senior workers' bodies are unmatched in many countries and have played a very great part in satisfying the needs of all categories of workers. This has helped to achieve stability in working conditions, to stimulate the economy and improve production.

Workers also enjoy freedom of expression, which they exercise through the publication of an independent workers' bulletin.

I should like to thank the ILO for the attention it has given to the workers' organisation of Bahrain, and for the technical and cultural help that it has provided since we requested it in 1984.

The very wide gap between the developing world and the industrialised countries prompts us to re-examine the principles of international co-operation, and to re-examine certain international standards, particularly those concerned with employment promotion and social security in view of persistently slow growth. I am convinced that this world parliament will be the light at the end of the tunnel, as a result of the negotiations and co-operation that are taking place.

At a time when we are celebrating the 40th anniversary of the Universal Declaration of Human Rights, the Palestinian people are commemorating their fortieth year of Zionist occupation, which is a blot on the world community. The people of the occupied territories have long been subjected to inhuman terrorism and a genocide unprecedented in history.

Overwhelmed by despair, this people has at last risen up against the occupation which continues its attacks on Palestinian women, children and old people and on Arab workers in the other occupied Arab territories. The occupying authorities use every barbarous and destructive means: attacks on people, the destruction of crops, the burning of land, the destruction of houses. Violence, torture, repression, expulsion, mutilations are the daily lot of workers, trade unionists and employers in this part of the world. In addition, several thousand Palestinian workers have been thrown into prison. In the face of these arbitrary practices we appeal to the international conscience and the ILO bodies to redouble efforts to save the Palestinian people, by providing urgent technical assistance to workers and employers in Palestine and the other Arab occupied territories to strengthen their economic, social and technical capacities and enable them to live in peace and security in their own land.

We urge the Conference and the international community to bring pressure to bear by all means on the Zionist entity, to ensure the implementation of the resolutions of the International Labour Conferences in 1974 and 1980. It is sad to say that similar arbitrary practices and racial discrimination are being perpetrated in South Africa, whose people are scat-

tered and dispersed. In the face of this serious and alarming situation in Palestine and South Africa, we call upon the international community to reinforce its support to the oppressed peoples.

May God guide the Conference to success.

Mr. TABBANI (*Employers' delegate, Pakistan*) – I have not only the great honour to speak on behalf of all the employers of Pakistan for the first time in my life, but also the very singular honour of addressing this august body in this United Nations setting.

It is a great joy that we are all brought together and made cohesive by the ILO whose watchword and *raison d'être* are exemplified by the phrase "Meet, discuss, compromise, have consensus, and come to some result or solution".

That is exactly what we have come here to do and have been doing for the past two weeks. We have become acquainted with each other, we have discussed and evaluated, we have compromised and conceded, and we have finally come to conclusions or results or solutions which are all in the process of being presented to the President and before this august body.

Since we have come to the final week and concluding days, we are confident that the President with his great skill and vast experience will be able to bring this Conference to a satisfactory and fruitful conclusion.

Mr. Blanchard's able guidance and inspiration have been the force that has enabled all the Committee to finish their work on time, as required, and in a spirit of accommodation.

The Report of the Director-General of the ILO to the 75th Session of the Conference is appropriate and very far-sighted. He is to be congratulated for adopting the Universal Declaration of Human Rights as his theme – *Human rights – A common responsibility* – and rightly so. But one may ask, "What are human rights"? Are they fundamental rights; are they rights of existence in the world; are they the self-preservation of rights; or something else? Yes, "human rights" include all these rights and others too. They are the rights of an individual to live in this world as that individual desires. And, as Islam preaches, we are all brothers. Each one of us should treat the other as "a human being", "a live human being".

That is why the ILO has concerned itself with apartheid, the revision of the Indigenous and Tribal Populations Convention 1957 (No. 107), rural employment, employment promotion and social security, with emphasis on the educated unemployed.

These are part of human rights, and the ILO is to be commended for taking these bold steps and enabling us to sit down together and bring about agreed Conventions and Recommendations for the implementation and furtherance of these and many other concepts of human rights.

I take the liberty of drawing attention to: apartheid, which still exists in this world; discrimination, which still exists, but to a lesser extent; the unending small wars, which are still being fought with no end but destruction; hijackings, which keep innocent people frightened and horrified; refugees, who are forced to live outside their homelands; and employers' rights, which are slowly being usurped.

These are all human rights and need immediate attention by the world, so that, in a spirit of collec-

tive responsibility and international solidarity, the correct solutions are to be found to the problems faced in South Africa as a result of apartheid, and to the struggle of the Palestinian people for self-determination. Moreover, now that the accords of Afghanistan have been signed, the Afghan refugees in Pakistan should be allowed to return to their homeland safely and peacefully.

We must further commend the Director-General of the ILO for stressing in his Report the role of the ILO in promoting and protecting these rights. Forty years have passed since the adoption of the Universal Declaration of Human Rights, the first article of which is very significant: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience, and should act towards one another in a spirit of brotherhood."

The brotherhood of mankind is what Islam has been preaching for 1,400 years, these same rights having been established at that time by divine revelation.

On 16 June 1988, the Islamic Sharia was put into effect through the enforcement of the Sharia Islamic Law Ordinance by the President of Pakistan. This Law empowers the higher courts to strike down any non-Islamic law. An individual can also file suite for a similar action. The courts will be required to pass judgement on whether a law is Islamic or not within 60 days in order to speed up the process. All aspects of domestic economy, including fiscal laws, banking and insurance, will be examined to bring them into conformity with Islamic teachings, while, at the same time, all international financial obligations will remain valid.

We are proud of the fact that this promulgation will make the courts accessible to citizens of all walks of life at reasonable cost, and enable courts to give relatively quick judgements, since "justice delayed is justice denied". Justice that is available to all is another form of human rights.

I have made a brief reference to employers' rights. These are the inalienable rights of employers and entrepreneurs "to create wealth", for which we are usually maligned but, practically speaking, if no wealth is created, how can any be distributed? No, we employers are never selfishly motivated. We fully realise that the progress and increase of production can only be the result of growth and prosperity, which is desired by all. Employers never, I repeat, never, administer poverty; in fact, they eliminate it by distributing profits, and this can only take place in a free economy.

In conclusion, we wish this 75th Session of the International Labour Conference every success in its humanitarian work. I shall end by emphasising the concluding remarks of the Director-General in his Report when he refers to the right of human beings to live in peace, which can only materialise if human rights are truly, universally and collectively recognised.

Mr. RYDER (*representative of the International Federation of Commercial, Clerical Professional and Technical Employees (FIET)*) – May I begin by joining those who have congratulated the President on his election and on the exemplary manner in which he has guided our discussion on the very important Report that we have before us.

My organisation, representing nearly 9 million salaried employees organised by affiliated unions throughout the world, wishes to record its appreciation of the clear and unequivocal restatement of the most fundamental principles of the ILO that the Director-General has presented in his Report.

His restatement is timely, not just because this year marks the 40th anniversary of the adoption of texts of transcendent importance by this Organisation, and by the international community more generally, but also because working people are today confronted by so many employers and governments who are so evidently in need of a reminder of the content of those texts.

The principle that comes out with particular clarity in the Report, and which is endorsed unreservedly by FIET is the indivisibility of trade union and human rights, and the need for them to be applied universally. There can be no exceptions to that fundamental proposition, and no excuses for its violation.

The exercise of trade union rights does not take place in a vacuum, but rather in the context of economic and social conditions that are generally making their practice more rather than less difficult. We have been reminded most effectively by distinguished guests to our Conference of the fact that failure to construct adequate policies to relieve the monstrous burden of international debt, to act together to promote global development, and to combat mass unemployment and the poverty that results from it has placed basic democratic structures at risk, and that in the absence of effective democracy, basic rights can have no existence.

In proclaiming the universality of human rights we recognise that there is no area of economic and social policy, no Convention or Recommendation adopted by this Organisation which does not beat upon the promotion of such rights, and whose violation does not detract from their observance.

The Director-General has further called to our attention the fact that human rights are our common responsibility, and hence that the solidarity of all parties represented at this Conference is called for in promoting them. Solidarity is, of course, a fundamental precept of the trade union movement. But we do not seek to make it our exclusive preserve. We can only regret therefore, that the efforts of powerful elements in many of our societies seem to be aimed at the dissolution of ties of solidarity rather than their reinforcement, and at encouraging self-interest at the expense of cooperative joint action. We have seen that this applies at the level of individuals, of countries, and even of whole regions. It has been reflected in an erosion of tripartism in many countries, and an increase in the unilateral imposition of concepts of de-regulation and flexibility which have led to the degradation of conditions of work and life. As is pointed out in the Report, when the tripartite message fails, or is consciously rejected, authoritarian relations take its place.

By contrast, our belief is that basic rights must be advanced by a commitment to act together. They can only be damaged by policies or attitudes that seek benefits for some at the expense of others; which set North against South, and creditors against debtors; which divide workers by attacking the bases of their collective representation, and by their fragmentation into core and peripheral groups, or into formal and informal sectors.

This is the road that will take the worker back to the status of a commodity, a road which is explicitly rejected in the Constitution of the ILO, and which can lead only to economic and social regression. FIET is committed to oppose those who would travel that road, and who would justify their itinerary by a separation of the economic and social dimensions of progress. We can admit no such dissection of our basic objectives, since that would inevitably set back the cause of human rights in all of the interdependent areas outlined in the Director-General's Report.

As a international trade union federation, FIET is keenly aware that the continuing internationalisation of the global economy has placed a corresponding emphasis on action at the international level to protect and promote human rights. Our work, and that of our affiliates, in this respect has been complicated and obstructed by the evident willingness of some of the multinational companies with which we deal to act overseas in a manner that they have never done in their home countries.

What are we to conclude about the motivation for example, of the French concern Carrefour, which has for years acted positively in its labour relations dealings in France, but is going to extremes to keep unions out of its new United States operations? Or the parallel case of the Belgian Lion Delhaize Group, which is now taking one step further and using its "non-union" – we would say anti-union experience in the United States – to launch what management has described as "all-out war" against established union structures in Belgium?

A clue is given by the recent statement by the President of Phillips, in the Netherlands, on the day that the company announced the cutting of 20,000 jobs, to the effect that, ideally, the company would load its factories on supertankers steaming around the world to those countries where the lowest operating costs prevail at any given time. That is of concern enough to us—but the situation is greatly accentuated by the type of activities in which some companies are actively engaging to ensure a competitive downward spiral of costs and labour standards. Those activities impinge directly upon the principles that constitute the subject matter of the Director-General's Report.

Forty years on, the ILO remains, we believe, well equipped to close the gap between aspiration and achievement that is still with us in the field of human and trade union rights. Full and universal application of Convention 87 and 98, without regard to the level of development or the economic and social system prevailing in the country concerned or its geographic location, must stay at the fore of that effort. FIET believes that only if those who would seek to extract advantage from the denial of human rights and basic labour standards by making them a factor in economic competition are effectively prevented from doing so will the adverse trends of recent years be reversed.

For this reason we identify strongly with the calls of the international trade union movement for social clauses, protecting basic rights to be written into the arrangements governing international trading relationships. We watched with interest the discussions that took place at the High-Level Meeting on Employment and Structural Adjustment last November, and insist upon the need to press ahead with the pursuit of new structures in GATT and in the ILO. While noting the comments made by the Director-General

on the need for increasing awareness of the possibilities of existing mechanisms, we nevertheless see clear value in supplementing them with new and binding regulations. In conclusion, FIET reaffirms its commitment to the ideals expounded 40 years ago and our belief that their achievement resides in the field of concrete action rather than utopian fantasy. We welcome the forceful manner in which the Director-General has echoed that belief. We welcome also the fact that speakers from all groups in this tripartite Organisation have, practically without exception, declared their support for the high principles first enunciated 40 years ago. It is our sincere hope that this support will find concrete expression in terms of action in our individual countries.

In a report that is replete with memorable quotations I would finish by citing the Director-General's

own response to those who argue the inevitability of mass unemployment and the impossibility of acting against it. He says that "such counsels of despair have no place in the ILO".

Interpretation from Japanese: The PRESIDENT Mr. TSUJINO) – This concludes the discussion of the Reports of the Governing Body and the Director-General.

It would like to take this opportunity to thank all those have participated in the general discussion of the Reports.

(The Conference adjourned at 12.30 p.m.)

CORRIGENDUM

Provisional Record No. 29

On page 29/23, the last sentence of paragraph 20 should read
“About 97 per cent of organised labour was affiliated to the
OPZZ.”

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Sixth item on the agenda: Partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107)

Report of the Committee on Convention No. 107

Introduction

1. The Committee on Convention No. 107 was set up by the International Labour Conference at its third sitting on 2 June 1988. It was originally composed of 73 members (40 Government members, 10 Employers' members and 23 Workers' members). To achieve equality of voting strength, each Government member was allotted 23 votes, each Employers' member 92 votes and each Workers' member 40 votes. The composition of the Committee was subsequently modified six times during the session and the number of votes attributed to each member was adjusted accordingly.¹

2. The Committee elected the following Officers:
Chairman: Mr. España-Smith (Government member, Bolivia);

Vice-Chairmen: Mr. Diaz Garaycoa (Employers' member, Ecuador) and Mr. Svenningsen (Workers' member, Denmark);

Reporter: Mr. Helms (Government member, Denmark-Greenland Home Rule Government).

3. At its fifth sitting, the Committee appointed a Drafting Committee composed of the following members: Mr. Peyra (Government member, the Netherlands); Mr. Watchorn (Employers' member, Australia); Mr. Adam (Workers' member, Canada); and the Reporter of the Committee.

4. The Committee had before it two reports: Report VI(1) and VI(2), prepared by the International Labour Office on the sixth item on the agenda of the Conference, "Partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107)", to be discussed by the Conference for the first time. The Proposed Conclusions submitted by the Office were contained in Report VI(2).

5. The Committee held 17 sittings.

6. The representative of the Secretary-General noted that the item before the Committee was the partial revision of Convention No. 107, which had been adopted in 1957. While it remained the only major international instrument dealing with indigenous and tribal peoples, it reflected the 1950s philosophy of integration which had since become antiquated; this philosophy even adversely affected the protective clauses of the Convention, despite their intrinsic value. The current perspective was to ensure that the cultures and traditions of indigenous and tribal people were accorded proper respect, and that they were adequately consulted on matters affecting them. For this reason the ILO had decided to revise the Convention. In summarising the procedure leading to the inclusion of this item on the Conference agenda, the representative of the Secretary-General referred to the Meeting of Experts convened in 1986 to advise the Governing Body and highlighted the significance of the decision to deal with the revision under the double-discussion procedure, which reflected the importance the Governing Body gave to this question. Also, he noted that when Convention No. 107 was formulated, indigenous and tribal people had little or no representation and their voice was not heard during the discussions, whereas today many organisations of indigenous and tribal peoples had been formed, a number of which were present for the Conference's discussions. The representative of the Secretary-General summarised the collaboration which had taken place over many years between the ILO and the United Nations and other specialised agencies. Turning to the analysis of the replies to the questionnaire in Report VI(1), he noted that there were significant areas of agreement on the basic issues of the revision. The integrationist approach and the paternalistic language of Convention No. 107 were now considered to be largely unacceptable and pressure for their replacement by an approach which respected cultural heritage in its broadest sense was widespread. This did not mean that integration was to be rejected as such, but rather that it should not be the exclusive goal of national policy. The protective aspects of Convention No. 107 were considered to be valid, and there was even a feeling expressed in the replies that they should be strengthened. Finally, there was broad consensus that there was a need to ensure that an adequate consultative process existed in matters affecting indigenous and tribal people. The representative of the Secretary-General then drew the Committee's attention to the problems associated with revising Convention No.

¹ The modifications were as follows:

- (a) 3 June: 78 members (43 Government members with 250 votes each; 10 Employers' members with 1,075 votes each; and 25 Workers' members with 430 votes each);
- (b) 7 June: 70 members (43 Government members with 25 votes each; 10 Employers' members with 731 votes each; and 17 Workers' members with 430 votes each);
- (c) 9 June: 68 members (44 Government members with 135 votes each; 9 Employers' members with 660 votes each; and 15 Workers' members with 396 votes each);
- (d) 11 June: 60 members (44 Government members with 63 votes each; 9 Employers' members with 308 votes each; and 7 Workers' members with 396 votes each);
- (e) 15 June: 59 members (44 Government members with 56 votes each; 8 Employers' members with 308 votes each; and 7 Workers' members with 352 votes each);
- (f) 17 June: 60 members (44 Government members with 63 votes each; 9 Employers' members with 308 votes each; and 7 Workers' members with 396 votes each).

107 to make it forward-looking, while at the same time having regard to existing legislation in member States. Referring to the scope of the Committee's work, he pointed out that questions concerning self-determination and the degree of control to be exercised in the decision-making process, were not within the ILO's mandate, and were already being dealt with by the United Nations. Thus, many of the proposals before the Committee were procedural in that they would, if accepted, establish procedures rather than create substantive rights. The representative of the Secretary-General noted that the major issues to be discussed were land rights and recruitment and conditions of employment. He felt it important that, during its discussions, the Committee keep in mind the special significance of land to many indigenous and tribal peoples, and their conception of territorial rights as distinct from mere ownership. Concerning employment, he noted that the Committee of Experts on the Application of Conventions and Recommendations and the Meeting of Experts on the Revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107) had highlighted the extent of vulnerability of indigenous and tribal people to abuses in this area. In concluding, the representative of the Secretary-General noted that while there was already wide agreement on the basic principles for revising Convention No. 107, the rights of indigenous and tribal people often conflicted with the perceived needs for the development of society as a whole. In successfully completing its deliberations, he felt sure that the Committee would be instrumental in formulating proposals for a Convention whose influence went far beyond its mere text.

General discussion

7. The Employers' members attributed special importance to the partial revision on Convention No. 107 and they reaffirmed their willingness to participate in the revision in order to improve the effectiveness of the Convention. While many things had justified the decision to review this Convention, including the fact that only 27 countries had ratified it, the Employers' members did not necessarily accept that it was totally inapplicable. They felt that the Convention could be selectively amended to make it more effective and to ensure its widespread implementation. In general terms there was a need to strengthen both the concept of participation of indigenous and tribal people in policy decision affecting them, and their legal rights, while retaining their identity. The Employers' members felt, however, that it was important to ensure that the outcome of the Committee's work remained within limits appropriate to the legal and administrative conditions which existed in the rest of the national communities in which these people lived.

8. One Employers' member considered that the revision of Convention No. 107 presupposed that there was a sufficient body of experience with such an instrument. However, given the low level of ratification, he considered that there was no basis in fact for the view that Convention No. 107 was outdated. Moreover, he considered that a number of the changes which were being proposed, including changes to certain terminologies, were beyond the competence of the ILO. He suggested that a working

party of legal advisers be set up to study the matter. In questioning the reasons behind the decision to revise Convention No. 107, he felt that the existing text adequately respected the culture and customs of indigenous and tribal populations and that it upheld a policy of spontaneous, rather than compulsory integration. As for paternalism, he observed that it existed in all countries and that its desirability should be carefully examined before being condemned. He further observed that because of the difference between indigenous and tribal populations in developed and developing countries, it would be very difficult to treat them in a single instrument. For these reasons, he was opposed to the revision of Convention No. 107.

9. The Workers' members recalled that when Convention No. 107 was adopted in 1957 it was unique in its scope. They were none the less keen to help to improve it in the light of the changing situation of indigenous and tribal peoples, whose position had recently received attention in such forums as the United Nations and in the report of the World Commission on Environment and Development (the Brundtland Report), as well as the ILO. Among other things, the Workers' members preferred to refer to indigenous and tribal "peoples" rather than "populations" since, as there were about 300 million of them, they were not merely a group. In addition, the Workers' members considered it vital that, in amending Convention No. 107 so that it conformed to modern principles of human rights and self-determination, the Committee take the opportunity to draw on the opinions and experiences of the various organisations representing indigenous and tribal peoples which were present at the Conference.

10. Two Workers' members described their countries' policies concerning tribal minority groups. They considered that the partial revision of Convention No. 107, during the 40th anniversary of the Universal Declaration on Human Rights, was a necessary element in the process of achieving harmony in national approaches in this important issue.

11. Many Government members expressed their support for the decision to undertake a partial revision of Convention No. 107 along the lines that had been proposed by the Meeting of Experts. There was a large measure of agreement that the conclusions in Report VI (2) generally constituted a reasonable balance between the views expressed by governments and by employers' and workers' organisations in their responses to the questionnaire. Most Government members foresaw the presentation of detailed comments on a number of specific conclusions. A number of them referred to the need to replace the current emphasis of Convention No. 107 with an explicit respect for the unique identity of indigenous and tribal populations and to reach a new understanding with them. Several Government members stressed the need for equal treatment of all groups in the community.

12. The Government member of India expressed reservations on a number of the conclusions of the report of the Meeting of Experts which, in his view, did not represent any degree of consensus. For this reason, his Government considered that the draft amendments to some of the Articles of Convention No. 107 were invalid. The Government member of

France supported the view expressed by an Employers' member that the proposed revision of Convention No. 107 should not go beyond the competence of the ILO. He felt that the partial revision should focus on working conditions and social security, leaving standards setting on other issues to the United Nations. The Government member of the Netherlands agreed that the Committee should deal with matters within its competence.

13. Several Government members stressed the need to develop a universally applicable text which could attract a sufficiently wide consensus to permit ratification by a large number of member States. The Government member of Australia noted that several of the rights which were contained in the Proposed Conclusions would be collective rather than applying to individual members of the peoples concerned, and that this approach would cause problems. Several Government members felt that the recognition of matters such as customary law, rights of possession and the use of land, and the assumption by indigenous peoples of responsibility for training and education programmes must be seen in a broader national context. A number of Government members stressed that protection of the rights of indigenous populations must fit rationally within national legal systems. The Government member of Canada emphasised that in this regard her Government was not advocating either the preservation of the *status quo* or an approach which favoured the lowest common standard. Rather, she felt that during the ensuing discussions it was essential to keep in mind the relationship between indigenous rights and national legal systems. The Government member of Venezuela said his Government would be unable to accept any proposal which would be in conflict with national law. The Government member of Sweden pointed to the growing importance of international law in improving the conditions of indigenous and tribal populations and protecting their rights.

14. Several Government members described the background and current situation, including legislation and administrative arrangements, concerning indigenous and tribal populations in their countries. The Government member of Denmark informed the Committee that he was participating on behalf of both the Danish Government and the Greenland Home Rule Government. He stated that this method of participation was evidence of the constructive relationship which could be developed between nation-states and indigenous peoples. He pointed out that some of the issues which had been successfully resolved in Denmark were similar to those being considered by the Committee. The Government member of India noted that in accordance with his Government's policy of ensuring that tribal populations were able to join the mainstream of national life, their representatives were able to speak at the national and international level, although certain conditions regarding representation had to be met before such views could be taken into account.

15. A number of Government members expressed the view that when considering changing the term "populations" to the term "peoples" it should be borne in mind that, in an international context, the meaning of the term "peoples" was unclear and in some cases had political connotations. The Govern-

ment members of Canada and France considered that its use could imply rights which went beyond the scope of Convention No. 107, such as the right to self-determination. The Government member of India felt that replacing the term "populations" by the term "peoples" could inhibit the number of ratifications of the revised Convention. The Government member of Argentina considered that while replacing the word "populations" by "peoples" might create difficulties for some States, not including the word "peoples" could disappoint indigenous communities and cast doubt on the nature of the Committee's work. He therefore supported a solution which would specify that the term should not be interpreted as it was in international law.

16. Several Government members expressed reservations on the question of land rights, particularly where sub-oil resources were involved and felt that there was a certain ambiguity in the proposed wording. Some of them felt that the various systems and national laws concerning the exclusive rights of States over the use of subsurface mineral resources, including hydrocarbons, should be taken into account. The Government member of Canada felt that the revised Convention should reflect the different types of land rights which exist; there should not be any revival of claims to traditionally occupied lands which had been the subject of treaties or other arrangements; and the Convention should provide means for dealing with the fact that governments were not always able to recognise all claims for a variety of reasons. The Government member of India drew attention to the responsibilities of the states in land administration in India. He agreed with the statement in Report VI(1) that attempting to achieve international standards for land rights was extremely complex. He felt, however, that Point 4 of the Proposed Conclusions did not accurately reflect the serious reservations and lack of consensus in the report of the Meeting of Experts. He was of the opinion that it would be inappropriate to amend Articles 11 and 14 of Convention No. 107 until a clear consensus emerged. The Government member of France supported this view.

17. The third general issue which was raised by a number of Government members concerned the proposed provisions of the Convention which would require governments to seek the consent of indigenous groups before adopting legislation that affected them. A number of Government members affirmed their commitment to the need for full consultation with indigenous and tribal populations and to the increased participation of these groups in decisions which affected them. The Government member of Canada referred to the need to preserve the independence of legislative bodies in democratic societies. The Government member of India stressed that national governments could not surrender the right to make decisions on economic development. The Government member of the United States expressed the belief that governments should share with their indigenous and tribal populations the responsibility for developing co-ordinated and systematic action for the protection of their members and for the promotion of their rights.

18. The representative of the United Nations stated that the United Nations fully supported the revi-

sion of Convention No. 107 and the work being undertaken by the ILO in this regard. He pledged continued co-operation in the revision process. He informed the Committee of the status of the preparation by the United Nations Working Group on Indigenous Populations of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, of a draft universal declaration on indigenous rights. He added that he would be happy to provide additional information to the Committee, including relevant documentation.

19. The representative of the World Health Organisation encouraged the Committee in its task of revising Convention No. 107 and drew the attention of the Committee to the primary health care programme of the WHO. In referring to Part VI of the Proposed Conclusions, dealing with social security and health, he emphasised the role of the community in health care. He informed the Committee that the WHO was focusing on district level management in order to improve health systems, and stressed the importance of information exchange.

20. The Director of the Inter-American Indian Institute of the Organisation of American States described the role and activities of his organisation, which had co-operated with the ILO since 1950. He underlined the need to amend Convention No. 107 since the orientation towards assimilation had largely been abandoned. It was now most important that the rights of full participation of indigenous peoples, as well as the multi-ethnic character of States which included them, be recognised in order that autonomous development could be achieved. The member States of the Institute agreed that it was essential to achieve equality through diversity, so that every State could be enriched by its indigenous populations. The speaker considered that new models of development were needed so that an increased contribution of indigenous populations to productivity and technology would lead to a better balance between society and its environment.

21. The Committee also heard statements from six international non-governmental organisations which were attending the Conference in accordance with Article 56 Paragraph 9 of the Standing Orders of the International Labour Conference. Each of the representatives of the organisations briefly described the scope of their work and the extent of their representation of indigenous and tribal peoples. They all expressed their strong support for the decision to undertake the partial revision of Convention No. 107, which they felt had been a landmark in its time, but which now required amending in order to dispose of its paternalistic approach and remain valid. Several of the representatives of the non-governmental organisations affirmed their strong preference for the use of the term "peoples" rather than "populations" in the revised Convention, stating in particular that it reflected better their view of themselves. They stressed the view that the revised Convention would be limited to social, economic, environmental and cultural considerations, and thus that political issues such as self-governance and other political aspects of self-determination would be beyond its scope. A number of their representatives expressed the hope that the Committee would arrive at conclusions which were agreed upon by indigenous

peoples, particularly so far as the important issues of participation in decision-making, and territory and natural resources were concerned.

22. The representative of the World Council of Indigenous Peoples stated that the purely national focus of issues concerning indigenous peoples was giving way to regional and international concerns. As concerned the orientation of the revision of Convention No. 107, he stressed that the desire for a recognition of self-determination for indigenous peoples was a desire for their cultures and values to be recognised. He considered that the concept of self-determination expressed the most desirable relationship between indigenous peoples and nation-states, and acknowledged the need to strengthen the working relationship between the various components of modern society.

23. The representative of the Inuit Circumpolar Conference highlighted the importance of territorial and treaty rights to indigenous peoples in view of their special relationship with the land, and stated that guaranteed access to land was vital if the growth of indigenous societies had been devalued by widespread expropriation of land and territories. Not having proper guarantees of territorial and resource rights would result in an unacceptable gap in the revised Convention, leading to the assimilation and ultimate destruction of indigenous societies. The speaker pointed out that since treaties were distinct elements in the dealings of some indigenous peoples with national governments, treaties and treaty rights should receive specific recognition in the revised Convention so that the rights indigenous peoples had under them would be adequately protected.

24. The representative of the Four Directions Council stated that the fundamental principle which the indigenous organisations felt should be reflected in the revised Convention was the right of these peoples to be represented effectively in all levels of decision-making which might affect them. He referred to the right to organise their own decision-making institutions; the right to respect of their wishes as expressed through conciliation and co-operation with national bodies; and the right to be directly represented on national decision-making bodies. He stated that experience had shown that participation and self-determination were essential in achieving positive economic and social change, and were in fact perfectly consistent with the ILO's own basic principles. He also stressed that self-determination was not destructive of the social fabric of States. In this respect, he noted that change which was imposed from the outside was ineffective and worked against the creative energy of a people. He concluded by proposing that the Committee adopt a general conclusion that governments should take effective measures to consult indigenous peoples during the next stage of the revision process, and that they should incorporate the views of indigenous peoples in their further comments to go before the 76th Session of the International Labour Conference.

25. The representative of the Indigenous World Association observed that an equitable relationship, not a paternalistic one, was required if the rights of indigenous peoples were to be improved. He pointed out that for many indigenous peoples, "mod-

ernisation" might be accompanied by the promotion of an alien culture and thus be regressive.

26. The representative of the Nordic Same Council referred to the problems involved in drafting the revision in a legalistic manner which did not correspond to conceptions that were meaningful to indigenous peoples, citing for instance the legalistic distinctions drawn between "populations" and "peoples". He asserted that many of the problems of indigenous peoples stemmed from legislation imposed on them and their territories. As regards land rights, he pointed out that many indigenous peoples were unfamiliar with the concept of private ownership of land, but that its pursuit was often the only way to protect their rights under national law. In discussing environmental issues, he commented on the desirability of drawing on the accumulated wisdom of indigenous peoples in maintaining a self-sustaining environment. He hoped that it would be recognised that there should be a strong indigenous voice in decision-making, and that indigenous peoples' aspirations focused on the right to self-determination which was the way indigenous people expressed their aspirations in this respect.

27. The representative of the Indian Council of South America said that the Council was particularly concerned about aspects of development which implied the destruction of nature, and the undermining of cultural values through assimilation. She felt that the revised Convention should be able to go beyond the constraints imposed by Convention No. 107 so that indigenous peoples could contribute to national development.

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28. The Government member of Australia announced that it was his sad duty to inform the Committee of the death of Pastor Sir Douglas Nicholls, a former Governor of South Australia and the first Aborigine to hold such a position. Sir Douglas Nicholls had for many years been a tireless worker for the Aborigine cause and he was a former chairman of the Aborigines Advancement League. The Chairman expressed the Committee's condolences and requested that they be conveyed to the Australian Government.

Examination of the Proposed Conclusions contained in Report VI(2)

29. The representative of the Inuit Circumpolar Conference, referring to Points 1 to 13 of the Proposed Conclusions and speaking on behalf of the other non-governmental organisations present, stressed the fundamental importance of recognising the diverse indigenous societies as peoples. She stated that the continued use of the term "populations" would undermine the credibility of the revision process since indigenous peoples would be depicted in inadequate and inaccurate terms. She noted that some countries had expressed concern that the term "peoples" could imply self-determination, but stressed that Convention No. 107 was limited to social, cultural, environmental and economic considerations, and that any political dimensions were outside the scope of a revised Convention and of the

competence of the ILO. She noted that a number of governments had attached considerable importance to the self-determination of indigenous peoples and that it was a prerequisite for the implementation of human rights. Since indigenous peoples still had no right to participate effectively in the revision process, she appealed to the conscience and sense of moral responsibility of the Committee to revise Convention No. 107 so that it recognised indigenous peoples as distinct peoples rather than mere populations. She stressed that unless the wishes of indigenous peoples were adequately included in the revised Convention, it would lack credibility and be unacceptable to them.

CONCLUSIONS PROPOSED WITH A VIEW TO THE ADOPTION OF A REVISED CONVENTION

1. SCOPE OF THE REVISED CONVENTION AND DEFINITIONS

Point 1¹

30. The Committee had before it four amendments on the question of replacing the term "populations" in Convention No. 107, by the term "peoples" in the revised Convention. Amendments submitted by the Employers' members and by the Government member of Canada proposed using the term "populations" in the revised text. The Government member of Bolivia proposed an amendment to use the term "populations" in its generic meaning which included tribal peoples and indigenous populations. The Government member of Canada proposed an additional amendment to the effect that, if the Committee should decide to use the term "peoples", the use of that term in the revised Convention would "not imply the right to self-determination as that term is understood in international law". The Government member of Norway offered a sub-amendment to the Canadian amendment, providing that the term "peoples" as used in the revised Convention would "not address the question of national self-determination as this term is understood in international law".

31. The Employers' members indicated in respect of their amendment that the use of the term "peoples" could create difficulties for ratification of the revised Convention, as it might be taken as a synonym for self-determination, and might have different meanings in different countries. The Workers' members strongly supported the use of "peoples" as proposed in the Office text, in particular as it correctly reflected the view these peoples had of themselves. Moreover, they recalled that the great majority of governments which replied to the questionnaire had favoured using the term "peoples". The Government member of Canada stated that her Government felt that the term might have implications in international law that were different from its use in international legislation.

32. At several moments during the Committee's deliberations, when representatives of accredited non-governmental organisations spoke, they recalled

¹The numbering of the Points reproduces that of the Proposed Conclusions in Report VI(2). It does not necessarily correspond in every case to the numbering of the Proposed Conclusions reproduced at the end of the Committee's report, which are based on the decision of the Committee and, in some cases, of the Drafting Committee.

the vital importance of this terminology for them. It reflected their own sense of who they were, and the use of the term "populations" in Convention No. 107 was degrading. They recognised that it was not within the ILO's mandate to pronounce on issues of self-determination. They stressed that if the revised instrument did not use this term they would not be able to support its adoption or its ratification by States, regardless of the other provisions it might include.

33. The Legal Adviser was asked to provide clarification as to whether the use of the term "peoples" would have legal implications affecting the scope of the revised Convention. He indicated that the notion "people" had no legal definition as such, but that it did carry some political implications at the international level. The legal implications resulted first from Article 1, paragraph 2 of the United Nations Charter, and had subsequently been developed further in other instruments. The general view was that the notion of self-determination applied in principle to peoples under foreign colonial domination and not to peoples in independent States which were precisely those referred to in the Proposed Conclusions. The Committee might thus conclude that the use of the term "people" would therefore have no implications in this respect. It had, however, to be recognised at the same time that the notion was not fully established within the United Nations framework, and that its evolution was beyond the ILO's competence and control. The question thus remained as to the advantages of using the term in this revised Convention given its objectives. It would not appear to make more specific the identification if the groups were covered by the Convention. It would merely emphasise the sense of self-identification of these groups, an element which, however, was in any event included in the text. It was therefore ultimately for the Committee to decide, in the light of these considerations and of the concrete objective sought, which of these terms should be preferred.

34. Some Government members expressed continuing reservations over the use of the term "peoples"; some supported the use of the term and others expressed the conviction that a solution could be found which would allow its use. The Committee decided to refer the question to a Working Party which it created for that purpose, including four members of each group in the Committee.

35. When the Working Party had completed its deliberations, the Chairman informed the Committee of the results of its work in this respect. He stated that it had been clear there were firm positions on this matter, and many reservations over the Working Party had, however, been able to agree that the term "peoples" should be used instead of "populations", but that to allow this it would be necessary to make it perfectly clear that its use in the revised Convention would not imply recognition of the right to self-determination as it is understood in international law. The Working Party had considered a number of different formulations and had decided to put before the Committee a text which might serve as a basis for further deliberations. This text was as follows: "The use of the term "peoples" in the present Convention shall not be taken to affect the interpretation given to this term in other international instruments or proceedings, in particular as concerns the question of

self-determination. " He emphasised that this was not a final text, and that no member of the Working Party considered it as such, and that it was put before the Committee as a basis for the next discussion as such, it should be included in the proposed revised Convention so that governments, employers and workers could react to it.

36. The Government member of Canada stated that her Government understood and sympathised with the feelings of the indigenous and tribal representatives on this point, and that Canada did use the term "peoples" in its internal legislation. However, she was not now in a position to express a final position on this text. She stated that if her Government's own proposal were not accepted, they would prefer another formulation offered during the working party's deliberations, which she read out: "Nothing in this Convention shall be taken to imply that the peoples concerned are, by the force of this Convention, being accorded the right of self-determination or other rights in international law or as understood in other international organisations."

37. The Government members of Brazil, France, India, Turkey and Venezuela stated that they had serious reservations about the use of "peoples", and felt that the text put before the Committee by the working party should not be used in the Committee's conclusions. The Government member of Japan requested a clarification of the text put before the Committee by the Working Party, and stated that it was not appropriate to use the text as a basis for the next discussion because its meaning was not clear. The Government members of Bolivia, Colombia, Norway and Portugal, as well as the Employers' and Workers' members, felt that the compromise text was a good basis for further deliberations, that it should be included in the Committee's conclusions, and that the term "peoples" should therefore be used in the draft Convention. It was also recalled that 26 of the 32 governments whose replies were reproduced in Report VI(2) had supported the use of the term "peoples".

38. The representative of the Secretary-General recalled that there had been an agreement within the working party to use the term "peoples", subject to the reservation that a statement would have to be included limiting its implications so far as self-determination was concerned. He recalled that in any case, this was a first discussion, that no one could be committed by what was agreed this year, and that every element of the conclusions of the present Committee would be subject to review during the further consultations.

39. As the Committee was unable to achieve consensus on this Point, it was decided that the expression "(peoples/populations)" should be used in its conclusions and in the proposed revised Convention, and that further deliberations would have to be held on it next year.

Point 2

40. The Committee had three amendments before it. First, the Workers' members proposed an amendment to delete the words "in independent countries" in Point 2(a), in order to enable better coverage of all governmental situations. The Employers' members

opposed the amendment since independent countries were already referred to in Article 1 of the Convention. A representative of the Secretary-General recalled that the 1986 Meeting of Experts had recommended that the revised Convention should apply to independent countries, and stated that a change could affect a number of other Conventions which dealt with indigenous populations in dependent territories. In view of the complications referred to, the Workers' members withdrew the amendment, with the proviso that they would review their position in a year's time. (In their second amendment, the Workers' members had proposed a similar deletion in Point 2(b), which was also withdrawn.) Another amendment presented by the Workers' members called for the insertion of the words "or the establishment of state supremacy" after the word "colonisation", in order to make the revised Convention apply to situations in which there had been neither conquest nor colonisation. The Employers' members believed that, because the phrase was a legally indeterminate expression, it could lead to difficulties in implementation. They opposed both remaining proposals. A number of Government members supported the amendment since it closed a potential loophole or mirrored national experience. After further discussion, the question was referred to the Working Party, which reported to the Committee that the amendment had been considered and then withdrawn.

41. The Workers' members had also proposed deletion of the word "traditional", which the Employers' members and some Government members opposed. The Employers' members felt it was against the sense of Convention No. 107. The Workers' members then sub-amended their amendment to substitute the word "own" for "traditional". The Employers' members felt that this formulation would lead to the Convention being interpreted as referring to both traditional and non-traditional institutions, which was not its intention. The proposal to replace the word "traditional" by the word "own" was adopted by 8,840 votes in favour, 7,237 against, with 680 abstentions.

42. Point 2, as amended, was adopted.

Point 3

43. The Employers' members introduced an amendment intended to permit the governments concerned to have an option, not an obligation, whether to consider self-identification in determining the population groups to which the Convention would apply. The Workers' members opposed the amendment, since it would weaken the text and self-identification was very important. A number of Government members expressed their views, most of which were opposed to the amendment. The amendment was withdrawn by the Employers' members. The Workers' members submitted an amendment to replace the word "important" by the word "fundamental", which they felt better reflected the approach of the Proposed Conclusions, and to delete the word "population" which they felt was superfluous. The Employers' members opposed the amendment, stating that the Office text already went quite far and that the proposed amendment would make implementation more difficult. The Government member of the

United States considered that while either term in the first part of the amendment was satisfactory, he wanted to ensure the maximum number of ratifications. The Government members of Brazil and India opposed the first part of the amendment. The Government member of Colombia expressed support for it. The first part of the amendment (to replace "important" by "fundamental") was adopted by 9,505 votes in favour, 1,190 against, with 7,820 abstentions. The second part of the amendment was referred to the Drafting Committee.

44. Point 3, as amended, was adopted.

Point 4

45. The Government member of the USSR introduced an amendment which would avoid ambiguity in the text by removing the word "other" before "tribal", and this was adopted.

46. Point 4, as amended, was adopted.

II. GENERAL POLICY

Point 5

47. On this Point the Committee had four amendments. The Government member of the United States proposed an amendment to replace "Governments" by "Member countries" in order to avoid confusion. In view of the clear understanding expressed by the Committee that the existing wording referred to governments of member States, and not to other governments (such as tribal governments), the amendment was withdrawn.

48. The Workers' members introduced a two-part amendment which they considered better reflected the new approach to be embodied in the revised Convention. First they proposed that the words "in co-operation with" be replaced by "with the full participation and consent of". The second proposal was to replace the words "for the protection of these peoples and the promotion of their rights" by the words "to guarantee respect for the integrity of these peoples and their rights". They considered that the amendment better reflected the aspirations of indigenous peoples. Concerning the first part of the amendment, the Employers' members and the Government members of Brazil, India and New Zealand considered that the original text was appropriate and opposed the amendment. The Government member of Argentina supported the expression "with the full participation", but opposed "with the full consent". The Government member of Venezuela stated that since the amendment was contrary to the Venezuelan Constitution, he opposed it. The Government member of the USSR supported it. The Workers' members suggested that the word "consent" be deleted from the amendment. This subamendment received broad support and the first part of the amendment as subamended was adopted by consensus. The Workers' members introduced the second part of the amendment and stated that the term "protection" had patronising overtones. They recognised the principle, however, and considered that it should be retained in the amended text. Several Government members supported this part of the amendment. The Employers' members did not consider that the term

"protection" was derogatory and opposed the amendment, as did the Government members of Canada and the United States. The Government member of India added that less developed tribal populations were in considerable need of protection and that he also opposed the second part of the amendment. The second part of the amendment was adopted by 9,690 votes in favour, 8,330 votes against, with 1,020 abstentions.

49. In the light of this decision, an amendment to replace the word "co-operation" by the word "partnership" submitted by the Government member of New Zealand, was withdrawn.

50. The Employers' member introduced an amendment which made it clear that the rights invoked would be legally recognised. In reply to a question by the Government member of Venezuela, the Employers' members indicated that their amendment would not refer to laws adopted by indigenous institutions, but to those adopted by national governments. Several Government members and the Workers' members considered that the amendment would make this provision too restrictive. The Employers' members withdrew the amendment.

51. Point 5, as amended, was adopted.

Point 6

52. The Government member of the United States introduced an amendment to Points 6(a) and 6(b) to add references to individual members of these peoples. The Employers' members supported this view. The Government member of Australia submitted an amendment to Point 6(a) and 6(c) to use the term "members of the peoples". This amendment was supported by the Government members of France and the United States, who accepted it as a subamendment to the United States proposal, and by the Employers' members. The Workers' members recalled that Convention No. 107 did not contain any references to individual persons and suggested that the amendment be subamended to read "the said peoples and their members" instead of "the said peoples". The Government member of Australia explained that support for collective rights was still contained in his amendment, as well as rights which were accorded to members of populations. The Government member of the United States supported this position and withdrew the amendment to Point 6(b). The amendments to Point 6(a) were adopted, as amended, by consensus.

53. Five amendments to Point 6(b) had been submitted. The Workers' members tabled an amendment proposing the replacement of "promoting" by "ensuring", and the insertion of "custom and traditions" after "cultural identity" and "their" before "institutions". The Workers' members explained that the purpose of the amendment was to strengthen the Office text. A number of Government members, supported by the Employers' members, opposed part of the Workers' members' amendment, which called for the use of the word "ensuring" rather than the word "promoting". The Government member of Norway pointed out that the amendment would not be in accordance with other ILO Conventions. In the light of this view, the Workers' members withdrew it.

54. The Government member of Canada also introduced an amendment to include a reference to customs and traditions, explaining that this amendment had been specifically requested by Canadian indigenous groups. The Government member of New Zealand, who had submitted an amendment intended to insert the concept of spiritual well-being, noted that it was covered by both of the previous amendments and withdrew it. An amendment proposed by the Government member of the USSR, which proposed the inclusion of a provision for the protection of indigenous populations' way of life at the end of Point 6(b), was withdrawn in view of its similarity to the one which was being discussed. The Employers' members considered that the amendment was unnecessary in view of the fact that the original wording encompassed traditional considerations. Several Government members supported the amendment, which was adopted by consensus.

55. An amendment to Point 6(c) was introduced by the Government member of the United States, calling for its replacement by the words "assisting the members of the peoples concerned to raise their standard of living to that enjoyed by other members of the national community". The Workers' members agreed with the principle that people should have a higher standard of living but considered that indigenous peoples should decide the issue for themselves. They submitted an amendment to replace the text of Point 6(c) by "ensuring an adequate standard of living of the peoples concerned and a process of development compatible with their aspirations and way of life". The Employers' members said that the amendment submitted by the Government member of United States was more appropriate and supported it. The Workers' members proposed a subamendment to the amendment submitted by the Government member of the United States to include references to those peoples' aspirations and ways of life, and withdrew their amendment. The Government member of the United States and the Employers' members supported the subamendment. Point 6(c) as amended was adopted by consensus, with reservations expressed by the Government member of Venezuela.

56. The Government members of Canada and the United States each proposed amendments calling for a new Point 6(d) which would address the encouragement of self-reliance and self-esteem. The Government of Canada supported the amendment of the Government member of the United States and withdrew her amendment. The Workers' members considered that the proposed new Point was paternalistic and superfluous in view of the agreement already reached on Point 6(a). The Employers' members supported the amendment and stressed the importance of fostering individual dignity. They felt that for clarity, economic self-sufficiency should be included and proposed a subamendment to this effect. The Workers' members proposed subamendments which they considered would better protect individual rights. After further discussion, the Government member of the United States withdrew the amendment. The subamendments were subsequently also withdrawn.

57. Point 6, as amended, was adopted.

Point 7

58. Alternative texts of this point were before the Committee, of which A was a new text and B would have deleted Article 2(3) of Convention No. 107. The Committee had four amendments before it. The Employers' members in an amendment called for the adoption of Alternative A. The Workers' members, who had submitted a similar amendment, withdrew it and supported that of the Employers' members which was adopted by consensus. The Government member of the United States submitted an amendment to add "Members of", but the amendment was not seconded. The Government member of Canada proposed an amendment to provide that the revised Convention would apply equally to males and females of these populations. The Workers' members were of the opinion that the amendment was superfluous and stated that international texts applied to all persons. The Employers' members and several Government members shared this view. The Government member of Norway supported the amendment. He felt that the status of indigenous women was often eroded as a result of economic changes and thus governments needed reminding of their duties towards indigenous women. A number of Government members voiced the same opinion. The Committee did not arrive at a consensus, and the amendment was not adopted.

59. Point 7 was adopted without change.

Point 8

60. An amendment submitted by the Government member of the USSR was not seconded. The Workers' members introduced an amendment to replace the text with one they felt corrected the impression that coercion could be acceptable. The Employers' members opposed this amendment because, in their opinion, it was no less ambiguous, and the original text provided for a greater measure of protection and assistance; in addition, it would not confine the prohibition on the use of force and coercion to the context of the Convention. The Workers' members then introduced a further subamendment. The Government member of Canada shared the opinion of the Employers' members and said that she also understood the need to link Point 8 to the provisions of the Convention. To this end she also proposed a subamendment. The Employers' members supported this subamendment, as did the Government member of the United States, who suggested a re-ordering of the words. The Government member of Portugal stated that she would have preferred to see the prohibition of the use of all force or coercion, but in view of the acceptability of the normal, legal use of force, by the police for example, she supported the thrust of the Workers' members' subamendment. She proposed a further subamendment which made this point. A representative of the Secretary-General informed the Committee that the intent of the Office text of Point 8 included a recognition that the normal use of force by governments against citizens, as for example in connection with law enforcement, would not be prohibited.

61. After further discussion of a compromise subamendment proposed by the Workers' members, Point 8, as amended, was adopted.

Point 9

62. Three amendments to Point 9 were submitted to the Committee. The Workers' members introduced an amendment to add a reference to territories, because of the overall importance of this concept to indigenous peoples. The Employers' members were of the opinion that, since there were already adequate provisions safeguarding land, it was inappropriate for it to be introduced in this Point. Several Government members agreed with these reasons and opposed the amendment. The Workers' members withdrew the amendment, reserving the right to raise the issue at the second discussion in 1989. The Government member of the USSR tabled an amendment to include mention of the environment in the text. The amendment was unanimously adopted. The Government member of New Zealand submitted an amendment calling for a monitoring procedure but withdrew it in view of the provisions in Point 13.

63. Point 9, as amended, was adopted.

Point 10

64. This point was the object of five amendments. The amendment tabled by the Employers' members was intended to amalgamate the two clauses in the Office text and delete the reference to a state of segregation. The Employers' members said that the wording proposed by the Office was inappropriate today, and that any protective measures that might be considered should not be contrary to the wishes of the population concerned. The Workers' members proposed a subamendment to delete reference to the duration and extent of any protective measures. The amendment, as subamended, was adopted unanimously.

65. Two amendments referring to the original text of Point 10 which were submitted by the Government member of the USSR and the Workers' members were no longer applicable. An amendment tabled by the Government member of the United States calling for the addition of a new clause was not seconded and therefore not considered.

66. Point 10, as amended, was adopted.

Point 11

67. Point 11 was adopted without change.

Point 12

68. The Employers' members proposed an amendment to Point 12(a) to delete the reference to social control which they considered to be inappropriate for an instrument of this kind. This amendment, which was supported by the Workers' members, was adopted by consensus. An amendment submitted by the Workers' members to delete the words "when they undergo social and economic change", which they felt was superfluous, was supported by the Government member of Australia and the Employers' members, and was adopted by consensus.

69. The Workers' members proposed an amendment to replace Point 12(b) with a more positive formulation, and to add the term "practices". The amendment was supported by the Employers' mem-

bers and the Government member of the United States and was adopted by consensus. The Government member of the United States and the Employers' members had also submitted amendments to add the term "practices", which were therefore not considered further.

70. As concerns Point 12(c), the Workers' members introduced an amendment to add a reference to participation, in a similar vein to an amendment adopted under Point 5. The Chairman pointed out that a discussion of a similar nature had taken place under that Point. The Employers' members supported the amendment which was adopted by consensus. As a result, a similar amendment tabled by the Government member of New Zealand was superseded and not considered.

71. Point 12, as amended, was adopted.

Point 13

72. The Government member of the United States withdrew an amendment to introduce the term "Member countries", as a similar question had already been dealt with under Point 5.

73. The Workers' members proposed a two-part amendment to substitute "obtain the informed consent" for "seek the consent", and to add that it should be "freely expressed through their own institutions". They considered it essential that indigenous peoples have a real influence on decision-making. The Employers' members opposed the amendment since, in their opinion, it implied a right of veto to indigenous populations over government action. The Government member of Canada supported the Employers' members' views and added that the amendment could threaten the supremacy of legislative bodies. She also felt that it might not always be possible for governments to obtain the views of every group. Several Government members supported this view. The first part of the amendment was rejected by 1,980 votes in favour, 2,880 against, with 180 abstentions. The Workers' members noted this decision with regret, as it was a crucial concern for the indigenous peoples.

74. An amendment calling for full consultation in lieu of seeking the consent was submitted by the Government member of the United States. A similar amendment proposed by the Government member of New Zealand was withdrawn in its favour. The Government member of the United States explained that it was his Government's practice to consult with tribal governments concerning new proposals which would affect them, and that this amendment provided for greater participation on the part of indigenous populations. The Employers' members supported the amendment and withdrew a similar amendment they had tabled. The Government member of Norway proposed a subamendment to change this to "consult fully with a view to obtaining the consent". The Workers' members proposed another subamendment to make the goal of consent stronger still. The Government member of Canada opposed the subamendments, particularly since she believed their adoption would jeopardise ratification of the revised Convention, stating that the amendment submitted by the Government member of the United States already implied what was stated in the Norwe-

gian subamendment. For her delegation, this language required not only formal consultations, but consultations in good faith through appropriate mechanisms. The Government members of Brazil, Ecuador and France further supported the United States amendment. The subamendment proposed by the Government member of Norway was supported by the Government member of Peru and by the Workers' members, who withdrew their subamendment in favour of it. The subamendment submitted by Norway was rejected by 2,034 votes in favour, 2,390 against, and 180 abstentions.

75. At the request of the Workers' members, in accordance with Article 65, paragraph 8, of the Standing Orders, a record vote was taken. The results of the vote were as follows: 2,163 votes in favour, 2,610 votes against, with 180 abstentions. The subamendment was rejected. The amendment which had been submitted by the Government member of the United States was adopted by consensus.

76. The second part of the Workers' members' amendment sought to replace "through appropriate procedures" by "freely expressed through their own representative institutions". The amendment was supported by the Employers' members. The Government member of Canada felt that the text was too restrictive and did not allow for individual consultation and she introduced a subamendment to ease the restriction. The Workers' members appreciated the intention and said they could support it if it was further subamended to emphasise the need for action where legislation was concerned. This text was adopted as subamended. The Employers' members tabled an amendment to add the word "directly", which was adopted.

77. As regards paragraph (b) of this Point, the Workers' members introduced an amendment to replace the proposed text by wording which would increase the emphasis on participation of indigenous and tribal peoples in decision-making. They proposed a subamendment to make the text focus on those directly affected by policies and programmes. A number of Government members supported the amendment, though there was some debate over whether the word "freely" should be included in the text. The Employers' members proposed an amendment designed to permit participation of the people concerned in administrative and other bodies, and the Government member of Japan submitted an amendment which would provide for their participation on an equal footing with other members of the national community. Several Government members were of the opinion that this proposal accorded with the philosophy of the paragraph and supported it. The Workers' members and a number of other Government members opposed the amendment since they felt it would cause problems for governments which had adopted measures of positive discrimination in favour of their indigenous and tribal populations regarding, for instance, representation in legislative bodies. The Government member of Japan pointed out that the concerns which had been voiced were adequately protected in Point 72. The Employers' members proposed that the amendment of the Workers' members be supported as subamended by the word "directly". The Government member of Colombia opposed the addition of the word "direct-

ly" because in his opinion it was undemocratic. The Government members of Peru and Venezuela shared this view.

78. The amendment, as subamended, was adopted. The Government members of Colombia, Peru, Venezuela and Japan expressed their reservations and the Government member of Japan said he would reintroduce his amendment at the 76th Session of the Conference. A Workers' members' amendment to reorder the Proposed Conclusions under Point 13 was withdrawn. Amendments by the Government member of New Zealand and the Employers' members were superseded by the adopted text and were therefore not considered.

79. The Workers' members tabled an amendment to Point 13(c) intended to strengthen the proposed text by adding a reference to resources and changing "initiative" to "initiatives" (English text only). The Employers' members were of the opinion that the amendment made the text too vague. They pointed out that the obligation of governments extended only to the provision of an opportunity for development. The Workers' members explained that the term "resources" was used in an economic sense and excluded natural resources; it was intended to refer to the means necessary to develop their own institutions. Several governments supported the amendment which was adopted by consensus.

80. Point 13 as amended, was adopted.

81. Before proceeding with Points 14-26, the Chairman invited the representative of the Indian Council of South America to express the general view of non-governmental organisations on the Points which dealt essentially with the development process, social order and internal laws of indigenous and tribal peoples. The speaker emphasised that an appropriate form of development for indigenous people, including economic and social progress, had to be achieved without force and the sacrifice of their identity and values. She stressed that indigenous people should be allowed to control their own development in line with a concept of participation and consultation, as emphasised by the United Nations and other specialised agencies including the ILO. She noted that the Workers' members had proposed several amendments which clarified and strengthened these arguments and she urged the Government members and the Employers' members to support them. She emphasised the importance of according respect to customary law rather than national laws to resolve internal disputes, and said that internal regulation was to a large extent more conducive to development and the preservation of cultural identity than social control imposed by States.

Point 14

82. The Workers' members submitted an amendment calling for the deletion of this Point. They said it contained old-fashioned language and was paternalistic, and that the concepts expressed were already contained in Point 6. There was considerable discussion on whether the proposed Point was valid and useful. The Government member of Bolivia stated that the Point was valid within the general objectives of promoting the development of indigenous populations. Several Government members expressed similar opinions. The Government member

of India advised against overemphasising the paternalistic aspect and the Government member of the United States preferred to see a full range of opportunities for development expressed in the document. In the light of their views, the Workers' members withdrew the amendment.

83. The Government member of New Zealand proposed an amendment to replace "co-operation" by "partnership" and to provide that these measures should be a matter of the highest priority. The Workers' members introduced a subamendment to amend "partnership" to "full participation and co-operation" and supported the amendment. The Committee discussed whether the terms participation, co-operation or consultation should be used, and noted that all three had been agreed to in different contexts. The Employers' members and several Government members were opposed to the use of the term highest in connection with priority, and stated that a high priority was sufficient. A consensus emerged that the term "participation and co-operation" was acceptable.

84. Point 14, as amended, was adopted.

Point 15

85. The Government member of Bangladesh made a general statement in which he explained the system of development relating to indigenous populations in his country, which included significant representation in parliament, various walks of life and professions. A member of the cabinet belonged to the tribal population. Tribal population had appropriate representation in the sub-district councils, district councils and municipal bodies, which were always consulted before any development project was undertaken. He pointed out that the objective of Convention No. 107 was to integrate tribal populations into the mainstream of national life so that they could benefit from economic progress. In his view, Point 15 was contrary to this objective and he had submitted an amendment calling for its deletion. However, in the light of the discussion on Point 14, he withdrew his amendment. Two amendments intended to emphasise participation and consultation but to retain the right of control of governments, were submitted by the Government member of India and the Employers' members. The amendments were considered jointly. The Government member of India said that while his Government supported the ideas of participation and consultation it had reservations about conferring the right of decision-making on any group. He felt that while the Office text for the revision had been drafted with good intentions, Point 15 was unrealistic in suggesting that these peoples be given the right to exercise control over the development process. This view was shared by the Employers' members so far as their amendment was concerned. The Government member of Brazil emphasised the need to have a Convention which would be widely ratified and supported the attempt of the Government member of India to introduce an element of flexibility. The Workers' members did not support the amendment of the Government member of India which, in their opinion, would severely weaken the influence of indigenous and tribal peoples on decision-making. This view was echoed by the Government member of Colombia.

86. The amendment submitted by the Government member of India was rejected by 315 votes in favour, 2,700 against, with 2,160 abstentions. The amendment submitted by the Employers' members was rejected by 2,430 votes in favour, 2,520 against, with 225 abstentions.

87. The Workers' members introduced an amendment to include the term territories in this Point. They withdrew that part of the amendment calling for its inclusion in Point 14 and the deletion of the word "should". The Employers' members said that the term territories was inappropriate in view of the objective of the text to allow indigenous populations to determine their own priorities. Moreover, they felt that the use of the term could cause legal difficulties and pointed out that it was included in the original Convention. Several governments expressed their opposition to the use of the term since it had implications for national sovereignty. The amendment was adopted by 2,565 votes in favour, 2,530 against, with 180 abstentions.

88. The amendment proposed by the Government member of New Zealand to include reference to spiritual well-being was supported by the Government member of Colombia who proposed a sub-amendment to include the term "belief". The amendment was adopted by consensus.

89. An amendment introduced by the Government member of Canada to add the words "to the extent possible", intended to leave the text flexible enough to ensure a higher level of ratification, was adopted by 3,465 votes in favour, 3,213 against, with 189 abstentions.

90. An amendment calling for the insertion of a reference to national legal standards was submitted by the Government member of Bolivia. The Employers' members felt that the text of Point 15 already covered the matter. The Workers' members held a similar view and the amendment was not adopted.

91. The Committee considered two amendments intended to safeguard participation by indigenous peoples in matters concerning them. The amendment proposed by the Government member of Peru was withdrawn in favour of that submitted by the Workers' members. The Employers' members considered that the original text was more appropriate and opposed the amendment. The Government member of Mexico stated in supporting the amendment that the involvement of these peoples in the process of development should be as broad as possible. The amendment was adopted by 3,402 votes in favour, 819 against, with 2,226 abstentions.

92. Point 15, as amended, was adopted.

Point 16

93. Five amendments had been submitted on Point 16. The Workers' members withdrew an amendment referring to the preservation of environmental integrity. They now felt this should be considered in Part III of the proposed revised instrument, and stated that they would return to it next year. A second amendment submitted by the Workers' members put greater emphasis on environmental impact studies and was intended to put an obligation on

governments to carry them out; it also added the word "spiritual". A more limited amendment to the same effect, which had been proposed by the Government member of Peru, was withdrawn in favour of the former amendment. The Government member of Peru said that governments should carry out social and other studies in developing plans involving indigenous populations. The Employers' members, and the Government member of Botswana, were of the opinion that the original text was more relevant and opposed the amendment. In supporting the amendment, the Government member of India considered that the clause should start with the words "Wherever appropriate". The Government member of Japan supported this view. After several Government members had expressed their support for the Workers' members' amendment, the Employers' members withdrew their opposition and the amendment was adopted by consensus. The Government member of Japan expressed his reservations over the adoption. In view of the adoption of the Workers' members' amendment, the Government member of New Zealand withdrew a related amendment.

94. The Workers' members tabled an amendment intended to require governments to ensure that the peoples concerned had adequate resources to carry out such studies for themselves. The Employers' members and several Government members expressed their opposition since they were of the opinion that its adoption would result in the undertaking of parallel sets of studies. The Workers' members proposed a subamendment to modify the text to require governments to make adequate resources available for indigenous people to carry out studies for themselves. The Employers' members opposed the subamendment since in their opinion it was unnecessary and would dilute the impact of the Convention. The Workers' members withdrew the subamendment, reserving the right to address the issue at the 76th Session of the Conference.

95. Point 16, as amended, was adopted.

Point 17

96. The Workers' members introduced an amendment calling for the recognition and respect of the customary laws of the peoples concerned in the application of law to the said people. They said that for them such a provision was an important principle. The Employers' members considered that the amendment would lead to preference being given to customary law and thus possible conflict with written legislation. They preferred the text proposed by the Office, which paid due regard to customary law. The Government member of Norway pointed out that the terms "recognise" and "respect", when interpreted in a legal sense, could give preference to customary law and thus make ratification difficult. Several Government members shared these views and opposed the amendment. A subamendment offered by the Workers' members to use the word "rules" was considered by the Government member of Japan to be ambiguous and was subsequently withdrawn, along with the amendment itself.

97. An amendment submitted by the Government member of Canada to replace "customary laws" by the word "customs" was withdrawn in favour of an amendment tabled by the Employers' members to

use the words "customs and traditions". The amendment was rejected by 3,376 votes in favour, 3,780 against, with 189 abstentions.

98. Point 17 was adopted without change.

Point 18

99. The Workers' members submitted an amendment calling for the deletion of Point 18. They were of the opinion that its contents were covered in a number of other Points [6(b), 9, 12(b)]. The Employers' members felt that the Point was fully relevant since it used positive wording which could be agreed by all. This view was shared by the Government member of Canada. The Workers' members withdrew the amendment.

100. The Government members of Australia, India and Japan each tabled similar amendments calling for the insertion of a reference to the national legal system. The Workers' members, in opposing the amendments, said that procedures and national laws were covered in the proposed Point 19. The Government member of India drew attention to the importance of national legislation as a part of the democratic process. The Government member of Colombia was of the opinion that the Convention should be forward-looking, in particular as legal systems were continually evolving. He felt it was important not to be restrictive by referring to national legal systems and he opposed the amendments. The Government member of Portugal said that with the text proposed by the Office it might be possible to have legal systems which were not compatible with international human rights. The Workers' members submitted a subamendment calling for the addition of the words "fundamental rights defined by the national legal system". The Government member of Bolivia supported the subamendment. The Government members of India and Australia withdrew their amendments in favour of that of the Government member of Japan. The Employers' members supported the amendment and the subamendment, which were adopted by consensus. An amendment offered by the Government member of New Zealand was not seconded.

101. The Government members of Denmark, Finland, Norway, Portugal and Sweden expressed their concern over the legal implications of the amended wording on the grounds that it could result in restrictions to human rights. They expressed their reservations on the amendment, and stated that they would return to this question at the 76th Session of the Conference. The Workers' members regretted that these reservations had been made after adopting the amended working.

102. Point 18, as amended, was adopted.

Point 19

103. The Government member of Australia proposed an amendment calling for the deletion of Point 19. He said that since the proposed text did not recognise the primacy of national law, it could cause difficulties in countries which otherwise might ratify the Convention. Moreover, he considered that Points 17 and 18 gave sufficient coverage of the ideas expressed in this point. A majority of the Government members who spoke supported the amend-

ment, as did the Employers' members. The Government member of Portugal said that it was up to the government concerned to decide on procedures. The Government member of the United States stated that his country has procedures to resolve such conflicts. Both opposed the amendment. The amendment was adopted by 3,591 votes in favour, 3,402 against, with 315 abstentions.

104. As a result of the adoption of the amendment, two amendments submitted by the Employers' members and the Workers' members to amend the original text were not considered.

105. Point 19 was deleted from the Proposed Conclusions.

Point 20

106. The Government member of Australia introduced an amendment to delete the words "according to their individual capacity", which in his view were patronising. The Workers' members withdrew an amendment to rephrase Point 20, in favour of the Australian amendment. The Employers' members supported the amendment, which was adopted by consensus. An amendment tabled by the Government member of Australia to delete a reference to Point 19 had been superseded by the deletion of Point 19 from the Proposed Conclusions.

107. Point 20, as amended, was adopted.

Point 21

108. The Workers' members introduced an amendment intended to rephrase this Point to require that the methods normally used by these peoples for dealing with internal matters be respected, and introducing the concept of the imposition of penalties which were compatible with internationally recognised human rights. The Government member of Argentina proposed a subamendment to ensure that due regard should be had to the methods used, in a way consistent with the phrasing of Point 17. The Employers' members and several Government members considered that the text which had been proposed by the Office was more appropriate. A vote was taken at the request of the Workers' members. The subamendment was rejected by 180 votes in favour, 4,219 against, with 567 abstentions. The amendment was rejected by 2,961 votes in favour, 3,106 against, with 441 abstentions.

109. The Government member of Peru tabled an amendment calling for the insertion of the words "and the standards and institutions recognised" before the words "by the peoples concerned" in the text proposed by the Office, which would enable the intention expressed in the text to be compatible with national legal systems. The Workers' members supported the amendment. The Government member of Bolivia expressed support for the amendment and pointed out that some peoples may have developed traditional legal systems, including penal systems, and the amendment recognised the fact. The Employers' members considered that the amendment would overly broaden the scope of the text, going beyond respect for the customary methods of peoples for dealing with offences, and they opposed the amendment. This view was shared by the Government member of Japan. The Government member of

Norway could not support the proposed amendment because it was sufficiently covered by other Points already adopted. The amendment was rejected by 3,339 votes in favour, 3,465 against, with 504 abstentions.

110. Point 21 was adopted without change.

Point 22

111. The Workers' members tabled an amendment calling for the inclusion of an introductory phrase which was used in Convention No. 107 and for a requirement that the customs of these peoples be respected, which they considered would accord better with the wishes of indigenous peoples. The Employers' members felt that the amendment was too restrictive and that the text proposed by the Office was neutral and thus had a broader application. The Government member of the United States expressed a similar view. In answer to a question, a representative of the Secretary-General said that the proposed text was compatible with other ILO texts in stating that these customs should be "taken into consideration", and that it had been drafted with a view to making it generally applicable. The Workers' members subsequently withdrew the amendment.

112. Two similar amendments, to ensure that national legal systems were taken into account, were submitted by the Government members of Canada and Japan. The Government member of Japan stated that penal law, which was the foundation of public order in a country, should be applied equally. The Government member of Australia opposed the amendments which he felt would not allow account to be taken of customs and traditions in the way the Office text did. The Government member of Norway voiced the same opinion and said that the amendments would limit the possibilities for governments to take into account these peoples' customs. The Workers' members and the Employers' members opposed the amendments, the latter stressing that customs should not be given the same status as national law. The amendments were not adopted. The Government member of Peru withdrew an amendment referring to standards and institutions, but reserved the right to resubmit the matter at the 76th Session of the Conference.

113. Point 22 was adopted without change.

Point 23

114. The Workers' members table an amendment to delete the introductory phrase because they felt that there was no need to provide for exceptions in such cases. The Government member of Colombia supported the amendment. The Employers' members were of the view that the principle of equality before the law must be maintained. They felt that the deletion proposed would afford preferential treatment to indigenous populations and opposed the amendment. They felt, however, that the proposed text could be improved by reversing the order of the phrases. The Government member of the United States supported this point of view, and the Government member of the USSR said that the text proposed by the Office was flexible enough to cover the different circumstances in various countries. In view

of the opinions which had been expressed, the Workers' members withdrew the amendment.

115. Point 23 was adopted without change subject to rearrangement of the text.

Point 24

116. The Government members of Canada and New Zealand each proposed an amendment to delete the word "specially" since they felt it could create uncertainty, and in their opinion this point needed to underscore the fact that everyone should be safeguarded against abuses of fundamental rights. The Government member of Colombia, in opposing the amendment, said that it was necessary to mention special safeguards of fundamental rights. The Workers' members felt it important to ensure that the possibility of adopting special measures should remain, and it was agreed that this amendment would not preclude this. The amendment was adopted by consensus.

117. The Workers' members submitted an amendment to ensure that these peoples would have the right to use their own languages in legal proceedings. In answer to a question, a representative of the Secretary-General stated that the Committee of Experts had taken the position that this right was implied within the concept of effective protection. Several Government members who expressed support for the amendment shared the opinion that a denial of this right could become a denial of justice. A subamendment introduced by the Employers' members to qualify the amendment by using the term "in so far as possible" was not supported and was withdrawn. The amendment was adopted by consensus.

118. An amendment calling for the addition of a sentence which would ensure the right of these peoples to use their own languages in legal and administrative proceedings was tabled by the Workers' members. Several Government members considered it important that indigenous and tribal populations should have the right to be understood in court, although a number of Government members expressed doubts on the practicality of being able to provide sufficient linguistic services. As a means of improving the applicability of the text, the Workers' members proposed a subamendment to delete the reference to administrative proceedings. The Employers' members supported this proposal and the amendment was adopted.

119. Point 24, as amended, was adopted.

Point 25

120. The Workers' members, noting that the imposition of penalties specified by national legal systems, particularly imprisonment, could be disruptive of community life, introduced an amendment which would allow giving preference to imposing penalties according to customary law. The Government member of Japan considered that it was not appropriate to adopt a general principle in this respect and opposed the second part of the amendment. He proposed that the amendment he had offered linking penalties to compatibility with the national legal systems should be considered as a subamendment. The Government member of Colombia opposed the amendment because he felt that it would make the

scope of the provision too narrow. He agreed with the text proposed by the Office in which economic, social and cultural characteristics should be taken into account. The Employers' members also preferred the Office text. The Government member of Australia was of the opinion that the original text followed logically from Point 22, which was adopted without change, and he therefore supported it.

121. The Workers' members withdrew their amendment in favour of one which had been submitted by the Government member of Peru. They proposed a subamendment to delete the reference to economic, social and cultural characteristics. The Government member of Japan supported the amendment. The Government member of Norway felt that the scope of the amendment was too narrow and supported the text opposed by the Office. This view was shared by several Government members and by the Employers' members and the amendment was not adopted. As a result, the amendment by the Government member of Japan was also not adopted.

122. Point 25 was adopted without change.

Point 26

123. An amendment to delete the Point on the grounds that it was paternalistic was submitted by the Workers' members, who then proposed a subamendment to give preference to other methods of punishment than confinement in prison. The Employers' members stressed that alternative penalties could only be imposed if contemplated in national law, and if this text recognised this they could support the amendment. The Government member of Japan said that Point 26 concerned the essence of how criminal sentences should be carried out and referred to the amendment he had submitted concerning the essential aim of rehabilitation. The Government member of Australia strongly supported preference being given to other forms of punishment as in the Workers' members' amendment. The Government member of Colombia suggested that any readaptation should be consistent with the cultures of the persons concerned. The Government member of the United States supported the amendment, which in his opinion gave sufficient flexibility as it stood. The amendment was adopted as subamended and, as a result, the amendment proposed by the Government member of Japan was not considered.

124. Point 26, as amended, was adopted.

III. LAND

125. The Committee had 77 amendments before it on the section concerning land, and it decided to refer the entire section to a Working Party. The Working Party held three sessions and reported to the Committee that since there were deeply divided views on several aspects of this issue, it was unable to reach a consensus in the time available. The Committee agreed to the Working Party's suggestion that it postpone the detailed examination of the Proposed Conclusions in Part III of Report VI(2) and of the amendments submitted to it. The Committee also agreed with the recommendation of the Working Party that the Employers' and Workers' members and the Government members of the Committee

should, if they wished, make general statements on the whole section, and that these statements together with the Proposed Conclusion in Report VI(2), should be used as the basis for discussion at the 76th Session of the Conference.

126. The Chairman pointed out that in accordance with the Standing Orders of the Conference, the Office must use the text which emanated from the Committee for the next consultation with Governments, Employers and Workers. He advised that when addressing the section on land, the Office would use the text of the Proposed Conclusions in Report VI(2). When comments were received, the Office would thus prepare the final draft of the revised Convention on the basis of the general statements on land made in the Committee, the amendments which had been submitted and the elements of agreement which were attained in the Working Party.

127. A representative of the Inuit Circumpolar Conference, speaking for the accredited non-governmental organisations, made a statement on indigenous lands and resources. The speaker reiterated that guaranteed access and rights to an adequate land and resource base were crucial to the survival and growth of indigenous peoples. She stressed that if the revised Convention was to be a useful instrument, the fundamental territorial and resource rights of indigenous peoples must be respected by it, and that without adequate land and resource provisions the Convention would not provide a meaningful framework for the world's indigenous and tribal peoples. In this context, she referred particularly to the principal government responsibility to guarantee respect for the integrity of indigenous peoples and their rights. The speaker advocated a broad and flexible approach to revising the Proposed Conclusions on land so that land and resource rights would not be unfairly limited. She noted that although the term "territories" was preferred by indigenous peoples, they would support the use of the term "lands" as well in appropriate contexts, in recognition of concerns that had been expressed by a number of governments. She underlined the importance of including the concept of indigenous control and consent in the Convention, and stressed that involuntary removal from land was repugnant and contrary to the objectives of the revised Convention. The speaker expressed special concern over amendments before the Committee which would not establish a general principle of recognition of land rights, including traditional occupation. The speaker also emphasised the importance of treaty rights. Finally she urged all members of the Committee to consider land issues sensitively and to speak in 1989 with a unified and affirmative voice concerning land rights.

128. The Workers' members supported the restructuring of the Proposed Conclusion on land, and felt that it was counterproductive to try to be too precise in order to cover every conceivable situation in addressing the land issue. Different indigenous and national economies and land tenure systems should be taken into account in agreeing broad principles, and it should be left to the supervisory machinery of the ILO to avoid unjust application. In the view of the Workers' members, the fundamental goal was to secure and respect the land base and therefore

the way of life of entire communities, and for this reason they strongly favoured the use of the term "territories", which included waters, sea ice, sea areas, etc. It was important for communities to control the development of their territories. The Workers' members suggested that the major concerns of governments and employers in relation to the recognition of land rights should be identified and addressed with a view to developing a better notion of the scope and nature of claims procedures. They felt that indigenous peoples should not have to accept any form of land rights less than the highest form of ownership or tenure accorded to others in the country. Greater attention needed to be paid to the right of these peoples to maintain their relationships between the land and their culture. So far as subsoil resources were concerned, the Workers' members argued that it was essential that there existed provision for far greater control by indigenous peoples, particularly a requirement that their informed consent be obtained. They felt it important that the question of subsoil exploitation be separated from issues relating to removal or relocation.

129. The Employers' members noted that many legal and political concepts concerning land, such as the term "territories", had not been defined in binding terms. They felt exclusive rights to territories or resources could not be attributed to one sector of the population. They recalled that the rights to subsoil resources were held by the State in most countries, while only a few recognised private ownership of these resources. Since it was difficult to make absolute statements on this important issue, they favoured the adoption of a position which would not interfere with the rights of States, but which would call for consultation with indigenous and tribal peoples concerning resource development, and the protection of their living conditions as far as possible. The Employers' members supported the Proposed Conclusions in so far as they contemplated the removal of peoples concerned from their habitual territories only in exceptional circumstances. They considered it important to include specific references to the need to protect property ownership and the use of traditionally-occupied land (a term they preferred to "territories") in national legislation, and agreed that it was necessary to create adequate procedures to deal with land claims. In conclusion the Employers' members said they did not deny any legitimate aspirations of indigenous peoples concerning land and that they were contributing in a constructive and realistic way towards achieving the best solution.

130. The views of 19 Government members of the Committee were presented. A significant number of speakers were of the opinion that the Proposed Conclusions on land submitted by the Office were largely or entirely acceptable since they accorded closely with existing national legislation. Several Government members referred to their earlier statements in the general discussion and described their legislation, or the programmes and policies which had recently been implemented or were being contemplated so far as land rights were concerned. The Government member of Brazil explained the priority being considered in his country to assure to indigenous populations permanent rights to a portion of Brazilian territory. The Government member of Argentina supported the general content of the Part III con-

cerning land since he felt that it coincided closely with the legislation recently approved in his country. This law provided free grants of land to indigenous communities and declared them inalienable and free from taxation. The indigenous communities were therefore guaranteed adequate protection for the ownership and possession of land. He also stated that the references made to the ownership of the subsoil in Point 30 of Part III would contradict Argentina's legal and constitutional requirements. The Government member of Botswana drew the Committee's attention to the activities in his country which were designed to make land available to remote area dwellers who had been displaced from their territories. The Government member of the Philippines referred to the development of legislation in her country to delineate the boundaries of ancestral lands and ensure the rights of ownership. A number of speakers pointed to the important connection between indigenous culture and land, especially the collective aspects. In this regard, the Government member of Australia considered that the rights to land for indigenous people should be viewed as collective rights rather than belonging to any specific individual. The Government member of Venezuela felt that a closer analysis of ownership, possession and national resources was necessary within the context of the revision of Convention No. 107, bearing in mind different legal provisions in each country. He pointed out that his Government would be unable to agree to any provisions under which the right to ownership would not be in accordance with Venezuelan legislation.

131. The Government member of India agreed with the view of the Office, expressed in Report VI(2), that the question of land rights would pose complex problems in trying to achieve international standards with many different national systems. He gave as an example the designation of scheduled areas in India, the means which had been adopted for preventing the transfer of tribal lands to non-tribal people and for the restoration of alienated tribal lands, and the measures taken to protect the tribal populations in relation to the control and exploitation of subsoil resources which are owned by the State. He specified that even the Scheduled Areas had sizeable non-tribal populations in his country, and that there was no provision for community land ownership, except in the northeast of the country, stating that this position should be explicitly taken into account in the proposed revised Convention.

132. The issue of expropriation of lands was raised by several speakers. The Government member of Canada stated that it was one of the principal themes of the section on land, and the Convention should ensure that indigenous populations could only be removed from their lands in exceptional circumstances, and only then in accordance with procedures which allowed for adequate compensation. The Government members of Australia and Norway emphasised the need for a provision which would deal with the expropriation of land of indigenous peoples which did not involve their actual removal.

133. The need to develop and agree on terms which would allow flexibility of implementation was raised by a number of speakers. The Government

member of Canada felt that the Proposed Conclusions should reflect sufficient flexibility with respect to the recognition of different rights based on the traditional occupancy of land. The Government member of India said that the Convention should not aim at setting a single international standard, since this would not be in the interests of indigenous populations and the lands they inhabited. The Government member of Denmark pointed to the desirability of reaching agreements which were dynamic and could be expanded to meet changing situations. The Government member of Norway, speaking on behalf of three Scandinavian countries, said that flexible language which met the various situations of indigenous peoples with regard to land, including their national, social and legal systems, was essential if universal acceptance of the Convention was to be achieved. Moreover, he said that the flexibility must be accompanied by strong protection of rights within the various systems. The Government member of Denmark stressed the importance of protecting both the environment and subsistence rights in connection with the land, including the necessity of international co-operation on environmental matters.

134. A number of speakers expressed the view that the terminology used in relation to land needed to be clear and consistent. The Government member of Canada pointed out that important differences existed between the concept of traditionally occupied lands and other lands to which title has been granted within the legal system. The Government member of India felt that the term "land" should be retained wherever possible because the term "territory" had national, international and legal implications.

135. The Government member of Bangladesh expressed strong reservations over the proposal to widen the scope of Convention No. 107. He explained that the Proposed Conclusions did not accord with the Constitution and law of Bangladesh, and considered that the Convention in its current form upheld the legitimate rights and interests of the tribal populations. He felt that amendments would result in difficulties for the policies and programmes of member States. Moreover, he considered that the Proposed Conclusions did not conform to the intent, purpose and spirit of the provisions of Convention No. 107, and that they were likely to cause divisions within developing countries at a time when unity was very important. The speaker concluded by stating he believed that even if the amendments were adopted, they were likely to be challenged in the courts of law and legislative bodies of some member States because of contradictions between the existing provisions of Convention No. 107 and the proposed revised text, and the constitutional provisions and other laws on the subject.

136. The Government member of Denmark expressed the view that the coming year which would be available to discuss further the land rights provisions of the revised Convention would be a crucial one for the indigenous people within the United Nations system. He noted that the outcome of the meeting of the United Nations Working Group on Indigenous Peoples might be of value in this regard. The Government member of Norway, speaking on behalf of several Government members, assured the Committee that they were ready to pursue the aims

of the revision in a spirit of constructive co-operation. He said that the Government members were confident that the Committee would adopt a final text on land rights in 1989.

IV. RECRUITMENT AND CONDITIONS OF EMPLOYMENT

137. A representative of the Nordic Same Council, as spokesman for the accredited non-governmental organisations, made a statement concerning the Proposed Conclusions on recruitment and conditions of employment. He stated that most indigenous peoples existed in subsistence economies and stressed that the revised Convention should aim to uphold economic and development strategies in these areas. The non-governmental organisations fully respected the ILO's capacity to promote the improvement of recruitment and employment conditions. He emphasised, however, that particular attention should be paid to vocational training, handicrafts and rural industries, and in particular to traditional ways of resource utilisation, having due regard to the indigenous philosophy of environmentally sustainable development. He pointed out that the subsistence economies practised by many indigenous peoples were often seen as an obstacle to development, particularly where the exploitation of natural resources was concerned. Development had often been accompanied by dispossession of the lands these peoples occupied and their isolation from the development process and the acquisition of new skills, resulting in their marginalisation in society. He stressed the vital cultural component of traditional activities as well as the significant economic impact these activities had on the communities concerned.

138. He pointed out, however, that the possibilities of development of these peoples should not be confined to traditional activities because of the limiting effect on options for development. Rather, he emphasised that indigenous peoples should be given the opportunity to prepare for alternative occupations and activities as well as enhancing their technical skills, a course of action which would require financial support as well as the enhancement of training.

Point 41

139. The Workers' members introduced a three-part amendment which proposed that the words "Each member" be replaced by "Governments"; that the element of collaboration be introduced; and that protection should be provided for to the extent that these peoples were not effectively protected by law. They explained that the thrust of the amendment was to enable these peoples to assume a larger degree of responsibility for their own affairs. Sub-amendments, to include the term "full co-operation", and to delete the final clause of the amendment which referred to laws adopted by the peoples concerned, were proposed by the Employers' members and accepted by the Workers' members. The amendment was adopted by consensus. As a consequence the Government member of Colombia withdrew an amendment, the intention of which had been incorporated in the Point.

140. Point 41, as amended, was adopted.

Point 42

141. The Committee had six amendments before it. The first, submitted by the Government member of Colombia, called for Governments to prohibit and penalise discrimination. In response to a question, the representative of the Secretary-General explained that the terms of the amendment were not used in other ILO instruments on discrimination. The amendment was not adopted. The first of five amendments tabled by the Workers' members called for the replacement of words "Each Member" by "Governments", and was adopted. The second amendment to qualify "discrimination" with the adjective "adverse" was opposed by the Employers as being unnecessary and was withdrawn.

142. A third amendment submitted by the Workers' members to add a reference to measures for promotion and advancement in Point 42(a) was adopted.

143. The Workers' members proposed an amendment to introduce a new Point 42(c) to extend the coverage of Point 42 to equality of opportunity and treatment in employment between men and women and protection from sexual harassment. The Employers' members considered that equality was already adequately covered in Point 42 and that there was no need to specifically mention sexual harassment, in view of the widespread legislation against it, and opposed the amendment. Following the support of the amendment expressed by several Government members, the Employers' members withdrew their opposition. The amendment was adopted by consensus, subject to the Drafting Committee's suggestion on where it should be placed. It was later incorporated in Point 43.

144. The Workers' members introduced their fifth amendment to Point 42, calling for the expansion of the coverage of benefits in the original Point 42(c) to all social security benefits and other occupationally-related benefits. The Employers' members considered that, since Part VI of the proposed Conclusions referred to social security, this section should be restricted to conditions of employment and they opposed the amendment. The Chairman expressed the opinion that the Workers' members' proposal was pertinent in that it dealt with social security in a general rather than a specific way. In view of this explanation, the Employers' members withdrew their objection to the amendment, which was adopted by consensus.

145. Point 42, as amended, was adopted.

Point 43

146. On this point, the Committee had eight amendments before it. An amendment to place this Point before Point 42 submitted by the Workers' members, was withdrawn. The Employers' members proposed an amendment to reorder the terms of Point 43 while retaining its substance. The amendment was withdrawn after discussion.

147. The Government member of the United States tabled an amendment to Point 43(a) calling for the same measures of protection for indigenous populations as for other workers in the same sectors. A subamendment to delete a reference to recruit-

ment and conditions of employment was proposed by the Workers' members and accepted by the Government member of the United States. The amendment, as subamended, was adopted by consensus.

148. An amendment which called for the inclusion of contractual and casual workers in Point 43(a) was submitted by the Workers' members. Following a discussion on the use of the term "contractual", the Employers' members accepted a proposal to use the term "those employed by labour contractors" and the amendment was adopted.

149. Amendments submitted by the Government member of Japan to delete Point 43(b), and by the Government member of New Zealand to add the term "compulsorily" after "subjected", were not seconded and were not considered. The Government member of Colombia introduced a two-part amendment to delete references to specific kinds of coercive recruitment systems. The amendment was not supported either by the Employers' members or the Workers' members and was withdrawn.

150. The Government member of Peru submitted an amendment calling for the addition of a clause designed to ensure that governments made sure that the peoples concerned were aware of their rights under labour legislation. The Government member of Portugal felt that the text should provide instead that these people were informed of their rights. The Employers' and Workers' members supported the amendment which was adopted. The Drafting Committee was requested to take into account the subamendment proposed by the Government member of Portugal when finalising the text.

151. Point 43, as amended, was adopted.

Point 44

152. An amendment to place an explicit obligation on governments to provide labour inspection services was submitted by the Workers' members. The Employers' members were of the opinion that the text proposed by the Office was more precise and did not support the amendment. The Chairman noted that an amendment which had been tabled by the Government member of Japan was consistent with the amendment submitted by the Workers' members. The Workers' members proposed to subamend the text supplied by the Office by adding to it the final part of their amendment, to the effect that the inspection services should ensure compliance with this part of the Convention. The Employers' members accepted the subamendment, which was adopted. The Government member of Japan announced that he reserved his position on this point.

153. Point 44, as amended, was adopted.

Point 45

154. The Workers' members introduced an amendment to add the words "at least equal", since indigenous peoples were the weakest part of society and special efforts were required on their behalf. The Employers' members supported the amendment, which was adopted by consensus.

155. Point 45, as amended, was adopted.

Point 46

156. An amendment introduced by the Workers' members calling for the strengthening of the text by the insertion of the words "special" and "effectively" before "measures" and "promote" respectively, and to add the word "all" before "vocational training programmes", found no support and was withdrawn.

157. The Government member of Colombia introduced an amendment designed to ensure the participation of the peoples concerned in the design and execution of vocational training programmes, since in his view they were rarely consulted at these stages. The amendment was supported by the Government member of Peru. The Employers' members pointed out that governments could not always allow for intervention in the design of programmes and opposed the amendment. The Government member of Canada said that the key words in the Point were "general application" and she felt that the amendment would give a greater degree of privilege to one sector of the community. She therefore opposed the amendment. The Workers' members said that they preferred the original text and the amendment was not adopted.

158. Point 46 was adopted without change.

Point 47

159. The Workers' members introduced an amendment to strengthen the obligation on governments and to provide for participation by the peoples concerned. The amendment was adopted by consensus. As a result, amendments which had been submitted by the Government members of Japan, New Zealand and the United States were not considered. The Government member of New Zealand reserved his position on the Point, and advised that he might raise it at the 76th Session of the Conference.

160. Point 47, as amended, was adopted.

Point 48

161. The Workers' members submitted an amendment designed to reflect these peoples' aspirations. The Government member of Denmark expressed his support for the amendment. The Employers' members felt that the text proposed by the Office was more precise and opposed the amendment. This view was shared by the Government members of Bolivia and the United States. The amendment was not adopted. An amendment calling for the amalgamation of Points 48 and 49 was tabled by the Employers' members. A subamendment was proposed by the Workers' members which would delete in Point 48 the word "progressively" in referring to the assumption of responsibility, and add the concept of choice concerning the acceptance of training programmes. Several Government members preferred the retention of "progressively" in order not to place sudden new burdens on indigenous and tribal institutions. The Employers' members' amendment was adopted.

162. Point 48, as amended, was adopted.

Point 49

163. As a result of the decision to amalgamate Points 48 and 49, amendments submitted by the Government member of Canada and the Workers' members were not considered.

164. Point 49 was deleted.

Point 50

165. The Committee had five amendments before it on this Point. The Workers' members tabled an amendment which would reword the clause with a view to recognising the right of these peoples to carry out traditional activities as they wished. The Workers' members accepted a suggestion of the Employers' members that a reference to rural industries should be retained from the original text. The Government member of the United States felt that the amendment read as though subsistence economies would have to be retained at all costs. He tabled an amendment which he considered took the possibility of alternative means of economic development into account. The Government members of Japan and New Zealand proposed amendments which they considered would avoid confusion between economic and cultural development, and which they felt would clarify some of the terms. There was general support for the sentiments contained in the Workers' members' amendment. In order to reach an agreed formulation, the Government member of the United States proposed to subamend his amendment to add a reference to subsistence economies; to the recognition, strengthening and promotion of traditional activities; and to the protection of their integrity. The Employers' members accepted the revision and the amendment was adopted and referred to the Drafting Committee for editing. It was agreed that the thrust of the other amendments had been incorporated in the text.

166. Point 50, as amended, was adopted.

Point 51

167. The Workers' members introduced an amendment to combine the texts of Points 51 and 52. The Government member of the United States referred to the necessity of avoiding the intrusive provision of technical co-operation against the will of the peoples concerned, and suggested that their wishes should be taken into account in the amendment. With this proviso, he withdrew an amendment that he had submitted to this effect. The Employers' members, in supporting the text proposed by the Office, said that it was important that governments had the option of providing assistance. The Workers' members were of the opinion that the obligation to provide financial as well as technical assistance, was most important. They noted that nothing was said about financial assistance, and stated that their formulation would cover both direct financing and the provision of credit facilities. Following discussion of ways in which a conditional statement could be incorporated, the Committee agreed to a formulation in which the Workers' members' amendment would commence with the words "Upon the request of the peoples concerned, technical and financial assistance should be provided".

168. Point 51, as amended, was adopted.

Point 52

169. In view of the amendment to Point 51, Point 52 was deleted.

VI. SOCIAL SECURITY AND HEALTH

Point 53

170. The Government member of New Zealand proposed an amendment to ensure that social security schemes were provided equally to all sections of the community. The Employers' members, while sympathising with the intent of the amendment, pointed out that, for economic reasons, not all countries had universal social security schemes. This opinion was shared by the Government member of India. The Government member of Colombia stressed that it was not possible to define the extent to which all sectors of the community should receive social security benefits. In his opinion, the text should make it clear that governments should not be required to provide social security to all the population in the short term.

171. The Workers' members, in supporting the amendment, said that where social security schemes existed, they demanded universal application and proposed the elimination of the word "progressively". In their view, the issue was not the existence of social security schemes but the extension of their coverage. A number of possible subamendments were proposed, which might meet the objectives of those wishing to stress universal application of social security schemes. The Government member of New Zealand proposed to amend the Office text by the addition of the words "without discrimination against them". This subamendment received broad support and was adopted by consensus. The Government delegate of India stated that he had wished to see emphasis given to schemes which were specifically directed towards these groups, as in his own country, and he reserved his position on this Point. Two other amendments submitted by the Workers' and Employers' members were covered in the agreed text and were not considered.

172. Point 53, as amended, was adopted.

Point 54

173. The Government member of United States introduced an amendment to add a requirement that resources be provided to allow indigenous peoples to assume control of health services, where they wished to do so. The Workers' members supported the amendment and consequently withdrew one they had submitted on the same Point. In response to a question by the representative of the World Health Organisation, the representative of the Secretary-General stated that the reference to the highest attainable standard of physical and mental health had been based on the wording of the International Covenant on Economic, Social and Cultural rights. The Employers' members supported the amendment, which was adopted by consensus.

174. Point 54, as amended, was adopted.

Point 55

175. The Committee considered two similar amendments which had been submitted by the Government member of Canada and the Workers' members. The former stated that her amendment referred to the important issues of community-based health services, their provision, and the training of health workers. The Workers' members supported the amendment, withdrawing their own proposal, and proposed that "and medicines" be added to "health practices". The Government member of Colombia raised the issues of the holistic approach to traditional medicine and the important role of practitioners of traditional medicine, and hoped that they would be taken into account at the 76th Session of the Conference. He suggested that a reference also be made to preventive health care. The Employers' members supported the amendment which was adopted as subamended. An amendment tabled by the Government member of New Zealand was withdrawn in the light of previous discussion.

176. Point 55, as amended, was adopted.

Point 56

177. The Workers' members introduced an amendment to include in the text a requirement for the participation of the peoples concerned. The Employers' members supported the amendment and proposed the incorporation of their own amendment to add "of the country". The amendment was adopted by consensus.

178. Point 56, as amended, was adopted.

VII. EDUCATION AND MEANS OF COMMUNICATION

179. A representative of the World Council of Indigenous Peoples, as a spokesman for the accredited non-governmental organisations present, made a statement on the Proposed Conclusions on education, means of communication and administration. In referring to education, he said that a definite responsibility must be placed on governments to co-operate with indigenous peoples so that appropriate education programmes might be accomplished. These programmes included ensuring that indigenous children were taught in an appropriate indigenous environment, with consideration being given to the use of their language, subject matter, physical surroundings and, most importantly, the needs and aspirations of the peoples concerned. He stressed that if there was to be any substance and meaning to the idea of self-determination, it would have to begin by respecting the rights of indigenous peoples to educate their own children. The continuity of the consciousness of the peoples was vital to them.

180. The spokesman said that national borders had become a major obstacle to the continuity of culture, customs and traditions. He said that an amendment which proposed the free transit across national borders which separated indigenous peoples, was one means of addressing this important problem. The speaker explained the caution with which indigenous peoples had approached the terminology in the Convention, which he said was a natural product of the historical relationship between indigenous peoples and others, and reflected the gen-

eral caution with which a new instrument was drafted. He stressed that Point 72 of the Proposed Conclusions should contain the strongest possible language to ensure that the rights and benefits which had already been agreed to were not adversely affected by the application of the proposed revised Convention. The speaker closed his remarks by extending an invitation to all participants to discuss the Proposed Conclusions with the indigenous and tribal peoples in preparation for their consideration at the 76th Session of the Conference.

Point 57

181. An amendment which would draw attention to the need for and possibility of affirmative action in education, was submitted by the Government member of New Zealand and was adopted by consensus. The Workers' members introduced an amendment to add to the existing text a recognition of the right of indigenous peoples to establish their own educational institutions with funds provided by governments. A subamendment proposed by the Employers' members to link the point with the existing text was agreed. A number of Government members expressed concern over the potential costs associated with what they considered to be an open-ended clause. It was felt that that factor could inhibit ratification. The Employers' members recalled that a similar concern had been addressed in Point 51 and suggested that it provide that appropriate resources should be provided for this purpose. The amendment, as subamended, was adopted by consensus.

182. Point 57, as amended, was adopted.

Point 58

183. The Workers' members proposed an amendment to require greater involvement by indigenous peoples in education programmes. They agreed to incorporate an amendment proposed by the Government member of Peru to specify various traditional values as a subamendment. A similar amendment proposed by the Government member of Canada, and subamended by the Government member of Japan, was supported by the Employers' members but considered by other Government members not to go far enough. A majority of the Government members who expressed opinions favoured the Workers' members' amendment, which was adopted as subamended.

184. Point 58, as amended, was adopted.

Point 59

185. An amendment to delete this Point was tabled by the Workers' members since part of it had been incorporated into Point 57. The amendment was adopted by consensus.

186. Point 59 was deleted.

Point 60

187. The Government member of Canada introduced an amendment to require measures to facilitate training of members of these peoples and increase involvement in the design and implementation of educational measures. The Employers' members supported the amendment in so far as it referred to

special educational programmes. The Workers' members and a number of Government members felt the amendment would weaken the proposed text. The amendment was rejected by 490 votes in favour, 770 against, with 98 abstentions.

188. The Government member of Colombia submitted an amendment to increase the say of indigenous peoples in the formulation of education programmes. The amendment was supported by the Workers' and Employers' members and was adopted by consensus. An amendment to delete the word "progressive" tabled by the Workers' members received little support and was not adopted. An amendment was proposed by the Government member of Japan to provide more flexibility by the addition of the words "where appropriate", was not adopted.

189. Point 60, as amended, was adopted.

Point 61

190. An amendment submitted by the Government member of Canada to replace Points 61 to 63 with a combined text was generally regarded as being regressive and was not adopted. She tabled a consequential amendment to change "mother tongue" to "own indigenous language". The Government member of Colombia proposed a subamendment to allow the group concerned to determine the languages to be taught, and calling for the deletion of the qualification regarding practicability. The amendment as subamended was adopted by consensus. The Government member of Venezuela expressed reservations over the deletion of the words "where this is not practicable". Three other amendments which had been submitted by the Workers' members and the Government members of Japan and the USSR had been covered by the amendment and were not discussed.

191. Point 61, as amended, was adopted.

Point 62

192. The Workers' members tabled an amendment to ensure that these peoples had the opportunity to attain fluency in the national language. The Government member of Canada withdrew a similar amendment. The Employers' members supported the amendment, which was adopted. As the intention of the two amendments proposed by the Government members of New Zealand and the USSR had already been covered, they were not considered.

193. Point 62, as amended, was adopted.

Point 63

194. The Workers' members submitted an amendment to change "appropriate" to "effective". The addition of the word "indigenous" before "languages" was also proposed, and both were adopted by consensus. The Government member of Canada expressed reservations on the use of the word "effective" and expressed the opinion that governments could not guarantee effectiveness, but they could introduce appropriate measures for these purposes. An amendment to this effect was not considered. Two amendments which had been tabled by the Gov-

ernment member of Colombia and Japan had been covered and were not discussed.

195. Point 63, as amended, was adopted.

Point 64

196. The Workers' members submitted an amendment to delete this Point on the grounds that its content was already covered in Point 57. The Employers' members did not agree and said that children from these peoples should be able to participate fully in the life of the national community. Several Government members voiced similar opinions and the amendment was not adopted. An amendment to describe the goal of primary education, submitted by the Government member of the United States, was not seconded. The Government member of Canada introduced an amendment designed to ensure that an aim of primary education of indigenous peoples should be to enable them to participate fully in the national community. The Workers' members proposed to subamend this amendment to stress equal participation in the communities of the peoples concerned as well as in the national community, without restricting the coverage of the amendment to primary education. Several Government members supported both the amendment and subamendment. The Government member of Norway referred to the problems of structural discrimination which could result from a lack of education. The Employers' members stated that it was important for these population groups to be able to participate in national life. The amendment and subamendment were adopted.

197. Point 64, as amended, was adopted.

Point 65

198. The Workers' members proposed an amendment to refer to all sections of the community and to add a sentence with the objective of ensuring that educational materials fairly portrayed the societies of the peoples concerned. The amendment was adopted.

199. Point 65, as amended, was adopted.

Point 66

200. An amendment to promote the understanding and exercise of indigenous peoples' rights under the proposed revised Convention was tabled by the Workers' members. Several Government members felt that the reference to duties in the original text should have been retained. The amendment was withdrawn in favour of a similar amendment submitted by the Government member of Canada, and the Workers' members proposed to subamend it to include "labour" and "rights under the revised Convention". The amendment was adopted by consensus as subamended. The intentions of amendments tabled by the Government members of Colombia and of the United States were regarded as having been included in the adopted text.

201. Point 66, as amended, was adopted.

Point 67

202. The Government member of Colombia proposed an amendment calling for the deletion of the words "if necessary" in order to stress the impor-

tance of these peoples' right to know their rights and duties. The Workers' and Employers' members supported the amendment. The Government member of the Netherlands felt that, because of its link with Point 66, the amendment would result in governments being obligated to translate the Convention and other materials into all indigenous languages. In order to avoid such an open-ended commitment he proposed to use "as far as practicable". The Government member of Colombia stated that since the item referred to a basic right, the term "if necessary" was a limitation. This view was supported by the Government member of Nicaragua. Several Government members preferred the text prepared by the Office. The Government member of Norway felt that the amendment would result in reluctance on the part of governments to provide material to indigenous and tribal peoples. After the representative of the Secretary-General had confirmed that the obligation under Point 66, as well as under the rest of the proposed revised Convention, would rest with governments, the Employers' and Workers' members withdrew their support and the amendment was withdrawn.

203. Point 67 was adopted without change.

Point 68

204. An amendment tabled by the Government member of the United States to give the point more flexibility was not adopted. The Government member of Peru proposed an amendment to strengthen the requirement to establish mechanisms to implement the revised Convention. The Government member of Colombia, in support of the amendment, pointed out that a co-ordinating body was needed for this purpose in each country. Neither the Workers' nor the Employers' members supported the amendment and it was not adopted. The Government member of Colombia proposed an amendment calling for the provision of sufficient means for agencies to fulfil their functions. The amendment was supported by the Workers' members and several Government members. The amendment was adopted by 742 votes in favour, 693 against, with 92 abstentions.

205. At the request of the Employers' members, in accordance with Article 65, paragraph 8, of the Standing Orders, a record vote was taken. The results of the vote were as follows: 742 votes in favour, 707 votes against, with 56 abstentions. The amendment was adopted. An amendment submitted by the Government member of Japan was not seconded. An amendment submitted by the Workers' members to include a reference to the implementation of other obligations under the revised Convention, was withdrawn when it was pointed out that it was covered in Point 70.

206. Point 68, as amended, was adopted.

Point 69

207. The Employers' members tabled an amendment calling for the adoption of Alternative A in the text proposed by the Office. Several governments supported the amendment. The Workers' members proposed, and then withdrew, a subamendment referring to the implementation of the proposed revised Convention. The amendment was adopted. An

amendment proposed by the Government member of Colombia to include "and evaluation" in the Office text was adopted. The final formulation of the text was referred to the Drafting Committee.

208. Point 69, as amended, was adopted.

Point 70

209. The Workers' members introduced an amendment which they subsequently aligned with the text proposed by the Office, with the addition of the phrase "in co-operation of the people concerned". The Employers' members preferred "full co-operation" and the amendment was adopted.

210. Point 70, as amended, was adopted.

Point 71

211. The Workers' members proposed an amendment designed to have the clause take into account the intent of the proposed revised Convention and the wishes of the peoples concerned. Several Government members considered that the intention was already covered in the text and the amendment was withdrawn.

212. Point 71 was adopted without change.

Point 72

213. The Workers' members submitted an amendment to bring the text of the Point into line with Article 19, paragraph 8 of the ILO Constitution. The amendment was adopted.

Proposed new Points

214. The Government member of Colombia introduced an amendment calling for the insertion of a new Point which would require the recognition by governments of the collective rights of peoples to enjoy legal personality. He said that in many countries it was impossible, other than as an individual, to carry out many transactions. The speaker suggested that rather than being debated this time, the proposed Point might be considered by the Office for inclusion in the proposed revised Convention, with a view to discussion next year.

215. The Government member of Colombia introduced another amendment calling for the insertion of a new Point which would require governments to recognise and respect the rights of these peoples to maintain their own institutions, especially in cases in which governments adopted new mechanisms for community-level government. As it appeared that much of the sense of the proposed Point was covered elsewhere, he withdrew the amendment.

216. The Government member of Colombia introduced a third amendment to insert a point dealing with indigenous and tribal peoples who lived in frontier areas, a subject he said was not covered in Convention No. 107 or in the Proposed Conclusions. He said that no regulations adequately dealt with the social, economic and cultural problems of peoples separated by borders. The representative of the Secretary-General drew the Committee's attention to the Indigenous and Tribal Populations Recommendation, 1957 (No. 104) which contained provisions (Part. X) concerning frontier zones, and to the pre-

cedents in ILO practice for the consideration of migrant workers.

217. The representative of the Inter-American Indian Institute said that the proposal offered an opportunity to strengthen the text of the Convention and cited examples of relevant work in this area. He referred in particular to Recommendation No. 19 adopted by the VIIIth Inter-American Indian Congress in 1980, which contained detailed recommendations in this respect. The Workers' members fully supported the intentions behind the amendment, which was very comprehensive and far reaching, but preferred to be able to reflect on the matter and return to it during the second discussion. The Employers' members agreed that the amendment dealt with serious problems, and stated that the scope of some of them were beyond the competence of the ILO. They too preferred to consider the amendment at a later date, and suggested that it be drafted to be more in line with issues of direct relevance to the ILO. Several Government members shared the concern expressed in the amendment but supported the suggestion to return to it at the 76th Session of the Conference. The amendment was deferred.

Adoption of the report, the Proposed Conclusions and a resolution

218. During the examination of the draft report, several members of the Committee requested that changes be introduced for the purpose of clarifying, correcting or supplementing of the text of several paragraphs.

219. The Committee adopted the report unanimously, subject to the agreed changes.

220. The Committee unanimously adopted the Proposed Conclusions and the draft resolution.

221. The Workers' and Employers' members, as well as several Government members, expressed their appreciation of the co-operation demonstrated and the invaluable contribution made by the international non-governmental organisations representing indigenous and tribal peoples. The Chairman referred in particular to the significant impact of the carefully formulated presentations by these groups during the Committee's deliberations. The Workers' members urged all governments to consult with organisations representing indigenous and tribal peoples during their preparations for the next Session of the Conference in 1989. The Committee unanimously endorsed these views.

222. The report of the Committee, together with the texts of the Proposed Conclusions and the resolution, are submitted to the Conference for consideration.

Geneva, 18 June 1988

(Signed) R. ESPAÑA-SMITH
Chairman
H. J. HELMS
Reporter

Proposed Conclusions

1. The term “(peoples/populations)” should be used in the proposed Convention, pending a final decision by the Conference at its 76th Session.

I. SCOPE OF THE REVISED CONVENTION AND DEFINITIONS

2. The revised Convention should apply to:

- (a) tribal (peoples/populations) in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;
- (b) (peoples/populations) in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

3. Self-identification as indigenous or tribal should be regarded as a fundamental criterion for determining the groups which the provisions of the revised Convention should apply.

4. The indigenous and tribal (peoples/populations) mentioned above should be referred to in the revised Convention as “the (peoples/populations) concerned”.

II. GENERAL POLICY

5. Governments should have the responsibility for developing, with the full participation of the (peoples/populations) concerned, co-ordinated and systematic action to guarantee respect for the integrity of these (peoples/populations) and their rights.

6. Such action should include measures for:

- (a) enabling members of the said (peoples/populations) to benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population;
- (b) promoting the full realisation of the social, economic and cultural rights of these (peoples/populations), with respect for their social and cultural identity, their customs and traditions, and their institutions;
- (c) assisting the members of the (peoples/populations) concerned to raise their standard of living to that enjoyed by other members of the national community, in a manner compatible with the aspirations and ways of life of these (peoples/populations).

7. Indigenous and tribal (peoples/populations) should enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination.

8. No form of force or coercion should be used in violation of the human rights and fundamental freedoms of the (peoples/populations) concerned, including the rights contained in the revised Convention.

9. Special measures should be adopted as appropriate for safeguarding the institutions, persons, property, labour and environment of the (peoples/populations) concerned.

10. Such special measures of protection should not be contrary to the wishes of the (peoples/populations) concerned.

11. Enjoyment of the general rights of citizenship, without discrimination, should not be prejudiced in any way by such special measures of protection.

12. In applying the provisions of the revised Convention:

- (a) due account be taken of the cultural and religious values and practices of these (peoples/populations), and of the nature of the problems which face them both as groups and as individuals;
- (b) the integrity of the values, practices and institutions of these (peoples/populations) should be respected;
- (c) policies aimed at mitigating any difficulties experienced by these (peoples/populations) in adjusting to new conditions of life and work should be adopted, with the full participation and co-operation of the (peoples/populations) affected.

13. In applying the provisions of the revised Convention, governments should:

- (a) consult fully the (peoples/populations) concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly;
- (b) establish means by which the said (peoples/populations) may freely participate at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which may affect them directly;
- (c) make available to these (peoples/populations) opportunities and resources for the full development of their own institutions and initiatives.

14. The improvement of the conditions of life and work and level of education of the (peoples/populations) concerned should with their participation and co-operation, be a matter of priority in plans for the overall economic development of areas inhabited by them. Special projects for development of the areas in question should also be so designed as to promote such improvement.

15. The (peoples/populations) concerned should have the right to decide their own priorities for the process of development as it affects their lives, beliefs, territories, institutions and spiritual well-being and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they should be involved in the formulation and implementation of plans and pro-

grammes for national and regional development which may affect them directly.

16. Governments should ensure that studies are carried out, in collaboration with the (peoples/populations) concerned, to assess the social, spiritual, cultural and environmental impact of planned development activities on them.

17. In the application of national legislation to the (peoples/populations) concerned, due regard should be had to their customary laws.

18. These (peoples/populations) should have the right to retain their own customs and institutions, where these are not incompatible with fundamental rights defined by the national legal system or with internationally recognised human rights.

19. The application of Points 17 and 18 should not prevent members of these (peoples/populations) from exercising the rights granted to all citizens and from assuming the corresponding duties.

20. To the extent compatible with the national legal system and internationally recognised human rights, the use of methods customarily practised by the (peoples/populations) concerned for dealing with crimes or offences committed by members of these (peoples/populations) should be respected.

21. The customs of these (peoples/populations) in regard to penal matters should be taken into consideration by the authorities and courts dealing with such cases.

22. The exaction from the members of the (peoples/populations) concerned of compulsory personal services in any form, whether paid or unpaid, should be prohibited and punishable by law, except in cases prescribed by law for all citizens.

23. The (peoples/populations) concerned should be safeguarded against the abuse of their fundamental rights and should be able to take legal proceedings for the effective protection of these rights. Members of these (peoples/populations) should have the right to use their own languages in any legal proceedings.

24. In imposing penalties laid down by general law on members of these (peoples/populations) account should be taken of their economic, social and cultural characteristics.

25. Preference should be given to methods of punishment other than confinement in prison.

III. LAND

26. The rights of ownership and possession of the (peoples/populations) concerned over the lands which they traditionally occupy should be recognised.

27. Governments should take steps as necessary to identify the lands which the (peoples/populations) concerned traditionally use and occupy, and to guarantee effective protection of their rights of ownership and possession.

28. Special measures should be taken to safeguard the control of the (peoples/populations) concerned over natural resources pertaining to their traditional

territories, including flora and fauna, waters and sea ice, and other surface resources.

29. Governments should seek the consent of the (peoples/populations) concerned, through appropriate mechanisms, before undertaking or permitting any programmes for the exploration of mineral and other subsoil resources pertaining to their traditional territories. Fair compensation should be provided for any such activities undertaken within the territories of the said (peoples/populations).

30. Subject to Points 31, 32 and 33 below, the (peoples/populations) concerned should not be removed from their habitual territories.

31. Where the removal of the said (peoples/populations) is considered necessary as an exceptional measure, such removals should take place only with their free and informed consent. Where their consent cannot be obtained, such removals should take place only following appropriate procedures established by national laws and regulations, including public inquiries, which provide the opportunity for effective representation of the (peoples/populations) concerned.

32. In such exceptional cases of removal, these (peoples/populations) should be provided with lands of quality and legal status at least equal to that of the lands previously occupied by them, suitable to provide for their present needs and future development. In cases where chances of alternative employment exist, and where the (peoples/populations) concerned prefer to have compensation in money or in kind, they should be so compensated under appropriate guarantees.

33. Persons thus removed should be fully compensated for any resulting loss or injury.

34. Procedures for the transmission of rights of ownership, possession and use of land which are established by the customs of the (peoples/populations) concerned should be respected, within the framework of national laws and regulations.

35. The consent of the (peoples/populations) concerned should be sought when considering the adoption of national laws or regulations concerning the capacity of the said (peoples/populations) to alienate their land or otherwise transmit rights of ownership, possession and use of their land.

36. Persons who are not members of these (peoples/populations) should be prevented from taking advantage of the customs referred to in Point 34 or of lack of understanding of the laws on the part of the members of these (peoples/populations) to secure the ownership, possession or use of land belonging to them.

37. Unauthorised intrusion upon, or use of, the lands of the (peoples/populations) concerned should be considered as an offence, and appropriate penalties for such offences and other appropriate recourse procedures should be established by law.

38. National agrarian programmes should secure for the (peoples/populations) concerned treatment equivalent to that accorded to other sections of the national community with regard to:

(a) the provision of more land for these (peoples/populations) when they have not the area necessary for providing the essentials of a normal

existence, or for any possible increase in their numbers;

- (b) the provision of the means required to promote the development of the lands which these (peoples/populations) already possess.

39. Adequate procedures should be established within the national legal system to resolve land claims by the (peoples/populations) concerned, including claims arising under treaties.

IV. RECRUITMENT AND CONDITIONS OF EMPLOYMENT

40. Governments should, within the framework of national laws and regulations, and in full co-operation with the (peoples/populations) concerned, adopt special measures to ensure the effective protection with regard to recruitment and conditions of employment of workers belonging to these (peoples/populations), to the extent they are not effectively protected by laws applicable to workers in general.

41. Governments should do everything possible to prevent any discrimination between workers belonging to the (peoples/populations) concerned and other workers, in particular as regards:

- (a) admission to employment, including skilled employment, as well as measures for promotion and advancement;
- (b) equal remuneration for work of equal value;
- (c) medical and social assistance, occupational safety and health, all social security benefits and any other occupationally related benefits, and housing;
- (d) the right of association and freedom for all lawful trade union activities, and the right to conclude collective agreements with employers or employers' organisations.

42. The measures taken should include measures to ensure-

- (a) that workers belonging to the (peoples/populations) concerned, including seasonal, casual and migrant workers in agricultural and other employment, as well as those employed by labour contractors, enjoy the protection afforded by national law and practice to other such workers in the same sectors;
- (b) that workers belonging to these (peoples/populations) are not subjected to working conditions hazardous to their health, in particular through exposure to pesticides or other toxic substances;
- (c) that workers belonging to these (peoples/populations) are not subjected to coercive recruitment systems, including bonded labour and other forms of debt servitude;
- (d) that workers belonging to these (peoples/populations) enjoy equal opportunities and equal treatment in employment for men and women, and protection from sexual harassment;
- (e) that workers belonging to these (peoples/populations), including seasonal and migrant workers employed in agriculture or in other activities, should be fully informed of their rights under labour legislation and of the means of redress available to them.

43. Particular attention should be paid to the establishment of adequate labour inspection services in

areas where workers belonging to the (peoples/populations) concern undertake wage employment, in order to ensure compliance with the provisions of this Part of the revised Convention.

V. VOCATIONAL TRAINING, HANDICRAFTS AND RURAL INDUSTRIES

44. Members of the (peoples/populations) concerned should enjoy opportunities at least equal to those of other citizens in respect of vocational training measures.

45. Measures should be taken to promote the voluntary participation of members of the (peoples/populations) concerned in vocational training programmes of general application.

46. Whenever existing programmes of vocational training of general application do not meet the special needs of the (peoples/populations) concerned, governments should, with the full participation of these (peoples/populations), ensure the provision of special training programmes and facilities.

47. Any special training facilities should be based on the economic environment, social and cultural conditions and practical needs of the (peoples/populations) concerned. Any studies made in this connection should be carried out in co-operation with these (peoples/populations), who should progressively assume responsibility for the organisation and operation of such special training programmes, if they so decide.

48. Handicrafts, rural and community-based industries, and subsistence economy and traditional activities of the (peoples/populations) concerned, such as hunting, fishing, trapping and gathering, should be recognised, strengthened and promoted as important factors in their economic development. The integrity of these traditional activities should be protected.

49. Upon the request of the (peoples/populations) concerned, appropriate technical and financial assistance should be provided, taking into account traditional technologies and the cultural characteristics of these (peoples/populations), as well as the importance of sustainable and equitable development.

VI. SOCIAL SECURITY AND HEALTH

50. Social security schemes should be extended progressively to cover the (peoples/populations) concerned and applied without discrimination against them.

51. Governments should ensure that adequate health services are made available to the (peoples/populations) concerned, or shall provide them with resources to allow them to design and deliver services under their own responsibility and control, so that they may enjoy the highest attainable standard of physical and mental health.

52. Health services should, to the extent possible, be community-based. These services should be planned and administered in co-operation with the (peoples/populations) concerned and take into account their economic, geographic, social and cultural

conditions as well as their traditional preventive care, healing practices and medicines.

53. The health care system should, to the extent possible, allow for the training and employment of local community health workers, and focus on primary health care while maintaining strong links to other levels of health care services.

54. The provision of such health services should be co-ordinated with other social, economic and cultural measures in the country, with the full participation of the (peoples/populations) concerned.

VII. EDUCATION AND MEANS OF COMMUNICATION

55. Measures should be taken to ensure that members of the (peoples/populations) concerned have the opportunity to acquire education at all levels on at least an equal footing with the rest of the national community.

56. In addition, governments should recognise the rights of these (peoples/population) to establish their own educational institutions and facilities. Appropriate resources should be provided for this purpose.

57. Education programmes and services for the (peoples/populations) concerned should be developed and implemented in collaboration with them to address their special needs, and should incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations.

58. The competent authority should ensure the training of members of these (peoples/populations) and their involvement in the formulation and implementation of education programmes, with a view to the progressive transfer of responsibility for the conduct of these programmes to these (peoples/populations).

59. Children belonging to the (peoples/populations) concerned should be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong, as decided by these (peoples/populations).

60. Adequate measures should be taken to ensure that these (peoples/populations) have the opportunity to attain fluency in the national language or in one of the official languages of the country.

61. Effective measures should be taken to preserve and promote the development and practice of the indigenous languages of the (peoples/populations) concerned.

62. The imparting of general knowledge and skills that will help children belonging to the (peoples/populations) concerned to participate fully and on an equal footing in their own community and in the

national community should be an aim of education for these (peoples/populations).

63. Educational measures should be taken among all sections of the national community, and particularly among those that are in most direct contact with the (peoples/populations) concerned, with the object of eliminating prejudices that they may harbour in respect of these (peoples/populations). To this end, efforts should be made to ensure that history text books and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these (peoples/populations).

64. Governments should adopt measures appropriate to the traditions and cultures of the (peoples/populations) concerned, to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from the revised Convention.

65. If necessary this should be done by means of written translations and through the use of mass communications in the languages of these (peoples/populations).

VIII. ADMINISTRATION

66. The governmental authority responsible for the matters covered in the revised Convention should create or develop agencies of other appropriate mechanisms to administer the programmes involved, and provide them with the means necessary for the proper fulfilment of the functions assigned to them.

67. The programmes referred to above should include planning, co-ordination, execution and evaluation, in co-operation with the (peoples/populations) concerned, of the measures provided for in the revised Convention.

68. These programmes referred to above should also include proposals to the competent authorities for legislative and other measures and supervision of the application of these measures, in full co-operation with the (peoples/populations) concerned.

IX. GENERAL PROVISIONS

69. The nature and scope of the measures to be taken to give effect to the revised Convention should be determined in a flexible manner, having regard to the conditions characteristic of each country.

70. The application of the provisions of the revised Convention should not adversely affect rights and benefits of the (peoples/populations) concerned pursuant to other Conventions and Recommendations, or under treaties, international instruments, or national laws, awards, custom or agreements.

**Resolution to place on the agenda of the next ordinary session of the Conference
an item entitled "Partial revision of the Indigenous and Tribal Populations Con-
vention, 1957 (No. 107)"**

The General Conference of the International Labour Organisation,

Having adopted the report of the Committee appointed to consider the sixth item on the agenda,

Having in particular approved as general conclusions, with a view to the consultation of governments, proposals for the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107);

Decides that the question of the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), shall be included in the agenda of its next ordinary session for a second discussion with a view to the adoption of a Convention.

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Resolutions

Report of the Resolutions Committee

1. The Resolutions Committee, set up by the Conference at its third sitting on 2 June 1988, was originally composed of a total of 218 voting members (85 Government members, 60 Employers' members and 73 Workers' members). An appropriate weighting system ensured equality of voting strength.

2. The first business of the Committee was to elect its Officers. On the proposal of Mr. Ladsous (Government member, France), which was seconded by Mr. Rowe (Employers' member, New Zealand) and Mr. Karlsson (Workers' member, Sweden), Mr. Alexander (Government member, United Kingdom) was unanimously elected *Chairman*. In accordance with the Committee's usual practice, the Chairman acted as *Reporter*. The Committee elected as *Vice-Chairmen* Mr. Rowe (Employers' member, New Zealand) and Mr. Karlsson (Workers' member, Sweden).

3. The Committee had before it 12 resolutions submitted in accordance with article 17 of the Standing Orders of the Conference, the Conference having decided, on the recommendation of the Selection Committee, to refer the resolution concerning the promotion of employment and social security (submitted by the Government delegation of Italy) to the Committee on Employment and Social Security. In accordance with article 17, paragraph 4, of the Standing Orders, these resolutions were all declared receivable. They were then presented by their authors in accordance with article 17, paragraph 5(a), of the Standing Orders.

4. After these presentations, and before the vote held in accordance with the procedure laid down in article 17, paragraph 5(a), of the Standing Orders, the following resolutions on related subjects were combined by their authors:

(a) a resolution concerning the role of enterprises in employment growth, submitted by Mr. Georget, Employers' delegate, Niger, Mr. Lindner, Employers' delegate, Federal Republic of Germany, Mr. Lounis Khodja, Employers' delegate, Algeria, Miss Mackie, Employers' delegate, United Kingdom, Mr. Nasr, Employers' delegate, Lebanon, Mr. Oechslin, Employers' delegate, France, Mr. Pierides, Employers' delegate, Cyprus, Mr. Rossi, Employers' delegate, Brazil, Mr. Rowe, Employers' delegate, New Zealand and Mr. Smith, Employers' delegate, United States; and a resolution concerning the promotion of self-employment, submitted by

the Government delegation of the Islamic Republic of Iran. The authors of these resolutions agreed to combine the two texts as the following resolution: resolution concerning the role of self-employment and small and medium-sized enterprises in employment growth;

(b) a resolution concerning the report of the World Commission on Environment and Development, submitted by Mr. Andersen, Government delegate, Denmark, Mr. Ettarp, Government delegate, Sweden, Mrs. Holmboe Ruge, Government delegate, Norway, Mr. Kristinsson, Government delegate, Iceland; and Mr. Riikonen, Government delegate, Finland; and a resolution concerning environmental protection and employment, submitted by Mr. Baker, Workers' delegate, United States, Mrs. Buvverud Pedersen, Workers' delegate, Norway, Mrs. Dreifuss, Workers' delegate, Switzerland, Mr. Jaaskelainen, Workers' delegate, Finland, Mr. Karlsson, Workers' delegate, Sweden, Mr. Mercier, Workers' delegate, Canada, Mr. Morton, Workers' delegate, United Kingdom, Mr. Muhr, Workers' delegate, Federal Republic of Germany, Mr. Sánchez Madariaga, Workers' delegate, Mexico, Mr. Sunderam, Workers' delegate, Sri Lanka, Mr. Svenningsen, Workers' delegate, Denmark, Mr. Tanaka, Workers' delegate, Japan, Mr. Vanni, Workers' delegate, Italy and Mr. Verzetnitsch, Workers' delegate, Austria. The authors of these resolutions agreed to combine the two texts as the following resolution: resolution concerning environment and employment;

(c) a resolution concerning the role of the ILO in the protection and promotion of human rights, submitted by Mr. Baker, Workers' delegate, United States, Mrs. Buvverud Pedersen, Workers' delegate, Norway, Mrs. Dreifuss, Workers' delegate, Switzerland, Mr. Jaaskelainen, Workers' delegate, Finland, Mr. Karlsson, Workers' delegate, Sweden, Mr. Mercier, Workers' delegate, Canada, Mr. Morton, Workers' delegate, United Kingdom, Mr. Muhr, Workers' delegate, Federal Republic of Germany, Mr. Sánchez Madariaga, Workers' delegate, Mexico, Mr. Sunderam, Workers' delegate, Sri Lanka, Mr. Svenningsen, Workers' delegate, Denmark, Mr. Tanaka, Workers' delegate, Japan, Mr. Vanni, Workers' delegate, Italy and Mr. Verzetnitsch, Workers' delegate, Austria and a resolution concerning the contribution of the ILO to the strengthening of respect for human and

trade union rights, submitted by Mr. Al-Hujailan, Workers' delegate, Kuwait, Mr. Andreev, Workers' delegate, Bulgaria, Mr. Bochow, Workers' delegate, German Democratic Republic, Mr. Bulgak, Workers' delegate, Byelorussian SSR, Mr. Escandell Romero, Workers' delegate, Cuba, Mr. Kovalevski, Workers' delegate, Ukrainian SSR, Mr. Kozik, Workers' delegate, Czechoslovakia, Mr. Timmer, Workers' delegate, Hungary and Mr. Yanaef, Workers' delegate, USSR; and a resolution concerning the promotion of human rights and development, submitted by Mr. Hordijk, Workers' delegate, Netherlands and Mr. Peirens, Workers' delegate, Belgium. The authors of these resolutions agreed to combine the three texts as the following resolution: resolution concerning the role of the ILO in the strengthening of respect for human and trade union rights; which was submitted by the Workers' group.

5. In accordance with the procedure laid down in article 17, paragraph 5(a), of the Standing Orders of the Conference, the Committee determined the first five resolutions to be considered among the eight remaining before the Committee and their order of priority. Owing to a change in the composition of the Committee, there were at this time 238 voting members (92 Government members with 645 votes each; 60 Employers' members with 989 votes each; and 86 Workers' members with 690 votes each).¹

6. The first resolutions and the votes cast for them were as follows:

- (1) resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories (479,020 weighted votes);
- (2) resolution concerning the role of the ILO in the strengthening of respect for human and trade union rights (441,060 weighted votes);
- (3) resolution concerning the role of self-employment and small and medium-sized enterprises in employment growth (362,422 weighted votes);
- (4) resolution concerning environment and employment (331,577 weighted votes);
- (5) resolution concerning occupational safety and health (294,211 weighted votes)

7. In accordance with article 17, paragraph 5(b), of the Standing Orders, at its fourth sitting the Committee set up a Working Party to make recommendations as to the order in which the remaining resolutions before the Committee should be examined.

8. The Working Party was composed as follows:

Government members: Mr. Melas (Austria), Mr. Siktanc (Czechoslovakia), Mr. Al-Akel (Jordan);

Employers' members: Mr. El-Herrawi (Egypt), Mr. Myrdal (Sweden), Mr. Glade (United States);

Workers' members: Mr. Lamprecht (German Democratic Republic), Mr. Niasse (Senegal), Mr. Dreifuss (Switzerland).

9. At the Committee's seventh sitting, the Governing member of Austria, Chairman of the Working Party, announced that the Working Party had met and that a majority of six of the Working Party favoured the following order of priority:

- (6) resolution concerning solidarity and co-operation between the affluent countries and countries of the Third World and the role of the ILO in social and economic development;
- (7) resolution concerning child labour;
- (8) resolution concerning development, employment and environment.

However, a minority of three members favoured the following order:

- (6) resolution concerning development, employment and environment;
- (7) resolution concerning solidarity and co-operation between the affluent countries and countries of the Third World and the role of the ILO in social and economic development;
- (8) resolution concerning child labour.

10. The Committee decided to adopt the order submitted by the majority of the members of the Working Party and noted the order preferred by the minority.

RESOLUTION CONCERNING THE PROTECTION OF WORKERS' AND EMPLOYERS' RIGHTS AND FREEDOMS IN PALESTINE AND OTHER OCCUPIED ARAB TERRITORIES

Presentation of the resolution

11. The resolution was presented by the Syrian Minister of Social Affairs and Labour, on behalf of the Arab group. He noted that the resolution, which concerned basic rights and freedoms that the ILO had been established to protect and promote, was especially topical in view of the 40th anniversary of the Universal Declaration of Human Rights and the Palestinian uprising in which scores of people had been detained, injured and killed. The uprising was a decisive rejection of an occupation that had lasted more than 20 years and that illustrated Israeli aggression and negligence of freedoms. The International Labour Conference had already taken history stances in favour of Palestinian rights: the resolutions of 1974 and 1980 respectively condemned the policy of racial discrimination and violation of trade union rights and called on Israel to refrain from creating new settlements in the occupied territories. Israel had none the less ignored international opinion and pursued its policies, as recorded by ILO missions to the occupied territories since 1978. The 1988 report of the ILO mission again confirmed Israeli provocative violations of basic human rights, while the social and economic conditions of the Palestinian people had reached an intolerable level.

12. Drawing attention to specific paragraphs in the resolution, he noted that the preamble was based both on the findings of the ILO missions to the occupied territories and on basic human rights recognised by international instruments, resolutions and covenants. The human rights of the young, the elderly and women, the right to work with dignity, the right to material and physical safety and the right to an identity were not enjoyed by the people of Pales-

¹ Subsequently, further changes were made in the composition:

- 4th sitting on 9.6.1988: 240 voting members (94 G, 60 E and 86 W);
 - 6th sitting on 10.6.1988: 234 voting members (94 G, 54 E and 86 W);
 - 7th sitting on 13.6.1988: 235 voting members (94 G, 54 E and 87 W);
 - 8th sitting on 14.6.1988: 234 voting members (94 G, 53 E and 87 W);
 - 9th sitting on 15.6.1988: 233 voting members (94 G, 52 E and 87 W).

tine and other occupied Arab territories. The operative parts of the resolution called on the ILO as the social conscience of the world vis-à-vis coercive and oppressive practices to condemn Israel, first for incapacitating young Palestinians by breaking their fingers and toes, thus depriving them of a dignified life, and second for refusing to respect the previous resolutions of 1974 and 1980. The present resolution further called on the international community – in particular the international organisations – to intensify their aid to the Arab workers and employers in Palestine and the other occupied Arab territories. The final operative paragraphs called for an end to the barbaric oppression by Israel in the territories and for the establishment of a special committee at every session of the Conference to review reports and technical programmes on the conditions of Arab workers and employers in Palestine and other occupied Arab territories.

13. In submitting this resolution, the tripartite Arab group looked to the ILO, with its lofty social ideals, to play its part in reducing the psychological pain suffered by the Palestinian people. The occupation in itself was a violation of human rights. The oppressive practices by Israel were unacceptable on human and moral grounds. Finally, the speaker informed the Committee that to date 373 persons had been martyred, 11,200 injured, 1,150 handicapped and 19,000 taken prisoner, and that 308 houses had been destroyed as a result of Israeli oppressive policies in the territories.

14. Following the presentation and prior to the general discussion, the Government member of Israel requested the right of reply. The Chairman noted that a right of reply was a general principle and could be exercised provided that it was strictly confined to the precise remarks prompting it, and that no attempt was made to open up a substantive debate. The Government member of Algeria, on a point of clarification, requested the Chairman to enlighten the Committee as to the reasons which could justify granting the right of reply to the Israeli delegation. After several points of order had been made stipulating that article 17, paragraph 5(a), of the Standing Orders clearly excluded the possibility of any reply, the opinion of the Legal Adviser was sought. He pointed out that while the right of reply was not expressly provided for in the Standing Orders, it was inherent in the freedom of expression prevailing in the Organisation and lay within the discretion of the Chairman under article 61 and 62 of the Standing Orders. The Chairman's decision was not subject to appeal and it was his duty to ensure that the right of reply was not used to begin a wider debate.

15. The Government member of Israel, exercising the right to reply as granted by the Chairman, said that the statement made in introducing the resolution submitted by the Arab group amounted to an unbridled political attack against his country, using abusive language which his delegation rejected out of hand and with which it would not compete.

General discussion

16. The Workers' Vice-Chairman informed the Committee that the Workers' group had expressed unanimous concern over the serious situation in the

areas dealt with in the resolution. However, the group differed in terms of what action should be taken by whom: a few members of the group felt that the resolution did not belong with the ILO but with the United Nations General Assembly; a large number of group members felt that the resolution should be adopted in its present form and content; and many members of the Workers' group accepted the idea of the resolution but felt that a number of amendments would be necessary to keep it in line with the ILO's sphere of competence. In particular, there was concern among the latter group that operative paragraph 5 would harm the work of the International Labour Conference and would eliminate the uniqueness of the special Committee on Apartheid, and further would not contribute to the search for a just solution. The Workers' Vice-Chairman also noted that the sponsors of the resolution, supported by others, considered that they had been moderate in drafting the resolution, and that the resolution in its present form was the minimum that should be expected of the ILO. He also noted that other members of the Workers' group would want to express themselves individually during the course of the general discussion.

17. The Employers' Vice-Chairman opened his remarks by noting how pleased the Employer' group was that the resolution concerning the role of self-employment and small and medium-sized enterprises in employment growth had been placed third on the priority list. He hoped that the Committee would adopt the resolution in due course. Turning to the resolution currently before the Committee, he noted that all were agreed that the situation in Palestine and other occupied Arab territories was grave and distressing. Human rights and trade union rights of both employers and workers were at issue. The real question before the Committee was how best to improve the situation – how within the mandate and competence of the ILO to give expression to its role as the social conscience of the world and to find a practical solution, a feasible resolution, couched in language that would command broad support and focus on labour law and freedom of association, as well as human rights in the broader sense. While noting that there was considerable support for the thrust of the resolution, the Employers' Vice-Chairman also informed the Committee that there were reservations within the Employers' group as to how to give effect to the spirit of the resolution. He also noted that his colleagues would take the floor during the course of the debate.

18. Speaking on behalf of the 12 member States of the European Community, the Government member of the Federal Republic of Germany stated that the Foreign Ministers of the European Community had discussed the situation in the occupied territories on a number of occasions and had expressed their profound concern at the deteriorating conditions in these territories. However, they had also consistently stressed that certain issues belonged to other United Nations forums and not within the specialised agencies. While the 12 member States of the Community did share some of the concerns expressed in the resolution, they had difficulties with some parts of it, in particular operative paragraph 5. The proliferation of special Committees at the Conference would run counter to the mandate of the ILO and would also

have considerable financial consequences at a time when constraint was called for. Stressing the deep concern of the European Community about the conditions in the occupied Arab territories, the member States felt that the only solution would be through a comprehensive and lasting political settlement of the Arab-Israeli conflict, as proposed in the 1980 Venice Declaration and subsequent declarations. The European Community reaffirmed its strong support for an international peace conference under the auspices of the United Nations. Concerned also over the poor employment prospects and restrictions on trade union activities in the occupied territories and without prejudging future political solutions, the Community had pursued its own development and humanitarian programmes for the occupied territories to help improve living conditions. One such programme was the promotion of direct exports of agricultural and industrial products from the occupied territories to the European Community, which had decided in October 1986 to give Palestinian producers in the occupied territories preferential tariff treatment for exports to their market. Nineteen months after the Community's decision, the member States regretted that the programme had still not been implemented and urged the Israeli authorities to allow it to proceed in the near future. The 12 member States of the European Community emphasised their concern about the actions taken by the Israeli authorities in the occupied territories which aggravated the lack of confidence between Israelis and Palestinians and rendered more difficult the search for a peaceful settlement in the region. The level of violence together with the loss of human lives, was of concern and the continuation of repressive measures by Israel was to be deplored.

19. The Workers' member of Senegal, in supporting the resolution, addressed himself to two main issues. First, the criticism levelled against operative paragraph 5 of the resolution that it would reduce the importance of the Committee on Apartheid was unfounded. For Africans, apartheid did of course predominate over and above any other problem. However, African countries which were also developing countries knew about injustice and had taken a position in favour of the resolution in its present form. Constructive amendments would be welcome if they led towards a consensus of the Committees at the Conference, if warranted by problems commanding world-wide interest, would be a positive step in the ILO today. Second, addressing the argument that the resolution was not within the competence of the ILO, he noted that the role of the ILO was to defend social justice and the freedom of workers. If the Palestinian people had a right to justice, to civil liberties and to basic rights, then it was essential that the Committee should accept the resolution. Agreement and consensus should be sought, and the Committee on Apartheid should not be used as an excuse to criticise this resolution. There were a number of technical committees at the Conference which did not diminish the importance of the Committee on Apartheid.

20. The Government member of Israel called for the total rejection of the resolution, claiming that the text was another act in the ongoing political warfare against his country. It reintroduced formal political confrontation into the proceedings of the Conference

and into the work of the ILO at a time when the world community was intensifying its search for peace and coexistence. It was significant that this resolution was the only text submitted to the Conference regarding specific territories, although genuine problems of freedom of association and violation of workers' rights existed in other territories, including those of all the States sponsoring the resolution. The resolution claimed ten times that "Palestine" was an occupied Arab territory, thus brazenly denying the legitimacy of Israel's very existence and demonstrating that the ultimate purpose of the struggle against Israel was to establish the so-called secular state of Palestine "between the sea and the river". The text was replete with invidious allegations and condemnations concerning terror, oppression and expansionism, which were completely baseless, whereas countries among the sponsors engaged in or abetted international terrorism themselves. The claims made in the resolution about discrimination against, and the disabling of, workers were contrary to the truth. Indeed, it was those who fanned the recent unrest in the territories using incitement, intimidation and physical violence, including road blocks, setting buses on fire, and beating up and stoning workers, who attempted to deny workers their right to work. Despite this, almost all Arab workers from the West Bank and Gaza continued to arrive at their places of employment in Israel, thereby demonstrating the wish of the silent majority in these territories for a peaceful existence. The Government of Israel was right therefore to reject suggestions to increase the import and employment of foreign workers.

21. Concerning the freedom of action of the Arab trade unions, he recalled that the 251st Report of the Committee on Freedom of Association, cited in the preamble of the resolution, also drew attention to the fundamental mission of the trade union movement and to its political relations or actions. He regretted that the trade unions in the territories had become hotbeds of public unrest and terrorism, aligning themselves along the same factional lines as the terrorist organisations and using their offices for political and terrorist activities. Their leaders had been caught in acts of violence. The reference in the resolution to Israeli settlements not only had no connection with labour and employment issues but also falsely asserted that Arab inhabitants had been harmed in areas of concern to the ILO. The settlements had benefited them materially and supplied them with sources of employment. He noted that Jewish settlers numbered only 5 per cent of the Arab population, which had increased by over 50 per cent since 1967. On the issue of the "non-permissibility of the acquisition of land by force", also cited in the resolution, he questioned what peaceful means had been used in the acquisition of domination of other territories in Africa, the Arab peninsula and Iraq.

22. In relation to operative paragraph 5, he stated that the work of such a committee would condemn the ILO an annual exercise of political acrimony, involve unwarranted additional expenditure and deflect attention from the issues on the ILO's agenda. Any additional committee on specific territorial issues should deal with the real issues of freedom of association of workers and employers, including agricultural workers, artisans and Arab and non-Arab workers, in all the countries that had sponsored the

resolution. He stressed the importance of constructive solutions instead of sterile confrontation.

23. The Workers' member of Israel noted that as Chairman of the Workers' delegation from Israel, he was an example of how the Israeli and Arab workers collaborated in the Histadrut. It was unfortunate that international barriers prevented similar co-operation among nations. The recent events in the Middle East were the result of extremist politics on both sides and should be rejected; similarly the resolution in both its spirit and letter could not be accepted. Focusing on the actions of the Histadrut, he noted that equal pay and equal working conditions for workers in the occupied territories were granted on the same basis as to workers in Israel; that Arab workers from the territories had the right to be members of boards within enterprises and to be elected union officials; and that the same employment guarantees were given to all workers. The Histadrut had prevented the dismissal of workers who had not been able to work during the public disturbances and had banned the replacement of workers involved in demonstrations. It had also launched a series of actions to assist workers and make them aware of their rights. He appealed to his Arab brothers not to be led by the extremists and to work for peace and progress.

24. In supporting the resolution, the Government member of Qatar stressed the gravity of the violence and repression in Palestine and the other occupied Arab territories. This had been clearly shown on various television programmes. The resolution was fully consistent with the ILO's objectives since it dealt with human rights. The first priority accorded to the resolution illustrated the support of peace-loving countries, and he expressed the hope that it would be adopted and thus contribute to improving the position of the Palestinian people.

25. The representative of the Palestine Liberation Organisation felt compelled to reply to some of the earlier speakers. First, those who considered the resolution as a destructive initiative were in fact accusing the overwhelming majority of the Committee of supporting destructive principles. Second, the resolution was a moderate statement compared to the magnitude of the problems imposed by Israel on Palestine and the other occupied Arab territories. The Government member of Israel had displayed a lack of respect for the truth by denying the existence of violence, detentions and deportations and other violations of human rights against the Palestinian people, which in other international forums had been described as genocide. He failed to understand how Israel could portray resistance to occupation as terrorism. The right of the Palestinian people to resist occupation by all means, including armed struggle, had been recognised in meetings of the United Nations. History also clearly demonstrated that terrorism had been practised in the early days of Israel by leading Israeli figures. Finally, the names used by the Government member of Israel to describe the occupied territories illustrated that it intended to remain as an occupying force and was not searching for peace.

26. In opposing the resolution, the Workers' member of the United States noted that he was one of those in the Workers' group who felt that the resolution did not belong with the ILO but with the

United Nations. If the intent of the resolution was to address urgently the problems of the Palestinian employers and workers and to effect immediate action, operative paragraph 5 would not do that. This paragraph implied a *de facto* acceptance of the continued occupation of certain territories by Israel and ignored other efforts to find a peaceful solution to the problems. He queried why badly needed funds should be used for yet another special committee, when mechanisms clearly existed within the ILO to deal with these problems. He concluded that the purpose of the resolution was political and thus unacceptable.

27. A second Workers' member of Israel pointed out what he considered to be astonishing language in the resolution. He queried the term "Palestine and other occupied Arab territories". He noted that contrary to the statements in the resolution "on deprivation of work opportunities", unemployment was not a serious problem in the West Bank and in Gaza and was lower than that in Israel. Statements about the exploitation of, and discrimination against, workers were unfounded, as explained by his colleague, although it was regrettable that 40 per cent of the commuting workers were classified as irregular workers. Terrorism and acts to prevent workers from earning a living were not perpetrated by Israelis. The resolution made no call for peace or for a political solution; it was solely a condemnation of Israel and should be rejected totally.

28. In response to a query about the permissibility of two persons from the same delegation speaking on the same issue, the Legal Adviser stated that, whereas in the Government group the members of the Committee were governments, in the Workers' group individuals were members of the Committee in their own right and therefore it was in order for more than one such membre from the same to speak on any issue.

29. The Government member of the German Democratic Republic maintained that the resolution, which dealt with rights and freedoms, had its proper place in the ILO. The ILO had a particular duty to protect human rights and should exhaust all possibilities of doing so. While other organisations might deal with similar problems according to their own terms of reference, this should not preclude the ILO from dealing with issues under its mandate. Agreeing with the Director-General's conclusion in the report on the situation of workers of the occupied Arab territories that a political solution must be sought, he declared that the example of Afghanistan provided hope that such solutions could be found. In the meantime the ILO could undertake useful measures to facilitate a settlement and the resolution should be supported in this vein.

30. A co-sponsor of the resolution, the Government member of Egypt, thanked the Committee for ranking the resolution in first place. The objectives of the ILO were to ensure that the best possible conditions of work existed and that labour standards were respected. It was particularly opportune in the 40th anniversary year of the Universal Declaration of Human Rights to denounce barbaric acts of violence, repression and discrimination perpetrated against the Arab workers. The report of the Director-General on the situation of workers of the occupied Arab territories gave examples of inequality of treatment

as regards employment, social security and working conditions. International public awareness and condemnation of the events in the occupied Arab territories demonstrated to the peoples of those territories that their feelings and their anxieties were shared. Adoption of the resolution would help ensure that the fundamental rights of Arabs in the occupied territories were respected.

31. The Workers' member of India clearly stated that the resolution lay within the purview of the ILO, a fact supported by the adoption of the resolutions in 1974 and 1980. The resolution was based on a balanced and pragmatic approach to the problem. The ILO needed to show firmness in giving effect to the resolution, which should be practically oriented and adopted unanimously by the Committee.

32. The Government member of Iraq agreed with the previous speaker that the resolution was fully within the competence of the ILO. Claims that the resolution was political in nature were merely an attempt to conceal the truth about the situation and to distort the facts. Moreover, the Government member of Israel had not observed the use of parliamentary language, particularly in those statements concerning certain member States and attacking all those who had voted for the resolution. No reply would be given to these remarks since they were political in nature and only an attempt to draw the Committee into an unfruitful political debate. Referring to operative paragraph 5 of the resolution, it was emphasised that this Committee would not deny the importance accorded to the Committee on Apartheid. Even if there were financial implications, it was incumbent upon the ILO to take action to protect the rights of the people of Palestine and of other occupied Arab territories, particularly since it appeared that the Israeli authorities were determined to continue their occupation. It was untruthful to affirm that trade unions in the occupied territories were centres of violence and terrorism, and such a statement violated the ILO's principles of freedom of association. The violence, including intentional fractures of fingers and feet inflicted on young persons, and other barbarous acts, was continuing and increasing in the occupied territories. Such acts revealed the Israeli spirit of aggression and wounded the feelings of those members of the Committee who supported the resolution. The text of the resolution was balanced and moderate and fully in line with the spirit and principles of the ILO.

33. The Workers' member of Norway expressed disquiet at the harsh statements made by a number of Government members of the Committee, which contrasted with the factual and calm debate held by the Workers' group. In the situation under discussion it was the workers and ordinary members of the population who suffered and who were in greatest need of a peaceful solution. The content of the resolution was forceful; clearly the situation was difficult and some people were living in unacceptable conditions. The priority given to the resolution reflected international awareness of, and concern for, these problems. While many of the points contained in the resolution could be supported, the provisions of operative paragraph 5 made it difficult, if not impossible, to support the text in its present form. Another special committee would make the Committee on

Apartheid less exclusive and would place great demands on the work and economic resources of the Organisation. If operative paragraph 5 were to include references to the wish to negotiate with a view to finding solutions and to increase technical assistance, it would strengthen the resolution. In this case it would be possible to look at the resolution again. The decision taken by the member States of the European Community on the promotion of exports from the occupied territories was a welcome step.

34. The Employers' member of the Federal Republic of Germany deplored the events and violence in the occupied territories. However, it was doubtful whether the resolution would contribute to resolving the current situation; it would only serve to foster tension in the region, particularly since it lacked any reference to the possibility of contributing to a solution. The text was too selective in condemning only one party when there were many other areas in the world where violence was used. It was exclusively negative in approach, whereas it should call for solutions which were acceptable to both parties in the dispute, and which safeguarded the rights of the Palestinian people and the security of Israel. If the text contained such elements, it might be possible to overlook the fact that it went beyond the terms of reference of the ILO and to support it. A special committee on this subject would not be a useful forum and would not result in detente.

35. The Government member of Jordan thanked the members of the Committee for the priority that they had given to the resolution, which proved their concern for workers' and employers' rights and freedoms in Palestine and other occupied Arab territories. Following the 1974 and 1980 resolutions, it was necessary for the ILO to provide assistance to the workers and employers and to take action to end violations of their rights, particularly today when the heroic uprising in the territories, which was entering its seventh month and was being opposed by the barbarous acts of the Israeli authorities, was witnessed every day on television by the world audience. The annual reports of the Director-General referred to the collective responsibility to protect the rights and freedoms of workers and employers. Yet no real progress had been made during the past 11 years. Expropriations in particular had reached a very high level and gave a special significance to the resolution, particularly in view of the 40th anniversary of the Universal Declaration of Human Rights. This Committee, and the International Labour Organisation in general, should assume its duties in this field and provide greater assistance towards ending the illegal activities of the Israeli authorities. Those who feared the financial implications of operative paragraph 5 should ask themselves what other activity or programme could take priority over the protection of the rights and freedoms of workers. The Report of the Director-General should not be ignored in this context. Those advocating peace should start by spreading justice.

36. The Employers' member of Israel contended that the resolution was merely a political statement, which was untruthful and unjustified. It invited the ILO to engage in political activities that were contrary to its mandate and which should be dealt with by the United Nations. If adopted, the resolution

would condemn the Conference at each session to concentrate on political matters to the detriment of its other business. The major political problems that existed in the Middle East could not be solved through the adoption of condemnatory resolutions of this nature. About 100,000 workers from the territories were employed in Israel and enjoyed exactly the same conditions and benefits as Israeli workers in accordance with labour laws and collective agreements. In Judea, Samaria and Gaza there was full employment and the conditions of work had greatly improved in recent years, with workers entitled to such social benefits as paid vacations, medical care, health insurance and sickness pay. Moreover, the authorities had invested hundreds of millions of United States dollars in developing the territories. The Committee should reject the resolution.

37. The Employers' member of Jordan criticised the attempt by several speakers to intensify acrimony in the debate instead of concentrating on finding solutions to the atrocities being perpetrated in the occupied territories. Referring to who was spreading terrorism, he recalled personal tragedies involved in the explosion at the King David Hotel in 1946; terrorist acts by Israeli agents in Norway in 1973; and the massacres in Sabra and Chatila. Injustice should be condemned wherever it occurred, and he would wholeheartedly support any similar resolution referring to other areas of the world. The resolution was particularly suited to the role of the ILO, which, through its wide-ranging international labour standards, dealt extensively with the rights of workers. The Director-General's report on the occupied territories provided basic truths. For many years Arabs in these territories had been the victims of discrimination, as recognised in the previous resolutions adopted by the Conference and by the United Nations. The mathematical majority vote in the Committee could not be disregarded, as democracy was based on the counting of votes. The General Assembly resolution on the basis of which the State of Israel had been established had itself been adopted by a very small majority. Affirmations by the Histadrut that the workers in the occupied territories were well treated should be questioned, since it was a political organisation whose Secretary-General was a member of the Knesset and of a political party that denied Palestinians their rights. When operative paragraph 5 was assessed, it should not be considered in material terms, since it was impossible to talk of the protection of human rights in such terms; if the oppression ended soon, the Committee would not be needed. Those who rejected the resolution were doing the Organisation a disservice since continuing injustice created further injustice.

38. The representative of the Palestinian Trade Union Federation (Palestine Liberation Organisation) welcomed the widespread support for the resolution and praised the initiative by the European Community to encourage exports from the occupied territories. Claims that Palestinian workers had benefited from the occupation were untrue. The indigenous population in Palestine had owned 90 per cent of the land in the territories occupied in 1948, which had been reduced to only 1 per cent as a result of a gradual, step-by-step, compulsory confiscation of land and the establishment of Israeli settlements. In the territories occupied in 1967 the Palestinian land

had been reduced to 40 per cent. Statistics from the Bank of Israel showed that Palestinian Arabs were in fact paid between 37 and 46 per cent of the average wage of Israeli workers. Furthermore, seven members of the executive committee of a West Bank trade union were under arrest, proving that trade union rights were not respected. The martial decrees: numbering over a thousand, in force in the West Bank, and 900 in the Gaza Strip, which regulated every aspect of life from the planting of trees to water consumption, denied the indigenous population any freedom. Deductions were made from Arab workers' wages for social security payments, but benefits were few. The Histadrut, which managed industrial, commercial and banking operations in the occupied territories, exported commodities to South Africa and sent security officers to combat freedom fighters in South Africa. It was not often realised that Israel was the third largest exporter of arms and military technology in the world.

39. The Workers' member of Venezuela emphasised that there was little use in arguing that the ILO should be an apolitical organisation since the struggle for freedom of expression and individual and collective rights, as well as freedom of association, was genuinely political in nature. Intransigence, used as a means of advancing arguments, was an obstacle to the conclusion of just and lasting agreements. There were no signs that an agreement could not be reached between Israelis and Palestinians at this stage. There was proof that the Israeli people were disposed to search for a respectful conciliation formula to resolve the problems under discussion, and one way of obtaining solutions was through flexibility and the modification of positions. It was hoped that the escalation of violence by extremists on both sides would diminish and disappear.

40. The Workers' member of Switzerland noted that the resolution expressed concerns that were shared by all; the Committee should be prepared, within the terms of reference of the ILO, to take action to prevent a worsening of the situation in the occupied territories. A dual objective should be pursued in the resolution. First, the rights of workers in the occupied territories should be protected, and that involved implementing the conclusion put forward in paragraphs 7 and 8 in the Director-General's report on the occupied territories, which should be included in the operative part of the resolution. Second, as implementation of the necessary measures might encounter difficulties because of the state of occupation, a lasting political solution was indispensable. This solution should aim not only to end the occupation, but also to create conditions for the peaceful coexistence of the peoples of the region through self-determination and mutual respect for their rights. The text of the resolution would be strengthened if references condemning real violations of workers' rights were not weakened by unfounded accusations of racism and if expressions that cast doubt on the right of the State of Israel to exist were eliminated. She opposed setting up a special Conference Committee since she had confidence in the ordinary procedures of the Organisation, and the Committee might jeopardise the quality of work of future sessions of the International Labour Conference.

41. The Workers' member of the USSR appealed for support of the resolution which was a proper

response to the worrying situation in the Middle East. Because it dealt with the loss of trade union and other rights, the resolution clearly came within the competence of the ILO. The adoption of resolutions in 1974 and 1980 was further proof of the ILO's role in this matter; no other international organisation was more competent to defend the legitimate rights of workers that were being violated in the occupied Arab territories. It was necessary to restore freedom of action to trade unions and to reintroduce respect for workers' rights.

42. The Government member of the Libyan Arab Jamahiriya stated that the resolution was serious and objective and that no one could support the flagrant violations of international law by Zionist Israel. The ILO was the proper forum to consider the violations of workers' and employers' rights in the occupied territories. The Preamble to the Constitution, which he cited, clearly gave the Organisation competence in this area. Any argument to the contrary was merely a pretext to defend Zionist interests and the Israeli policy of aggression. Certain parties constantly protected Israel against resolutions in the United Nations through the use of their veto. Certain parties also threatened to withhold contributions to international organisations, and to use all available means to avoid the adoption of the resolution. The attack made by the Government member of Israel on the Libyan Arab Jamahiriya should be seen in the context of constant attempts by Israel, particularly within the United Nations system, to present itself as a victim. In fact, the only party carrying out terrorism was the Zionist entity, which had hijacked planes, carried out raids, blown up a Libyan civilian plane and destroyed much of the merchant fleet in Lebanon. The latest act of terrorism had been the murder in Tunisia of a leader of the Palestine Liberation Organisation. The international community could not ignore such injustice and members would need to resist the tactics being used within the Committee.

43. The Workers' member of Mexico warned the Committee that the debate should not be allowed to turn into an interminable series of counter-arguments. Mexico was a friend of all free countries and all peoples of the world. It was necessary to avoid insults and to search for solutions through consultation and mutual concessions. The business of the Committee was to formulate a resolution that contained the fundamental principles of justice, particularly with regard to workers' rights and their rights to economic well-being, as illustrated in the motto, "Bread, peace and freedom", of the International Confederation of Free Trade Unions. The prestige of the ILO, and in particular its tripartite nature, equipped it to produce such an instrument, which should be effective, well-balanced and harmonious.

44. The Government member of the USSR noted that the question of the situation of workers in the occupied Arab territories was not a new subject for the ILO, as it had been dealt with the 1974 and 1980 resolutions adopted by the International Labour Conference and in the Director-General's annual reports. Recently the situation had deteriorated, resulting in an Arab uprising against the violation of human rights and freedoms, discrimination, the confiscation of land, and mass repression by the Israeli authorities. As noted in the Report of the Director-

General, the situation would become still worse if the occupation did not end. Appendix III of the Report of the Director-General also gave numerous facts concerning overt and covert discrimination against Arab workers in areas such as social security, working conditions, vocational training and trade union freedom – trade unions had been dissolved and many of their leaders expelled or imprisoned. The world community was deeply preoccupied by this situation and condemned the actions of the Israeli authorities in these territories, as they violated international law. What was needed was a just and comprehensive settlement in the Middle East on the basis of the United Nations Charter and relevant United Nations resolutions, according to the balance of interests of all parties. The governing principles should be self-determination for the Palestinian people, the withdrawal of Israeli troops from all occupied territories and the peaceful coexistence of all States in the region. It was generally recognised that a suitable mechanism for bringing this about was an international conference, under the aegis of the United Nations, of all interested parties and permanent members of the Security Council and including the sole legitimate representative of the Palestinian people, the Palestine Liberation Organisation. The ILO must express its support for the right of the Arabs in the occupied territories to economic security and to equal opportunity and to live and work in freedom and dignity, as proclaimed in the Declaration of Philadelphia, and must do everything possible to guarantee this right in practice to the Palestinian people. The USSR delegation supported the resolution submitted by the Arab States.

45. The Workers' member of the Netherlands believed that while all members were concerned at what was happening in the occupied territories, there was no unanimity on the substance of the resolution. He hoped that a consensus could be reached, based on the yardstick that human lives were at stake. The Director-General's report had rightly pointed out that resolutions should be pursued in two directions, one aimed at a political solution and the other at overall development policy in the occupied territories. Whereas the former was outside the ILO's competence, it was the Organisation's duty to be responsible to the latter. Regrettably, the resolution took no account of these different kinds of solution, and it therefore lacked balance. Some previous speakers, referring to the Declaration of Philadelphia, had interpreted it too strictly in suggesting that social justice was a prerequisite for the solution of political conflicts. Practical contributions to an overall development, as defended in the report of the Director-General, might lead to a process of peace. Such contributions should be fully explored. The statement made by the spokesman of the European Community countries outlined measures taken to promote trade relations with the occupied territories and could lead to a positive policy in that direction. The speaker could not fully support the resolution, in its substance or terminology, and did not see the necessity of establishing a special committee as called for in the resolution. He reserved the right to introduce amendments to improve it.

46. The Government member of Czechoslovakia, expressing his support for the resolution, considered it to be a logical step responding to a procedural gap

in the ILO monitoring system. That system at present had no satisfactory means for dealing with cases of mass violations of human and trade union rights. It was therefore appropriate to have recourse to a special solution analogous to the practice established to deal with the issue of apartheid. To date, no case that had been brought before the Committee on the Application of Conventions and Recommendations had given enough room to deal with the complex problem of the situation regarding human rights and freedoms in Palestine and the occupied Arab territories. His delegation therefore supported the provision calling for the establishment of a special committee unless another suitable solution emerged from the debate of the amendments.

47. The Government member of Canada indicated that his Government had followed with grave concern the situation in the occupied territories, including the human suffering, that gave rise to the resolution. It had expressed the view that human rights violations arising from control measures in the territories were unacceptable and inconsistent with the IVth Geneva Convention. His delegation was also mindful that the resolution addressed political issues which it was prepared to consider in appropriate forums but which were outside the scope of the Organisation and could divert attention from other substantive issues within the ILO's mandate. He had serious doubts about the proposal to establish an annual Conference Committee to deal with this topic, as there were questions about the availability of resources as well as about what such a mechanism might achieve. Despite concern about the tone of the language used in the text, his delegation was open to proposals for resolving the difficulties in a concrete way. In the final analysis, the question facing the Committee was whether the Organisation had any useful role to play in this issue.

48. Speaking in support of the resolution, the Workers' member of the German Democratic Republic pointed to the link between the Universal Declaration of Human Rights and the Preamble to the ILO Constitution in respect of the need for peace to be based on social justice. The resolution concerning the occupied territories was imbued with that spirit. Peace could only come to that area if all concerned, in the spirit of the ILO Constitution, demanded that the Israeli Government should assure the fundamental rights of the Palestinians and cease violating their human rights. The ILO could, in keeping with its Constitution and in the spirit of this resolution, make a contribution to the restoration of democratic and trade union rights and freedoms in the area. The Committee had heard accounts of the various forms of human rights violations committed by Israel in the occupied territories, and the Committee could not let them pass in silence. For over six months the Palestinian population had struggled with peaceful means against the terror that had gone on for decades, against the repressive measures visited on trade unions and against the brutal methods used by the occupying forces. Through the resolution the ILO could contribute to the convening of an international conference under the auspices of the United Nations, which would be attended by representatives of the parties concerned and which would assist in achieving peace on the basis of social justice.

49. The Workers' member of the Syrian Arab Republic stressed that the resolution was fully in accordance with the objectives and principles of the ILO. This was illustrated by its focus on human and trade union rights and by the previous resolutions adopted by the Conference on this subject in 1974 and 1980. The 1974 resolution condemned the policy of racial discrimination and violation of trade union freedoms, impairing basic human freedoms, pursued by the Israeli authorities against the Arab peoples. In the 1980 resolution the Conference also strongly deplored the establishment of Israeli settlements in Palestine and the other occupied Arab territories since June 1967. It called upon the Israeli authorities to put an immediate end to the establishment of settlements in Palestine and the other occupied Arab territories, including Jerusalem, and to dismantle the existing settlements. It also expressed its concern at the establishment of Israeli settlements in Palestine and in the occupied Arab territories and at their economic and social consequences which seriously affected the economic and social rights of the Arab labour force. The high priority that had been accorded to the resolution was another proof of the democratic nature of the ILO and confirmed the rejection by the international community of the representative measures exercised by the Israeli authorities. Despite claims to the contrary, trade union rights in the occupied territories had been severely restricted; since 1979 no petition for registration had been accepted from any Arab trade union in the area, military activities had been undertaken to repress trade unions, trade union centres had been closed down, their assets confiscated and trade union leaders arbitrarily detained. The Israeli authorities also prevented the construction of housing and confiscated Arab-owned land on the pretext of security considerations. The situation of Syrian workers living in the occupied territories had constantly deteriorated – up to 87 per cent of their agricultural land had been confiscated. Mothers were being maltreated in their attempts to prevent the arrest of their children. Reliable sources indicated that 224 martyrs had fallen, while the present unrest had resulted in 6,000 detentions. The report of the Director-General on this subject illustrated the magnitude of the violations and the fact that their frequency had increased. The ILO should rise to the occasion and should react against the situation of children in the area who were demonstrating on behalf of the rights, freedoms and dignity of their parents and who were suffering more than they could bear.

50. The Workers' member of Afghanistan emphasised that the first and foremost task of the ILO was to defend the interests of workers wherever they might be. This task had special priority in view of the 40th anniversary of the Universal Declaration of Human Rights and the increasing violation of such rights in the occupied territories. The ILO should take a more exclusive step to this effect; hence the resolution was appropriate and within ILO competence. A proper mechanism for implementation was also essential.

51. The Government member of China was of the view that the resolution conformed to the terms of reference of the ILO. The Palestinian people, including workers, women and children, were subject to various forms of discrimination. Their social security

was not guaranteed, let alone their right to basic freedoms. Especially in the last half year, the Israeli authorities had used oppressive means, and a large number of people had been maimed and killed. This was causing universal concern. Although the problem was of a political nature, it was also appropriate for the ILO to consider those aspects within its competence, as its purpose was to protect social justice. The content of the resolution was on the whole positive, and he supported the reasonable proposals contained in it. He hoped that after broad consultation the Committee would adopt a resolution acceptable to all and that it would benefit the Palestinian people.

52. A motion to close the debate under article 64 of the Standing Orders was moved by the Government member of Jordan and supported in a show of hands by more than one-fifth of the members. The Government member of Australia opposed the motion since many speakers still wished to address the subject and added that if the debate were allowed to continue, a more constructive resolution would probably emerge. The Workers' Vice-Chairman noted that several members of his group wished to speak and he therefore favoured continuation of the discussion. The motion was then put to the vote by a show of hands which produced the following results: 180,061 votes in favour, 1,161 against, with 56,125 abstentions. The quorum of 130,961 having been attained, the motion was declared adopted. In response to a request, the Chairman indicated that the following members had expressed the wish to speak: the Workers' members of the United Kingdom, Iraq, New Zealand and Jordan; the Employers' member of Kuwait; the Government member of Australia; the Workers' members of Cuba and Israel; the Government member of Democratic Yemen; the Workers' member of Mauritania; the Government members of the Syrian Arab Republic, Algeria, Senegal, Cuba, Hungary and Bulgaria; the Workers' member of China; the Government members of Japan and the Sudan; the Workers' members of Portugal, the United States, Philippines and Israel; and the Government member of the United States.

53. The Government member of Canada challenged the result of the vote under article 65, paragraph 7 of the Standing Orders, on the grounds that there may have been irregularities in the vote by show of hands. His motion was subsequently withdrawn, whereupon the Government member of the United States challenged the result on the same grounds. A record vote was then taken which produced the following results: 188,578 votes in favour, 2,322 against, with 78,380 abstentions. The motion to close the debate was adopted.

54. The Government member of the Syrian Arab Republic exercised his right under article 64, paragraph 4 of the Standing Orders, as one of the sponsors of the resolution, to speak on the question under discussion after the closure had been voted. Recalling some of the main points in the resolutions adopted on this subject by the Conference in 1974 and 1980, he indicated that this resolution, which had come out first in the secret ballot, was directed against discriminatory practices and the denial of human and trade union rights by the Israeli authorities. Given that the resolution simply denounced

Israel's evil practices in the occupied Arab territories, such as the victimisation of thousands of young people, in addition to referring to those earlier resolutions, how could anyone claim that it was politically motivated and outside the competence of the ILO? Rather, it fell squarely within the mandate of the Organisation, its purpose being to improve trade union rights. He was not surprised that the Government member of Israel had gone beyond the issues raised in the resolution and in so doing had insulted other delegations, including his. Despite this, the Committee should not be diverted into a sterile political debate that could only delay the adoption of this resolution.

Consideration of amendments

55. Forty-one amendments, numbered from D.6 to D.46, were submitted for examination.

56. Amendment D.46, submitted by the Government members of Belgium and Italy, sought to replace the words "Palestine and other occupied Arab territories" by the words "the occupied Arab territories", in the title, in the sixth, eighth, ninth and tenth preambular paragraphs and in operative paragraphs 2, 3, 4 and 5.

57. Introducing the amendment, the Government member of Italy stressed that the Committee must remain strictly within the mandate of the ILO and avoid introducing political issues. What was needed was clearness and precision in the language of the resolution which would not be subject to interpretation of a geographical or historical nature. This concept also guided the Security Council of the United Nations in its resolution No. 605, also referred to in the sixth preambular paragraph of the present resolution.

58. The Government member of the Syrian Arab Republic rejected the amendment on behalf of the co-sponsors of the resolution since it called into question the objectives and content of the resolution as a whole, which was contrary to the wish of the Committee that had given the resolution top priority. While the co-sponsors were ready to consider amendments that improved the text, they considered that the overriding objective of most of the amendments was to demolish the whole concept of the resolution.

59. The Workers' and Employers' Vice-Chairmen announced that no group positions had been adopted on the amendment and that members would intervene in their individual capacities.

60. A number of Committee members supported the amendment. The Government member of the United States stated that the existing text prejudged the issue of sovereignty in the Middle East and was contrary to United Nations resolutions, which were the only foundation for a peaceful solution to the conflict in that region. The Workers' members of the United Kingdom and Spain, as well as the Government members of France and Belgium, supported the amendment on the grounds put forward by the Government member of Italy. The terminology used in the Director-General's report on the situation of workers of the occupied Arab territories should be followed. The large number of amendments to the

text were evidence that many members of the Committee had difficulties with the resolution; but these amendments also indicated a willingness to discuss the resolution in a democratic manner, and were not an attempt to undermine it. The terminology used in the resolution had veiled connotations which called into question the existence of the State of Israel and thus detracted attention from the real issues of workers' and employers' rights.

61. The Employers' members of Kuwait and Jordan and the Workers' members of Mauritania, the Syrian Arab Republic and the USSR spoke against the amendment. This amendment would undermine the whole basis of the resolution and delay discussions on important issues within the Committee. The reference to Palestine could not be deleted; Palestine was a historical fact, had a specific legal meaning and had been referred to in many United Nations documents and resolutions, as well as in the ILO resolution adopted in 1980. The Workers' member of the USSR recalled in particular the recent meeting of the Economic and Social Council of the United Nations which had before it an agenda item on the violation of rights in the occupied Arab territories, including Palestine.

62. With a view to seeking consensus within the Committee, the Employers' member of the United Kingdom proposed to subamend D.46 by replacing the words "Palestine and other occupied Arab territories", in the title and subsequently in the text, with the words "occupied Palestine and other occupied Arab territories."

63. The subamendment was supported by the Government member of Malaysia and the Employers' member of Pakistan, who both referred to the use of the term "Palestine" in the resolutions adopted by the Conference in 1974 and 1980. The subamendment was also supported by the Government member of Jordan.

64. The representative of the Palestine Liberation Organisation stated that while the resolution had been criticised as having political objectives, it was in fact the amendments that were political in intent and therefore alien to the spirit and nature of the resolution. Amendment D.46 had a political objective of deleting the references to Palestine from the resolution. Palestine had been recognised by the former League of Nations and was now recognised within the United Nations and the ILO as being a term that referred to a territory and to a people having specific rights. United Nations organisations had frequently placed Palestine on their agendas as a separate and independent item. The resolution dealt with a well-known fact, that is, occupied Palestine. The supporters of the amendment were motivated by political objectives that were contrary to the interests of Palestinian workers and Palestine which were recognised by the international community. He could, however, support the subamendment proposed by the Employers' member of the United Kingdom.

65. The Government member of Denmark and the Employers' member of the United States opposed the subamendment since it did not clarify the text and presented grammatical problems which in fact accentuated the difficulties with the present text.

66. The Employers' Vice-Chairman, in his personal capacity, proposed a further subamendment which sought to delete the word "other" from the reference to Palestine and other occupied Arab territories. This was subsequently withdrawn in favour of a subamendment proposed by the Employers' member of Sweden.

67. The Government members of Belgium, the Federal Republic of Germany and the United States strongly supported the original amendment D.46 and noted that the proposed subamendments did not improve its original text. The Government member of the Federal Republic of Germany stressed that common ground should be found to solve the problems of employers and workers in a specific area of the world, and therefore a text that drew the widest support possible, which amendment D.46 was intended to do, should be adopted.

68. The Employers' member of Sweden proposed to subamend the amendment by replacing it with "the occupied Arab territories including those in Palestine", which had been mentioned earlier in the discussion by the Workers' member of the USSR.

69. The Government members of the Syrian Arab Republic and Qatar noted that the sponsors of the resolution were receptive to constructive amendments and supported the subamendment proposed by the Employers' member of the United Kingdom. As the representatives of the Palestine Liberation Organisation had accepted the subamendment, there seemed to be some agreement in the Committee; attempts to find yet another new wording were wasting the time of the Committee and undermining its work. The Employers' member of Jordan also supported this amendment and requested the Committee not to allow its work to get bogged down in amendments and subamendments.

70. The Workers' members of the USSR and of Senegal supported the subamendment proposed by the Employers' member of the United Kingdom, noting in turn that the concept of Palestine had been clearly referred to in the records of the recent Commission on Human Rights of the United Nations Economic and Social Council, and that the priority given to the resolution by the present Committee indicated that it was unnecessary to change any reference to Palestine.

71. The Government members of the United Kingdom, Italy and Canada reaffirmed their support for amendment D.46 in its original form. This particular wording, which occurred frequently throughout the text, should be clear and precise and avoid possible interpretations of a geographical or political nature. The subamendments did not contribute to the clarity of the text. The Government member of Canada added that the underlying consideration of the discussion of this point was the need to demonstrate that the ILO could make a specific contribution to the settlement of problems in this area. The concept of Palestine as an entity in international law and politics was not universally accepted, and this issue was not going to be resolved by the ILO. The fact that this form of language had been used in the past in the ILO did not mean that its use had helped to resolve the problems of the area.

72. The Workers' member of Spain noted a certain confusion in the terminology used in the present title of the resolution, which should be avoided. It was unclear what was meant by "Palestine" – whether it referred to Gaza, the West Bank and Jerusalem, the State and territory of Israel, or the territories now occupied or those before partition in 1947.

73. The Employers' member of the USSR emphasised that it was necessary to retain the wording that was the most acceptable to the majority of members of the Committee, and that the subamendment proposed by the Employers' member of the United Kingdom was a possible basis for compromise and agreement.

74. The Government member of Algeria stated in response to queries about definitions that the existing language in the resolution was clear in its reference to Palestine. Palestine was a political issue and the Committee should not be embarrassed by that. The representative of the Palestine Liberation Organisation had made concessions and it did not serve the interests of the workers and employers in Palestine to protract the debate.

75. The Government member of Senegal, emphasising the importance of finding a consensus within the Committee concerning the title of the resolution so that the substance of the issue could be considered, proposed, as a subamendment to amendment D.46, that the following wording, which had been included in the United Nations Security Council resolution No. 605, should be employed in the resolution: "The Palestinian and other Arab territories occupied by Israel since 1967."

76. After a number of members of the Committee had expressed their agreement with the above formulation, amendment D.46, as subamended by the Government member of Senegal, was adopted. In response to questions, the Chairman specified that this formulation would be cited in all provisions referred to in amendment D.46, namely the title, the sixth, eighth, ninth and tenth preambular paragraphs and operative paragraphs 2, 3, 4 and 5.

77. In this connection, the Government member of Israel noted that his delegation objected to any formulation connected with the resolution.

78. The Government member of the United States stated that although his delegation would not stand in the way of consensus in the Committee, it reserved its position on this point.

79. Amendment D.13, submitted by the Government members of Belgium and Italy, sought to replace, in the first preambular paragraph, which stated that–

Taking into consideration the Constitution of the ILO which states that "universal and lasting peace can be established only if it is based upon social justice", and that "conditions of labour exist involving such injustice, hardship and privation ... as to produce unrest so great that the peace and harmony of the world are imperilled,

the words after "and that" by the following quotation from Preamble to the Constitution of the ILO:

conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of these conditions is urgently required.

Introducing the amendment, the Government member of Belgium stressed that the precise text of the

Constitution of the ILO should be used, since each word and concept had a specific meaning.

80. Both the Workers' and Employers' Vice-Chairman indicated that their groups could support the amendment.

81. The Government member of Israel stated that while the quoted text as such was supported by his Government, it could not be accepted in this context.

82. Amendment D.13 was adopted.

83. The first preambular paragraph was adopted. The Government member of Israel stated that he would like to have his Government's objections to the text of the resolution, as noted above, placed on record.

84. The second preambular paragraph, which read as follows:

Taking also into consideration the Declaration of Philadelphia which states that "freedom of expression and of association are essential to sustained progress", and that "all human beings irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity,

was adopted. The Government member of Israel requested that his Government's reservations be placed on record.

85. The third preambular paragraph, which read as follows:

Recalling the resolution concerning trade union rights and their relation to civil liberties, adopted by the International Labour Conference in 1970, which affirms that without independence and political freedom workers cannot fully exercise their trade union rights,

was adopted. The Government member of Israel requested that his Government's reservations be placed on record.

86. Amendment D.19, submitted by the Government members of Canada and the Netherlands, sought to delete the fourth preambular paragraph, which read as follows:

Recalling also the resolution concerning the policy of discrimination, racism and violation of trade union freedoms and rights practised by the Israeli authorities in Palestine and in the other occupied Arab territories, adopted by the Conference in 1974,

Introducing the amendment, the Government member of the Netherlands said that since many delegations had difficulties with the fourth preambular paragraph, the amendment was intended to make the resolution more widely acceptable to all sections of the Committee. He recalled that many members of the ILO had voted against the 1974 resolution and that the United Nations General Assembly resolution 3379 of 1975, which had sought to equate Zionism with racism, had also been rejected by many governments. The fourth preambular of the resolution currently under discussion concerned matters outside the ILO's mandate. The deletion of this paragraph would allow a broader cross-section of the Committee to deal with the important issues which the resolution attempted to address.

87. The Employers' Vice-Chairman indicated that his group could not support the amendment. The Workers' member of the German Democratic Republic, acting in place of the Workers' Vice-Chairman, explained that there was no consensus within

his group on this matter, but that a part of the Workers' group could not understand why this paragraph should be deleted when it merely referred to a resolution which the Conference had adopted in 1974 and which had never been annulled. The Workers' members of the Libyan Arab Jamahiriya, Sudan and Senegal and the Employers' member of Kuwait and the Algerian Government member shared the view that the amendment should be rejected.

88. The Workers' member of the United Kingdom supported the amendment. To maintain the progress already made in the debate he called upon the Committee to remove any language from the resolution that was insulting or aggressive. The Government member of France also supported the amendment and stated that the resolution adopted in 1974 did not have the support of his Government then, and it still maintained these objections. The Workers' member of the United States also supported the amendment because preambular paragraph 4 contained inaccuracies, offensive language and was polemical. Attempts to link the actions of the Israeli Government with racism was the most objectionable aspect of this resolution.

89. The Workers' member of Switzerland then proposed a subamendment to rephrase the original preambular paragraph 4 so that the reference to racism would be deleted.

90. A number of Committee members strongly objected to this subamendment since the reference to racism was an accurate reflection of the situation, was widely accepted and had been used in previous ILO resolutions. The intent of the subamendment was to rewrite history. The Employers' Vice-Chairman stated that the subamendment would not be acceptable. Some Government members, while welcoming the intent of the proposal, stated that it would not meet the objections of the authors of amendment D.19. The Government member of Yugoslavia and the Employers' member of Kuwait raised points of order concerning whether this proposal was a subamendment or constituted a new amendment and whether anyone had the right to modify a resolution that had already been adopted by the ILO. Following this discussion the proposal was withdrawn.

91. The Government member of France offered a subamendment which proposed alternative language for preambular paragraphs 4 and 5. This was seconded by the Government member of Australia, who indicated that his Government was deeply concerned about the continued unrest in the occupied territory, in particular the deportation of Palestinians to Lebanon and the harassment of trade unionists. If the occupation continued, the position of Arab workers was to deteriorate still further, and the effects on living and working conditions could be extremely grave. To resolve the conflict it was essential that the rights of the Palestinians to self-determination and independence be accepted, within the framework of a negotiated settlement based on the right of all countries of the region to secure and recognised boundaries in accordance with resolution 242 of the Security Council. The proposal was challenged on a point of order by the Government member of Jordan, on the grounds that it constituted a new amendment, which was not admissible at that time, rather than a subamendment.

92. The Assistant Legal Adviser explained that the question of what was and what was not a legitimate subamendment under the terms of article 63, paragraph 6, of the Standing Orders was in the last resort a matter for the discretion of the Chairman. However, she noted by way of illustration, that where an amendment proposed to delete an entire paragraph, as was the case here, a proposal modifying that amendment in such way that the overall effect would be to remove only part of the paragraph while retaining some of the original wording would be a legitimate subamendment, whereas a proposal to substitute entirely new language for the original paragraph would probably be a new amendment, subject to article 63, paragraph 4, of the Standing Orders.

93. Following this advice, the Chairman ruled that the subamendment introduced by the Government member of France could not be accepted.

94. The United States Employers' member proposed a subamendment which sought to delete only the word "racism" from preambular paragraph 4. The motion was seconded. However, the Chairman disallowed the proposal on the grounds that it would alter the official title of a resolution adopted by the Conference.

95. The Government member of Mexico suggested that paragraph 4 should only mention the number and the date of the resolution referred to without citing the title. The Chairman, after consulting the secretariat, replied that the usual practice was for the Committee to include in its reports to the Conference the titles of its resolutions only without numbers.

96. The United States Employers' member then proposed a subamendment which sought to delete the passage "concerning ... Arab territories," from the paragraph, so that it would read:

recalling also the resolution adopted by the Conference in 1974,

The motion was seconded.

97. After several points of order contesting the admissibility of the subamendment, and a statement by the Government member of India opposing it since it would render the preambular paragraph meaningless, the Employers' member of Kuwait moved to close the debate on amendment D.19 and related subamendments. The Government members of Algeria and Argentina raised a point of order stating that the Legal Adviser has earlier advised that an ILO resolution could not be cited without its complete title, and the Chairman had so ruled (proposal by the Government member of Mexico). Hence, the proposed subamendment was unacceptable and could not be put to a vote.

98. The closure motion was put to a vote by a show of hands. It received 353,122 voted in favour, 0 against, with 108,561 abstentions, the quorum being 255,154. The closure motion was adopted.

99. Exercising his right to speak for the sponsors of the amendment after closure of the discussion, the Government member of Canada regretted that the Committee had got stuck on technicalities, which had blocked any substantive discussion on the question raised by the amendment.

100. The Government member of Tunisia raised a point of order on the basis of article 64, paragraph 4, of the Standing Orders. In reply the Chairman stated that the authors of an amendment had the right to speak after a vote on closure.

101. The subamendment of the United States Employers' member was then put to a vote by a show of hands. The result was 12,267 votes in favour, 8,178 against, with 489,666 abstentions, the quorum being 255,154. The subamendment was rejected for lack of a quorum.

102. Amendment D. 19 was put to a vote by show of hands. It received 137,636 votes in favour, 0 against, with 373,527 abstentions. The amendment failed for lack of a quorum.

103. The result of the vote was challenged under article 65, paragraph 7, of the Standing Orders by the Government member of the Netherlands, on the grounds that the working conditions in the chamber had not been conducive to an orderly vote by show of hands, which might have led to an incorrect count. After a discussion of the advisability, necessity and timing of a record vote, the Legal Adviser explained that in the case of a challenge, for which reasons were given, to the result of a vote by show of hands, a record vote was obligatory and could not be postponed to a later sitting since in the case of such a challenge, the exactness of the result which had been questioned could not be verified if in the meantime the composition of the Committee had changed.

104. A record vote on amendment D.19 was taken. The result was 144,375 votes in favour, 0 against, with 383,256 abstentions, the quorum being 255,154. The amendment was rejected for lack of a quorum.

105. Before and after the vote a number of Committee members expressed regret that the work of the Committee had been delayed through technicalities (Government member of Canada) and procedural matters (Government members of Algeria and the Syrian Arab Republic; Workers' members of Senegal and the USSR; Employers' member of Jordan). Others requested the Chairman to use his good offices to accelerate the pace of work (Government members of Tunisia and Qatar; Employers' member of Kuwait). Still others called for additional sittings to enable the Committee to make up for lost time and complete its work (Government members of Algeria, China, Iraq, Senegal and the USSR; Workers' members of the German Democratic Republic, Mauritania and the Syrian Arab Republic; Employers' member of Jordan).

106. Amendment D.32, which sought to correct a typographical error in the English text only, changing "unions" to "union", in paragraph 4 of the Preamble, was then considered. After noting the reservation of the Government member of Israel that it could not accept any of the amendments or the resolution itself, the Committee adopted the amendment.

107. Preambular paragraph 4, as amended, was then put to a vote at the request of the Government member of the United States. The vote by show of hands produced the following result: 412,748 votes in favour, 0 against, with 107,075 abstentions. The paragraph was adopted.

108. Amendment D.6, submitted by the Government member of Denmark and duly seconded, sought to replace preambular paragraph 5, which read:

Recalling also the resolution concerning the implications of Israeli settlements in Palestine and other occupied Arab territories in connection with the situation of Arab workers and the resolution concerning the International Year of Shelter for the Homeless and the role of the ILO, adopted by the Conference in 1980 and 1987 respectively,

with the following text:

Recalling also the resolution concerning the International Year of Shelter for the Homeless and the role of the ILO, adopted by the Conference in 1987,

Introducing the amendment, the Government member of Denmark noted that the views of his Government had been reflected in the statement made on behalf of the European Communities during the general discussion. Any reference to the resolution adopted in 1980 concerning Israeli settlements should be deleted in the present resolution since his Government had not been in favour of it then and its position had not changed. If this reference remained in the present resolution, his Government would not be able to support it.

109. The Employers' Vice-Chairman stated that his group did not support the amendment. The Government member of the Syrian Arab Republic, speaking on behalf of the Arab group, also opposed the amendment. He stressed that he knew what had motivated the amendment and he was opposed to that as well as to the substance of the amendment.

110. The Workers' member of the United States and the Government member of France supported the amendment for reasons put forward by the author.

111. After the Government member of Denmark explained that adoption of the amendment would allow his delegation to take a more positive attitude to the resolution and that he had no reason for withdrawing it, the Government member of Egypt asked for a vote on the amendment.

112. The amendment was put to the vote by a show of hands. There were 112,145 votes in favour, 0 against, with 416,726 abstentions. The quorum of 255,154 not having been reached, the amendment was not adopted.

113. At the request of the Government member of Israel, preambular paragraph 5 was put to a vote. The result was as follows: 416,655 votes in favour, 0 against, with 107,075 abstentions. The paragraph was adopted.

114. Amendment D.8, submitted by the Government member of Sweden and co-sponsored by the Government member of Norway, sought to delete preambular paragraph 6, which read:

Affirming that the Fourth Geneva Convention, 1949, concerning the protection of civilian persons in time of war, is applicable to Palestine and other occupied Arab territories, as was reaffirmed by the Security Council in its resolution No. 605 and by the Commission on Human Rights in various sessions,

The Government member of Sweden stated that while his Government did not challenge the substance of the preambular paragraph, the reason for submitting this amendment was a formal one: it was

not within the competence of the ILO to interpret the Fourth Geneva Convention. The Committee should respect the division of labour among international organisations and leave matters outside the competence of the ILO to the competent authorities.

115. The Employers' Vice-Chairman stated that the Employers' group opposed the amendment. He was supported by the Employers' member of Jordan. The Workers' Vice-Chairman announced that there was no consensus within the Workers' group and its members would speak and vote in their individual capacities. Other Committee members also had divergent views. The Government member of Yugoslavia urged the authors of the amendment to withdraw it. The Government member of Japan requested clarification as to what was being affirmed, and if there were specific decisions and paragraphs on this they should be cited. The Workers' member and the Government member of the United States supported the amendment.

116. The Employers' member of the United States sought to rephrase the original preambular paragraph as a subamendment to D.8 as follows:

Recalling past United Nations resolutions as they apply to the Palestinian and other Arab territories occupied by Israel since 1967,

The Employers' member of Kuwait raised a point of order stating that this subamendment, like the one proposed for D.19 by the Government member of France, constituted a new amendment and was no longer admissible. Following advice from the Legal Adviser, the Chairman ruled that the subamendment was not receivable.

117. The Government member of Israel stated that his Government's position was to conform with the provisions of the Fourth Geneva Convention and to implement them in its administration of the territories. The Israeli attitude on the whole question had been distorted by placing undue emphasis on the Israeli position concerning the political status of the area, with regard to the applicability of the Convention. Israel had signed and ratified all four Geneva Conventions. Conformity with the Fourth Geneva Convention was illustrated by the extensive operations carried out by the delegates of the International Committee of the Red Cross. Moreover the Israeli administration followed rules that were stricter than envisaged in the Fourth Geneva Convention, in particular in the field of legal protection.

118. A number of members of the Committee opposed the subamendment, including the Government members of Algeria, Iraq and the Syrian Arab Republic; the Employers' members of Jordan and Kuwait; and the Workers' members of Sudan and the Syrian Arab Republic. The last speaker, referring to the Zionist entity, stated that it was important to call attention to the applicability of the Fourth Geneva Convention to Palestine and the other occupied Arab territories. On a point of order raised by the Government member of Israel, the Chairman drew the attention of members of the Committee to the fact that member States should be referred to in their official designation as recognised by the United Nations.

119. The Employers' member of Jordan, replying to the last statement of the Israeli representative, said that the untruth in his statement about the Is-

raeli authorities being committed to abide by the Fourth Geneva Convention was revealed by the fact that the Israeli High Court had found illegal the expulsion of Awad Mubarak, a Palestinian now possessing American citizenship, and a number of Arabs from their country.

120. The Syrian Minister of Social Affairs and Labour spoke against the amendment, stressing that the time of the Committee was being wasted. The purpose of the amendment was clear; it should be rejected.

121. The Government member of the Syrian Arab Republic moved to close debate on the amendment. In accordance with article 64, paragraph 2, of the Standing Orders, it was determined that a least one-fifth of the members of the Committee supported the motion for closure. Speaking against the motion, the Government member of the United States stated that he had a statement to make on the amendment, and that it included points concerning the competence of the ILO to deal with the applicability of the Fourth Geneva Convention; he was therefore against closing the debate. The Employers' member and the Workers' member of the United States also spoke against the motion, noting respectively that democracy and the right to speak were being flouted by the motion and that the language in preambular paragraph 6 was gratuitous and insulting and hence more discussion was required on the amendment.

122. A vote by show of hands was taken. The result was as follows: 305,477 votes in favour, 0 against, with 187,345 abstentions. The motion for closure was adopted.

123. The Government member of the United States challenged the result of the vote by show of hands. When asked by the Chairman to state his reasons for doing so, he requested the advice of the Legal Adviser since he could find no reference in the Standing Orders which required him to give a reason. The Government member of the Syrian Arab Republic, supported by the Government member of Algeria, requested a record vote on this amendment and on every subsequent amendment. He stated that it was clear the every vote by show of hands would be followed by a record vote; it was better to preserve the dignity of the Committee and of the Office of the Chairman by proceeding directly to a record vote and dispensing with a vote by show of hands. Following a discussion of a procedural nature on the method of voting, the Chairman called for a record vote on the mention of closure of debate on amendment D.8, in accordance with article 65, paragraph 5, of the Standing Orders. The result of the vote was as follows: 329,347 votes in favour, 0 against, with 221,015 abstentions. The motion for closure was adopted.

124. Availing himself of his right under article 64, paragraph 4, of the Standing Orders, the Government member of Sweden, as co-sponsor of the amendment, reiterated that the only reason for the amendment was formal, since it was not within the competence of the ILO to interpret the Fourth Geneva Convention. No arguments had been put forward to convince him otherwise and he hoped the amendment would be supported.

125. The Chairman called for a record vote on amendment D.8 in accordance with article 65, para-

graph 5, of the Standing Orders. The result was as follows: 210,915 votes in favour, 0 against, with 297,710 abstentions. As the quorum of 255,154 was not reached, the amendment was not adopted.

126. The Government member of the Syrian Arab Republic, supported by the Government member of Algeria, moved to close discussion of all remaining amendments, in accordance with article 64, paragraph 1, of the Standing Orders. Speaking on behalf of the Arab group, he stressed that the manner in which the work of the Committee had proceeded was not acceptable. He questioned whether it would be possible for the Committee to finish its work on the first and second resolutions and adopt a report in the one day remaining. He regretted that the situation of workers and employers in Palestine had been relegated to the sidelines during the 40th anniversary of the Universal Declaration of Human Rights. Some members of the Committee had sought to narrow the gap between the divergent views, but the road had been full of pitfalls and other members had turned the Committee into a stage for chaos, disrespect and indiscipline. The morning session had been cancelled unilaterally without consulting the Committee. It was essential to speed up the work of the Committee, which was the reason for this motion.

127. A number of Committee members raised points of order on the above motion and requested the advice of the Legal Adviser.

128. The Government member of the USSR supported the motion proposed by the Government member of the Syrian Arab Republic. Unfortunately, some members of the Committee were deliberately and openly endeavouring to prevent the adoption of the resolution under discussion and such tactics were unworthy of the Committee. The ILO had an obvious duty to express solidarity with and provide assistance to the Arab workers in Palestine and the occupied territories, and it was regrettable that the Committee should have proceeded as it had. He stated that the motion had priority under article 64, paragraph 2, of the Standing Orders and should be put to a vote.

129. The Government member of Senegal, explaining his vote, stated that one field in which the international community must achieve consensus and take account of past consensus was human rights. Those who argued that this Committee was not the Commission on Human Rights or the International Committee of the Red Cross should not forget that all rights – social, human, economic and political – were inseparable. In other forums of the international community consensus had been reached on the applicability of the Fourth Geneva Convention to the occupied territories. The governments of the authors of the subamendment had been in the vanguard of the struggle for human rights; and Israel itself stated that it applied the Convention in the occupied territories. He hoped that a way would be found to save the credibility of the Committee and of the Organisation.

130. The Government member of Saudi Arabia regretted that the Committee had been prevented from moving forward by feeble spirits and stated that the Committee and the secretariat had failed to prevent chaos and inaction. There was a clear majority

in the Committee for the resolution but the majority had not been respected. There had been delays and a sitting cancelled without consultation. He supported the motion presented by the Government member of the Syrian Arab Republic.

131. The Legal Adviser responded to questions that had been raised about the interpretation to be given to article 64, paragraph 1, of the Standing Orders in respect of the motion by the Government member of the Syrian Arab Republic to close the discussion on all proposed amendments to the resolution which were still outstanding. He indicated that article 64, paragraph 1, and article 63, paragraph 7, were complementary and had to be interpreted together. According to precedent in the ILO, a successful motion to close debate on the "general question" which in this case was the resolution – would close the debate on all outstanding amendments. However, that would not eliminate the obligation under article 63, paragraph 7, to put every amendment to the vote. Summarising, a successful closure motion on the general question (the resolution) would end the discussion on all amendments, but those amendments would still have to be put to the vote.

132. The Government member of Israel challenged this interpretation of the Legal Adviser. In the view of his delegation, a motion for closure as provided for in article 63, paragraph 2(g), could only be applied to a question that was under discussion at the time the motion was moved. In the case in point, preambular paragraph 6 of the resolution was the general question under discussion; therefore, the closure applied only to the discussion of the amendment affecting that paragraph and not to discussion of the remaining amendments. Support for this view could be found in article 64, paragraph 4, which applied specifically to the Resolutions Committee and referred to the "question under discussion".

133. Some Committee members called for the sitting to be adjourned. Others favoured continuing it. The Government member of the Syrian Arab Republic, supported by several other Government members, agreed to resume the discussion at the next sitting provided it was on the basis of the opinion of the Legal Adviser. The Government member of the United States reserved his right to comment at a later sitting on the opinion given by the Legal Adviser.

134. In response to a question from the Employers' member of Kuwait concerning who had the power to terminate a sitting of the Committee, the Legal Adviser stated that unless the closing time had been fixed by the Selection Committee and subject to the special provision concerning the termination of the work of the Resolutions Committee contained in article 17, paragraph 6, of the Standing Orders, the Chairman was empowered under article 61, paragraph 1, to close a sitting.

135. In adjourning the sitting, the Chairman noted that the issues were complex and should be examined carefully at the next sitting, which would commence on the basis of the opinion given by the Legal Adviser.

136. At the next sitting, the Chairman, responding to a point of order raised by the Government mem-

ber of Israel which challenged the opinion of the Legal Adviser, confirmed that he had accepted the advice given by the Legal Adviser and that the work proceed on that basis. Having ascertained that at least one-fifth of the members present supported the motion for closure of the discussion on the general question, the Chairman gave the floor to one speaker from each group to speak against the closure.

137. The Government member of the United States stated that while he did not intend to challenge the ruling of the Chairman he considered the motion out of order, inconsistent with the letter, spirit and intent of the Standing Orders and contrary to the principles of the Organisation. Whatever approach was taken by the Committee at this session should not be regarded as a precedent. As the approach taken by the Committee raised serious questions for the work of the Resolutions Committee and the ILO generally, the question raised by the Government member of Israel and his own question should be answered before the next Conference. The Office should prepare a written legal opinion which should be submitted for comment. His Government felt the Standing Orders were clear. When they referred to resolutions or amendments, they called them as such. The term "general question" used in article 64, paragraph 1, could therefore not be interpreted to cover all amendments or an entire resolution. In addition to the provision in article 63, paragraph 7(2), that a vote was required on each amendment, there was a clear thrust and strong presumption in article 63 that amendments would be discussed. Article 64, paragraph 4, by referring to amendment in the singular, clearly implied that this term could not cover more than 30 amendments. He also requested an explanation of the different approaches taken in article 16 and article 64 as regards the distinctions between amendments, resolutions and questions. He endorsed the view taken earlier by the Employers' Vice-Chairman that the "general question" referred to in article 64, paragraph 1, meant the paragraph of the resolution under discussion and not all amendments to the whole resolution. His Government had two understandings regarding the procedural implications following the vote on closure as proposed by the Government member of the Syrian Arab Republic. First, sponsors of each amendment would be able to introduce them. Second, in accordance with article 64, paragraph 4, the sponsor of each amendment would have the right to speak after adoption of the motion for closure of the discussion on all remaining amendments, not for closure on the resolution itself as had been previously voted by the Committee.

138. The Chairman stated that the secretariat would take note of the request made that action should be taken on this question before the next Conference.

139. The Employers' Vice-Chairman expressed support for the request by the United States Government member that this question be looked at by the time of the next Conference. His personal view differed from that of the Legal Adviser, but this session was not the time to air those differences. It should be understood that the procedure being followed should be regarded as a way to facilitate the work of the Committee in this particular instance and should not set a precedent.

140. The Workers' member of the United Kingdom also supported the request for clarification of the Legal Adviser's opinion. The Committee should not be guided primarily by precedent but by the Standing Orders. He opposed the motion for closure because his and other Workers members' amendments had been designed to improve the resolution, which was after all only a draft, and to make it more pertinent to the concerns of the ILO. The resolution should refer to established facts, not assertions, should use parliamentary language and should have a positive flavour, oriented to future actions. It was not the usual practice in this Organisation to cut off discussion on an important issue.

141. The Chairman, acting in accordance with article 65, paragraph 6, put the question to a record vote. The result of the record vote on the closure of discussion on the general question was as follows: 279,385 in favour, 2,262 against, with 222,636 abstentions, the quorum being 255,154. The motion was adopted.

142. The Workers' member of Israel, on an explanation of his vote, stressed that the matter was of the utmost importance and should not be connected to the controversial issue of the territories occupied by Israel. It was a grave matter to limit members' right of discussion; this was a matter of freedom of speech. As a former member of the Governing Body, he felt strongly about the importance of ensuring freedom of expression within ILO bodies. He therefore hoped that the call for this question to be examined before the next session of the Conference would be heeded.

143. In response to points of order raised by the Government member of the United States, the Chairman ruled that only a sponsor of the resolution, and not sponsors of individual amendments, was authorised to speak after closure as provided for in article 64, paragraph 4, of the Standing Orders. The Government member of Canada indicated that he respected the decision of the Chairman in the immediate circumstances. However, he had doubts about the logic or justice of a procedure permitting the originators of a closure motion to have the last word, to the exclusion of the originators of amendments subjected to the closure. This seemed at odds with the letter and intent of the Standing Orders, and the Government member of Canada consequently welcomed the decision to give this question and its implications a thorough study before the next Conference. On behalf of the sponsors of the resolution, the Government member of Syrian Arab Republic stated that he had nothing to add at this time to his earlier statements concerning the substance of the resolution.

144. Under article 63, paragraph 2(2)(f), the Employers' member of the United States requested a clarification from the Legal Adviser as to whether the question under discussion was the resolution or the amendments to the resolution. The Legal Adviser confirmed the interpretation given by the Chairman, that is that the closure motion had been on the general question, in other words on the resolution. It was therefore one of the sponsors of the resolution who, under article 64, paragraph 4, of the Standing Orders, had been entitled to speak following closure, as had been ruled by the Chairman.

145. A record vote was taken on preambular paragraph 6 of the resolution. The result of the vote was as follows: 309,748 votes in favour, 0 votes against, with 199,723 abstentions. Preambular paragraph 6 was adopted as follows (taking into account the consequential changes resulting from the Committee's decision on the rephrasing of the title and subsequent references in the text):

Affirming that the Fourth Geneva Convention, 1949, concerning the protection of civilian persons in time of war, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, as was reaffirmed by the Security Council in its resolution No. 605 and by the Commission on Human Rights in various sessions,

146. The Government member of Australia explained his vote in favour of preambular paragraph 6. Although his Government shared the misgivings of those who had questioned whether it was appropriate for the ILO to comment on the application of the Fourth Geneva Convention to the occupied territories, it nevertheless did consider that the Convention applied to those territories. Moreover, as the Australian Minister for Industrial Relations stated in the plenary sitting of the Conference, the Australian Government was particularly concerned at the contravention of the Fourth Geneva Convention involved in the deportation of Palestinians, including trade unionists, from the occupied territories.

147. The Employers' Vice-Chairman, in the Chair at the time, proposed two matters of procedure to the Committee. First, in view of the unavailability of the Chairman, who had been appointed Reporter, he proposed that the Workers' Vice-Chairman act as Reporter. Second, in view of article 17, paragraph 10, of the Standing Orders, which stated that the Resolutions Committee shall submit a report to the Conference, and in view of article 17, paragraph 6, which stipulated that the Committee must terminate its work by 6 p.m. on the third working day preceding the date fixed for the closing of the session, he proposed that the next and final sitting be devoted to the adoption of the report. The Committee so agreed. The Workers' member of Mauritania expressed reservations on the appointment of the Workers' Vice-Chairman as Reporter because of his partiality.

148. Preambular paragraph 7, which read:

Expressing its concern at the continued breach of United Nations principles, international rules, conventions on the non-permissibility of the acquisition of land by force,

was then considered by the Committee. The Chairman ruled that as the three amendments concerning this paragraph – D.12, submitted by the Employers' member of the United States, D.20, submitted by the Government members of France and Norway, and D.33, submitted by the Workers' members of Barbados and Norway – were identical in seeking the deletion of the paragraph, they would be considered as one amendment.

149. Introducing the amendment, the Government member of Norway indicated that he could not speak on behalf of all of the sponsors since their reasons for submitting the amendment may have differed. While his Government was not opposed to the substance of the paragraph and did oppose the acquisition of land by force, the International Labour Conference was not the proper place to make the

statement presented in preambular paragraph 7. If the ILO was to have any impact on world opinion, it must limit its work to its area of competence. As the three amendments came from all three groups on the Committee, it was clear that the desire to delete preambular paragraph 7 had considerable support.

150. The Chairman put the amendment to a record vote. The result was as follows: 184,830 votes in favour, 0 votes against, with 294,831 abstentions. The quorum of 255,154 not having been reached, the amendment was not adopted.

151. Preambular paragraph 7 was adopted. The Government member of Israel stated his opposition to the paragraph.

152. At the time fixed by article 17, paragraph 6, of the Standing Orders for the termination of its work, the Committee had not completed its consideration of the first resolution. It had adopted the first seven preambular paragraphs of the first resolution.

RESOLUTION CONCERNING THE ROLE OF THE ILO IN THE STRENGTHENING OF RESPECT FOR HUMAN AND TRADE UNION RIGHTS

Presentation of the three original texts

153. This resolution resulted from the combination of three resolutions, as explained in paragraph 4 of this report.

154. The Workers' member of Mexico, introducing the original resolution concerning the role of the ILO in the protection and promotion of human rights, noted that its purpose was to emphasise the fundamental importance of all human rights and particularly freedom of association. Further recognition of these rights was necessary for workers to be able to carry out their activity in full dignity. Changes in social and working conditions, and the internationalisation of the economy, were leading to new challenges. Many governments and employers were contesting rights that had previously been acquired by trade unions and workers. There had been a shift from full-time employment to part-time and other precarious forms of work, and the threat to working conditions from multinational enterprises had grown. The adjustment programmes recommended by the international financial institutions did not take adequate account of the social changes they involved. Organisations representing workers should respond to these challenges, and in particular should assist unorganised workers and other vulnerable groups, such as rural workers, those in the informal sector, and working women. It was important that young persons entering the workforce should be able to join trade unions and thus have a voice in planning the future. These concepts were also reflected in the Director-General's Report to the Conference entitled *Human rights – A common responsibility*. In 1948 the United Nations had proclaimed the Universal Declaration of Human Rights and the ILO had adopted the Freedom of Association and Protection of the Right to Organise Convention (No. 87). Forty years later, this resolution aimed to highlight the importance of these concepts.

155. Introducing the resolution concerning the contribution of the ILO to the strengthening of re-

spect for human and trade union rights, the Workers' member of the German Democratic Republic stressed the vital importance of this subject in light of the increasing and massive violations of human and trade union rights occurring in various parts of the world. Fundamental human and trade union rights could not be separated from the global problems of our time, such as the maintenance of peace, development, environmental protection, mass unemployment, indebtedness, and inadequate shelter. Because of the seriousness of these challenges, basic human and trade union rights – including the fundamental rights of trade unions to exist and to bargain collectively – were sometimes jeopardised for the sake of profit. Respect for the principle of freedom of association was an essential condition for ensuring that workers could play a constructive part in the economic and social development of their country, and this was a role that was especially important in times of economic difficulty. The speaker called upon all governments that had not already ratified Convention No. 87 to do so.

156. The Workers' member of the Netherlands, introducing the resolution concerning the promotion of human rights and development, noted that human rights had to do first and foremost with how human beings could have a decent life and prospects. He observed a trend towards a society in which two-thirds of the population had remunerative work while one-third were unemployed or trapped in low-income or low-quality jobs. Poverty and indebtedness of developing countries had increased. The Trade Union Advisory Committee of the OECD had recently drawn attention to this grave situation in a statement submitted to the OECD Ministerial Council and the Toronto summit. The statistics could be translated into inhuman suffering: 700 million people suffered hunger pangs daily; 15,000 people starved each day; every minute a child died. The main reason for these negative developments was an unjustified distribution of wealth. Social justice was desirable for its own sake but was also a *conditio sine qua non* for economic progress. The resolution sought to make the point that development policy had to be related to an adequate human rights policy in which people should have the right to participate in local, regional and national decision-making. It was important that member States should respect and implement the fundamental human rights Conventions such as those in the field of freedom of association, collective bargaining, discrimination, forced labour and equal opportunity. The international instruments should be applied and monitored through effective procedures. Economic, social, cultural and political structures favourable to democracy and justice should be developed.

General discussion

157. The Workers' Vice-Chairman, recalling that 1988 was the 40th anniversary of the Universal Declaration of Human Rights and of the ILO Freedom of Association and Protection of the Right to Organise Convention, noted that while that anniversary alone would be good reason for considering the resolution, more important and regrettable reasons also existed. The rights contained in those documents were mere words, not daily reality, for thousands

and thousands of workers around the world. The most basic of those rights were being denied. Unions were not allowed to form, were declared illegal or their activities hampered. Collective bargaining was severely restricted. Workers were discriminated against for reasons including race, creed, sex and ethnic background. Workers fighting for trade unions disappeared, were arrested, sentenced to severe punishment or even killed. Existing trade unions were dissolved and their premises and property confiscated. These rights violations were not only a grave injustice; they also deprived workers of the possibility of participating in national development, which represented a great waste of good will and experience. The injustice also created a danger to stability within and between countries, as lasting peace could only be secured on the basis of justice and freedom. It was very important that international bodies pay great attention to this matter. The machinery and rules for doing so existed, even though some rules needed to be improved, but the political will to respect and implement the rules was missing. In this regard the workers looked to the ILO, which had been formed to protect the interests of workers and in which they had a constitutional right to participate. The vital principle of the ILO, tripartism, had to be defended. Not only within the Organisation but in member countries free and independent organisations of workers and employers had to be allowed to make rules and to safeguard their implementation. Acquired rights were under threat in many countries because of current economic difficulties. These included the right to free collective bargaining, to social security, and even the right to organise. Such vulnerable groups as women and migrant and low-income workers were even more at risk. Only through protecting and strengthening the ILO's supervisory machinery could respect be enhanced for these human and trade union rights. The link between the ILO's technical assistance and receiving countries' respect for basic rights should be noted. Strengthening the ILO in these tasks was the purpose of the resolution, which the speaker hoped and believed the Committee as a whole would rapidly accept.

158. The Employers' Vice-Chairman indicated that his group had no difficulty in generally supporting the resolution. Their only major concern was that it should refer, where appropriate, to employers as well as workers, and to employers' organisations as well as trade unions, since workers and their organisations were not the only victims of government repression in the world today. Amendments would be proposed to secure parity of treatment in the text. For the same reason, they had a problem with the first part of operative paragraph 2(h). The second part of that paragraph, if it were to remain, also presented a problem, as it would need to be aligned more closely with the ILO Tripartite Declaration on Multinational Enterprises. As it stood, the proposal was not feasible and indeed was illegal in many countries. Depending on how the Committee dealt with the two parts of that paragraph, it might not be possible to combine them.

159. The Government member of Spain considered it natural that this resolution should have a high priority in the Committee's work, not only because, as already noted by other speakers, it was the 40th

anniversary of the Universal Declaration of Human Rights and of ILO Convention No. 87, but also because human rights constituted the essence of human dignity, which itself was the basis of social justice. He noted that the Prime Minister of Spain, in the plenary sitting of the Conference, had argued that the protection of human rights was a central aspect of the ILO's mandate. His delegation therefore supported the resolution, but had a number of suggestions to help strengthen the text. First, operative paragraph 2(a) as presently worded might lead one to think that economic development was something that could be taken for granted, but it should be recalled that there were legal norms on the right to development contained in the United Nations Charter, the Universal Declaration of Human Rights and other binding international instruments. In operative paragraph 2(c) the relevant ILO Conventions were listed but no mention was made of the basic principles of freedom of association, such as the right to strike. In paragraph 2(g), mention should also be made of young people and older workers as being among the vulnerable sections of the working population. Paragraph 2(h) should make explicit reference to the responsibility of multinational enterprises in respect of human rights under the draft United Nations Code of Conduct on Transnational Corporations and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. Paragraph 4 omitted any reference to the need for managerial training courses to deal also with the protection of employees' human rights. While these suggestions were intended to strengthen the resolution, his delegation could accept it even in its present form.

160. The United States Government member indicated that his delegation was pleased to find this resolution on the Committee's agenda, since it believed the effort to strengthen respect for human rights, in particular the right to freedom of association, was one of the ILO's most fundamental roles and in many ways its *raison d'être*. Although not perfect, the text was of the type that the Committee and the Conference should adopt. Its emphasis on human and trade union rights and human dignity was consistent with the Organisation's principles and could have a potentially unifying effect in the Committee and Conference. It provided a stark contrast with draft resolutions introduced for narrow political reasons and intended to have a divisive effect. In this 40th anniversary year, the references to the Universal Declaration were particularly welcome. Operative paragraphs 1 and 2 of the resolution reaffirmed the commitment of the ILO and of the governments of member States to the Universal Declaration, including its Article 20, which declared that "everyone has the right to freedom of peaceful assembly and association" and that "no one may be compelled to belong to an association". If all member States of the ILO present in this chamber would adhere to these fundamental obligations, then this resolution would be largely unnecessary. As preambular paragraph 11 made clear, the reality, unfortunately, was different. It pointed out that individuals attempting to exercise their right to freedom of association were subjected in many countries to mass arrest, disappearances, forced exile, ill treatment, torture, detention without trial, severe sentences and even death. Their organis-

ations faced confiscation of property, dissolution, and occupation of their premises. Such government conduct had to end, for the sake of human rights and in the interest of economic development. On particular points, his delegation believed that the reference to "right to work" in operative paragraph 2(b) should be amplified to refer to a "right to fully productive and freely chosen work". Operative paragraph 2(e) was crucial and its drafting commendable; operative paragraph 2(f) had also been commendably drafted, as the co-operation referred to was vital, yet was too often lacking.

161. The Government member of France pointed out that while 1988 was the 40th anniversary of the Universal Declaration, his country was preparing to celebrate in one year's time the 200th anniversary of the Declaration of the Rights of Man. It was appropriate that the Organisation should reaffirm now its commitment to these principles, especially as it had done much to inspire them. His delegation attached much importance to economic and social rights, but these had no meaning in the absence of individual rights. It was a sad tour of the world members were being taken on, where even the most elementary rights such as the rights to life, to free movement, to assistance, and to freedom of association were being violated. It was not appropriate to list all such violations here but, while eschewing politicisation and selective indignation, it was necessary to express concern at these situations and show solicitude for the persons affected. His Government had no difficulty in accepting the resolution, which was completely within the purview of the ILO. The importance of preambular paragraph 6 should be emphasised, since the right to development was the basis for the enjoyment of the other rights, as noted by the 41st Session of the United Nations General Assembly, which had adopted a declaration on this theme establishing a clear link between development and human rights and placing the individual at the centre of this process.

162. The Government member of the United Kingdom welcomed the choice of human rights as a theme for this year's Conference. The defence and promotion of human rights underlay all ILO activities including those related to respect for freedom of association, the struggle against forced labour and all forms of discrimination, and equality of opportunity and treatment. The resolution appropriately sought to define the course of ILO action in this field in coming years. The resolution was admirably comprehensive in scope, and her delegation was prepared to support it, subject to a reservation concerning operative paragraph 2(a), where the implication that the existing structure of the world economy was not conducive to development was not acceptable. Her Government had ratified the two major International Covenants on Human Rights as well as many other international human rights instruments. This bore witness to a respect for individual liberties that could be traced back as far as the signing of the Magna Carta some 750 years ago. While other countries had other traditions and each government was responsible for the well-being of its own citizens, her delegation held to the fundamental principle of the rule of law. It was now well established that human rights were a matter of legitimate international concern, and in the ILO judgements were made and the ac-

tions of individual governments scrutinised. It was disappointing that such a wide gap existed between principles laid down in ILO and wider United Nations conventions and the situation actually prevailing. Television and newspapers provided a seemingly endless series of horrors and atrocities. The few countries often censured did not have a monopoly of these violations. Resolutions already adopted by the Conference on South Africa and the occupied Arab territories reflected the just indignation of the international community, and her Government had spoken out against the abhorrent practice of apartheid and had voiced great concern about Israeli practices in the occupied territories. But selectivity of criticism or censure was a threat to the principle of international human rights scrutiny and should be guarded against. It was important to engage in honest dialogue on individual situations while resisting the incursion of extraneous political elements into ILO resolutions, as they could undermine the foundations of the Organisation's work.

163. The Government member of Austria welcomed the resolution, which marked in a suitable manner the 40th anniversary of the Universal Declaration. However, it should not be forgotten that even before the adoption of that instrument the ILO was working to protect human rights and dignity. The Director-General's Report had pointed to three types of ILO human rights efforts: the definition of rights, especially through their codification; measures to secure their realisation, especially through international supervision of the various Conventions; and the provision of appropriate assistance to help countries implement them. Whereas in the past two decades international human rights work had centred on codification, in the future implementation and the corresponding technical assistance would be the focus. There was a need for a common interpretation of international norms by the various international organisations, which was an issue that certain members of the Governing Body and of delegations had addressed in recent years. In many parts of the world there was a gulf between international human rights standards and reality, suggesting that efforts to bring about implementation were still insufficient. His country like most others recognised the principle that the application and adaptation of human rights could not be left exclusively to individual States. The ILO had a very important role to play in this respect. The Director-General's Report had made a very fundamental statement, with which his delegation agreed, concerning the indivisibility of human rights be they civil and political, economic, social or cultural. The speaker also endorsed the link noted in the Director-General's Report between a policy of dignity and respect for the person, on the one hand, and peace, on the other: there could be no genuine peace if human rights were constantly violated or denied. His delegation supported the resolution and believed that it could further strengthen the ILO's already important role in international human rights protection.

164. The Government member of the German Democratic Republic, expressing support for the resolution, noted that his Government had indicated its support for the two human rights agreements cited in the resolution, had on many occasions adopted a positive stand on the Universal Declaration, and was

a party to Conventions Nos. 87 and 111. His delegation shared the view that the implementation of human rights instruments should be assured by appropriate action at both national and international levels. He stressed the importance of preambular paragraph 7 and operative paragraph 2(a) and noted with satisfaction that operative paragraph 4(a) called for studies to prepare standards in new areas not yet codified; last year his delegation had made proposals on these lines. The draft text could be improved in certain respects, through endorsement of the principle of indivisibility of the various human rights, which Prime Minister Gonzalez had noted in his address to the Conference, and through putting political and economic rights on the same footing. These ideas were covered in part in operative paragraph 2(b) but needed to be dealt with elsewhere, for example in the tenth preambular paragraph, in order to bring the resolution into line with the Director-General's Report. For this purpose his delegation would be offering amendments to the text.

165. The Workers' member of Mauritania noted that the Committee had been discussing the need to protect human rights wherever they were violated, and now had before it a document that went into detail on the need to preserve civil and trade union rights everywhere. This resolution supplemented and strengthened the resolution considered previously by the Committee. The speaker invited all members to do everything possible to ensure the adoption of the resolution. Without individual and collective freedoms there could be no progress. Theory should be linked to practice and thus, if the Committee accepted this resolution, there should be no differences of opinion within the Committee over human rights violations in particular regions. Several points in the text were important, especially the call on States to set up structures to protect human rights; the view that fundamental rights and freedoms should be proclaimed everywhere; the call to refrain from any action calling human rights into question; and the idea that without economic and social development there could be no freedom. Development should be more balanced and promote equitable distribution between North and South, between rich and poor.

166. The Government member of Iraq observed that millions of people were suffering throughout the world because of violations of their human and trade union rights. Some regimes perpetrated these actions deliberately, and the terrorist regimes which did so were never short of pretexts to justify their practices. The ILO, as the conscience of the world of labour, had a responsibility to take a stand against such action. His delegation supported the resolution without reservation, since all persons should be able to live in dignity, their basic rights protected through appropriate ILO and other international instruments. It would be unreasonable to celebrate the 40th anniversary of the Universal Declaration of Human Rights without adopting this resolution. He asked members to support this and other resolutions before the Committee despite the attitude of some delegations which were seeking to prolong the discussion and were posing procedural obstacles in an attempt to prevent the resolution from being adopted. This resolution supplemented the first one considered by the Committee.

167. The Government member of Norway commended the various authors of the merged text for their initiative on a topic which fell fully within the ILO's mandate and he hoped a resolution based on that text could be adopted. Much effort, mainly within the United Nations system, had gone into developing international human rights instruments, and the ILO had played a very important role in this work. The resolution was timely on account of the double 40th anniversary but also an account of the violations of human and trade union rights that took place every day in many countries, most systematically in South Africa. Human and trade union rights would not be enjoyed by the people of South Africa and Namibia until the system of apartheid had been abolished. However, the focus on South Africa should not be allowed to obscure the violations that took place in other countries. While the main responsibility for ensuring human rights lay with the individual governments, all participants in the ILO tripartite system had the right and obligation to speak out against abuses and work actively for improved respect for human and trade union rights. Legal instruments were of course important in this effort, but what mattered most was how human and trade union rights were implemented and exercised in daily life.

168. The Government member of Hungary said that it was not a coincidence that the ILO had adopted Convention No. 87 in the same year as the Universal Declaration of Human Rights had been adopted. In the past decade there had been more talk about human rights than ever before, but unfortunately this did not mean that human rights were being respected more than in the past. Serious human rights violations were occurring daily over the globe. The list of countries that did not respect human rights had changed over time, and was in fact constantly lengthening. Therefore, the appeals formulated in this resolution should be fully supported. The ratification of human rights Conventions, such as Convention No. 87 and Convention No. 98 and others, was only the first step. The most important thing was to make sure their provisions were fully implemented. The adoption of this resolution would represent another step in this process. There were many international organisations besides the ILO that dealt with human rights and a better co-ordination of these activities, through the United Nations and with the active participation of the ILO, would increase the effectiveness of this work. Finally, the speaker expressed the hope that this resolution would be further improved in the Committee and would eventually receive unanimous support.

169. The Government member of Czechoslovakia affirmed his country's sincere support for the promotion of human rights, as attested by its having promptly endorsed the Universal Declaration, ratified without delay the two human rights Covenants, and subscribed from the beginning to the ILO Constitution and the Declaration of Philadelphia. The purpose of social development in his country was unrestricted enjoyment of all civic, economic and social rights. While fully supporting the idea contained in the resolution, his delegation would offer amendments to bring the text into line with the two Covenants, whose logic they supported. It was not appropriate to divide human rights which concerned the ILO into two categories – those relating to free-

dom of association, forced labour and equality of opportunity, on the one hand, and all the rest, on the other hand – and to make these two categories subject to different actions as provided for in the resolution. As had been noted in the relevant instruments and by many speakers in plenary sitting, the right to work was of capital importance. For those unemployed for long periods, what remained of their trade union rights, right to free choice of work and other human rights? These rights depended on certain pre-conditions and the resolution needed to give them the same weight. Account should also be taken of the fact that the Conference last year had passed a resolution on the 40th anniversary of the adoption of Convention No. 87, some provisions of which covered more or less the same ground as this resolution. It would perhaps be preferable simply to refer to that resolution instead of largely repeating its provisions. The focus of this resolution should be a renewed commitment by the Organisation to its human rights mission and to measures that were needed to deal with cases of massive and brutal human rights violations.

170. The Workers' member of the Syrian Arab Republic reported that the Workers' group had studied this resolution carefully and noted that the Committee had ranked it second in the secret ballot. In many parts of the world, trade unions had suffered violations, many of which remained unpublished, some of which were referred to the ILO. These violations had taken three main forms: some employers and multinational companies had deprived workers of their rights in order to boost profits; workers had been dismissed for attempting to establish trade unions for the defence of their rights; and workers had been oppressed by imperialist governments to prevent them from defending these rights. In all three cases workers had suffered many kinds of discrimination and pressure. On each occasion that people had expressed condemnation of trade union and human rights infringements, in an attempt to restore the balance, there had been others who attempted to cover up these violations. This was particularly the case in respect of Arab workers living under the domination of the Israeli occupation authorities. These people had suffered daily violations in connection with their work, which had repercussions for their entire family. He therefore expressed full support for this resolution.

171. In supporting the resolution, the Government Member of Qatar stated that human rights were the responsibility of all member States, which should co-operate with one another to strengthen the ILO's significant role in this field. Noting that economic and social rights relating for example to job opportunities and social and health services were held in great regard in Qatar, he called for peace and respect for human rights world-wide so that all would be able to live under excellent conditions. Countries from the four corners of the world had come together to strive for respect for human rights. The ILO should support this resolution and the resolution on the protection of the rights of Palestinians in the occupied Arab territories, which was closely related to it.

172. Also expressing strong support for the resolution, the Government member of Australia stated that the promotion of human rights was a fundamen-

tal task of the United Nations machinery in general and an activity central to the ILO's mandate. His delegation was pleased to reaffirm its unshakeable commitment to the fundamental principles of the Universal Declaration of Human Rights and of the international Covenants which formed the basis for a number of other instruments on human rights. The ILO had already contributed substantially to the cause of international human rights. First, its human rights Conventions had established principles of international law which were regarded as norms. Second, its mechanisms to enforce the application of standards were simple, straightforward and effective, and were working well while enforcement procedures elsewhere in the United Nations system were sagging under the weight of paper. Third, the ILO's comprehensive technical co-operation programme was designed to help countries implement standards. These achievements justified a collective recognition of the ILO's role in human rights, which should be encouraged, and the resolution was commended for unanimous adoption.

173. The Workers' member of China, noting the special significance of the 40th anniversary of the Universal Declaration of Human Rights and ILO Convention No. 87, supported the resolution. Human and trade union rights at the present time were far from satisfactory. At a time of great technological progress when human beings were able to travel to outer space, it was sad to note that certain governments still stubbornly clung to policies such as apartheid and other forms of oppression. In South Africa the authorities wilfully violated the human rights of the African population, while the Israeli authorities deprived the Palestinian people of their basic rights of national identity, self-determination, trade union rights and even the right to exist. Throughout the world, mass unemployment was also contrary to human dignity, was a waste of human resources and harmful to social stability and to social progress. Recalling the principle that poverty anywhere constituted a danger to prosperity everywhere, he noted that the gap between the affluent and poor countries, which was widening, was also a cause of great concern. A new and just international economic order was necessary to allow developing countries to exercise fully their right to economic development. Double standards could not apply to human and trade union rights. The universality of those rights applied generally as in the present resolution and to Palestine and the other occupied Arab territories as presented in the resolution that had been given first priority by the Committee; some members had attempted to deny this. That would amount to invalidating the principle of the universality of those rights.

174. The Workers' member of the United Kingdom, on behalf of the British trade union movement, strongly supported the resolution; its contents were vital for the workers in his country and for all Members of the ILO. Echoing the principles outlined by the United Kingdom Government member, he stressed two points. First, not only were trade union rights not fully recognised in many countries, but in other countries, and particularly industrialised ones, rights that had been acquired were now being removed. It should be fully recognised that there were ideological, and not only economic, reasons for this,

which made the adoption of this resolution all the more opportune. Second, the ILO possessed excellent supervisory machinery that monitored the application of its international labour standards – the Committee of Experts on the Application of Conventions and Recommendations, widely recognised as being authoritative and independent, and the Conference Committee on the Application of Conventions and Recommendations. It was regrettable that in too many cases governments failed to comply with their recommendations; it was sad that governments freely took upon themselves obligations but then chose not to comply with them. He agreed that the issue of selectivity was important and stressed that all governments should abide by international law and ILO Conventions and co-operate in applying them.

175. The Government member of the Netherlands particularly welcomed the resolution in view of the celebration of the 40th anniversary of the Universal Declaration of Human Rights. A particularly positive feature of the resolution was that its authors came from all quarters of the Organisation and included countries which had earlier been criticised for their performance in this area. It was hoped that this resolution marked the beginning of an enlightened era of increased respect for human and trade union rights as envisaged in ILO Conventions and Recommendations. Paragraph 11 of the Preamble referred in particular – and with good reason – to the killing and disappearance of trade union activists. In some countries even the fact of being a trade union member carried with it a risk of death. Paragraph 11 of the Preamble should therefore be elevated to an operative paragraph. Another aspect of the resolution that merited greater attention was the need for increased collaboration between the ILO and the United Nations in the area of trade union rights. Some co-operation existed between the Committee of Experts on the Application of Conventions and Recommendations and the Commission on Human Rights of the Economic and Social Council of the United Nations. An amendment to the resolution to strengthen this co-operation would serve to ensure that the ILO maintained its key role.

176. The Workers' member of the United States supported the resolution on behalf of workers in his country. The positive discussion in the Committee was especially important since the Resolutions Committee provided guidance for the priorities of the future work of the Organisation; it was important to place human and trade union rights high on the list of such future activities. Some of the discussion in the Committee's previous sittings had been pious and pompous and had disguised the fact that many countries represented within the Committee exercised discrimination and denied workers the right to organise, the right to strike, the right to collective bargaining, freedom of speech, freedom of assembly and freedom of the press. An excellent resolution had been adopted by the Committee in 1970 on trade union rights but it had not been implemented in many countries. It was therefore essential to adopt the present text and to implement its operative paragraphs speedily.

177. The Workers' member of the Libyan Arab Jamahiriya considered that the introduction of this resolution regarding human rights had been made at

a suitable time, while the 40th anniversary of the Declaration of Human Rights and the adoption of Convention No. 87 was being celebrated. It had been put forward at a time when there were serious violations of human dignity and human rights that went beyond what had been known before. These included torture, the killing of children and women and the use of toxic gases against the Palestinian people in Palestine and the occupied Arab territories by the Zionist occupying forces and the most atrocious crimes by the racist South African regime. It was most unfortunate that in spite of these violations of human rights many countries still maintained relations of sympathy and support with these criminal entities. Fully supporting the resolution, he noted that his country had recently issued a document on human rights which provided for the right to exercise authority, the right to organise federations and trade unions and professional congresses, the abolition and destruction of prisons, the liberation of prisoners, and the lifting of restrictions on travel.

178. The Government member of Byelorussian SSR stated that most nations wished to develop international co-operation in the area of human rights; the ILO's role in this area was one of its most important tasks. Democratisation of international relations would be advantageous to all sides and would eliminate current misunderstandings. The resolution had drawn on the Universal Declaration of Human Rights, ILO Convention No. 87 and other international instruments. The Byelorussian SSR had ratified the relevant instruments and implemented them in full. The resolution was particularly relevant to those areas where human rights were hindered because of social and economic problems, unemployment, poverty and external debt. The resolution pointed to a number of means to increase international co-operation so that all States could implement the international instruments on human rights. Human rights could not be examined in isolation and were linked to the issues of peace, self-determination and national sovereignty. With reference to co-operation in this field, the humanitarian links between nations should be fostered with a view to improving human, social and cultural rights, and in this connection he noted the importance of the proposal for the convening in Moscow of an international conference on human rights problems. In conclusion, he supported the resolution.

179. The Government member of the Ukrainian SSR emphasised the importance of the subject under discussion and the fact that human rights had been selected as one of the principle themes of the International Labour Conference this year. Within its area of competence, the ILO could not ignore the many factors that led to mass violations of human rights in specific contexts, including unemployment and social injustice, and should do all it could to combat them. In his own country there had been a number of recent achievements that made use of the experience acquired by other countries and by international organisations. *Perestroika* and *glasnost* were two important ideas that had been introduced. There were still several problems that needed to be solved to ensure fuller protection of workers' rights. New measures had been introduced: laws on democratisation and on individual and collective rights; and laws on democratisation and on individual and collective

rights; and laws on enterprises and co-operatives. The need to improve social protection measures for citizens and to combat unemployment should be clearly mentioned in the resolution. He agreed with the previous speakers on the links between peace and human rights; without the right to live in peace, other human rights had no meaning. The resolution should also emphasise the indivisibility of human, social, political, cultural and economic rights.

180. The Government member of Sudan stressed the importance of the resolution in the context of the Report of the Director-General to this session of the Conference. There was also a clear and indivisible correlation between the rights discussed, this resolution and the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories. Trade union and civil rights were inseparable from human rights, particularly in the Third World where factors such as poverty and ignorance, low prices for their commodities and high debts let to the poor becoming still poorer, which further jeopardised respect of fundamental rights. In his country a unique way of overcoming dictatorship had been found and all freedoms were guaranteed by the Constitution, which protected inter alia the rights of trade unions, the press and political parties. In reply to a member of the Committee, who had referred disparagingly to the human rights situation in connection with the southern part of his country, he pointed out that the issue was one not of human rights but of war imposed on the Sudan by external sources to weaken and retard the development of the country. His delegation supported this resolution, which should be read in conjunction with resolution No. 1.

CONSIDERATION AND ADOPTION OF THE REPORT

Consideration of the report

181. The Committee considered its draft report at its 14th sitting. A number of general remarks were made on the report as a whole. The Government member of the Syrian Arab Republic, on behalf of the Arab group, noted that it had not been possible to examine the draft report in depth. Nevertheless the group had a number of general remarks. Amendments to the first resolution should have been presented in such a way as not to distort the issues under discussion, for example by citing the original text of the resolution with the amendments. The record votes should have been reproduced in full in the report, and the texts of the seven preambular paragraphs of the first resolution adopted by the Committee should be given in the report. The Government member of the Libyan Arab Jamhiriya supported this remark and in particular requested that the detailed results of all votes concerning preambular paragraphs 3, 4, 5 and 6 should be included. The final version of the report of the Committee should contain these changes. The Employers' member of Jordan stated that the report lacked balance in that some speakers' interventions were summarised in far greater detail than others.

182. Corrections to specific paragraphs were submitted by various members for incorporation in the report.

183. The Government member of Senegal, noting the failure of the Committee to adopt a resolution, recalled that it was not the first such occasion and that some other instances had seen even more heated debate. Part of the problem had been the procedure for closing the debate, which led to the frustration of some members who were not able to express themselves. Good will on the part of all was needed, and when debate was leading nowhere alternative solutions should be sought. That was what his delegation had tried to do. Despite the impasse, efforts should continue in the various bodies of the ILO to bring about a positive outcome. Work should go forward relative to problems of the Arab workers in the occupied territories in areas such as employment, social security, vocational training and freedom of association. The Director-General should prepare a report for the next session of the Conference on these activities. A durable solution should be sought, and the ILO should play a prominent role in that context.

184. The Workers' member of Mauritania took the view that responsibility for the regrettable delay that had prevented the Committee from getting on with its work, for example by passing a resolution marking in an appropriate way the 40th anniversary of the Universal Declaration of Human Rights, was not equally shared but attributable to the authors of the many amendments to the first resolution.

185. The Government member of Zaire intervened for the first time in the discussion on the Committee's work. He stated how disappointed many were to see that the ILO had failed to adopt a resolution on human rights during the 40th anniversary of the Universal Declaration of Human Rights. He noted that this was due to the intransigence found on both sides. This was particularly regrettable for the employers and workers covered by the resolution. He felt that it should have been possible to reach a consensus, but unfortunately no working party had been set up, instead a "contact" group met where bitterness prevailed.

186. The Government member of the Islamic Republic of Iran stated that his delegation was opposed to anything which could be construed as recognising Zionist control of Palestine.

Adoption of the report

187. At its 14th sitting the Committee unanimously adopted its report subject to a number of changes.

Geneva, 18 June 1988

(Signed) E. KARLSSON
Vice-Chairman and Acting Reporter

APPENDIX/ANNEXE/ANEXO

RECORD VOTE/VOTE PAR APPEL NOMINAL/VOTACIÓN NOMINAL

Closure of General Discussion of resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories

Clôture de la discussion générale sur la résolution concernant la protection des droits et des libertés des travailleurs et des employeurs en Palestine et dans les autres territoires arabes occupés

Clausura de la Discusión general de la resolución sobre la protección de los derechos y libertades de los trabajadores y empleadores en Palestina y otros territorios árabes ocupados

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
A. Gouvernements/Governments/Gobiernos			
Algérie/Algeria/Argelia	X		
Allemagne. République fédérale d'/Germany. Federal Republic of/Alemania. República Federal de			X
Arabie saoudite/Saudi Arabia/Arabia Saudita	X		
Argentine/Argentina/Argentina	X		
Australie/Australia/Australia			X
Autriche/Austria/Austria			X
Bahreïn/Bahrain/Bahrain	X		
Bangladesh	X		
Belgique/Belgium/Bélgica			X
République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia	X		
Bulgarie/Bulgaria/Bulgaria	X		
Burundi			X
Cameroun/Cameroon/Camerún			X
Canada/Canada/Canadá		X	
Chine/China/China	X		
Côte d'Ivoire			X
Cuba	X		
Danemark/Denmark/Dinamarca			X
Egypte/Egypt/Egipto	X		
El Salvador		X	
Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos	X		
Espagne/Spain/España			X
Etats-Unis/United States/Estados Unidos			X
Finlande/Finland/Finlandia			X
France/France/Francia			X
Ghana	X		
Grèce/Greece/Grecia			X
Grenade/Grenada/Granada			X
Guatemala			X
Haiti/Haiti/Haiti			X
Honduras			X
Hongrie/Hungary/Hungria	X		
Inde/India/India	X		
Indonésie/Indonesia/Indonesia	X		
République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán	X		
Iraq	X		
Irlande/Ireland/Irlanda			X
Islande/Iceland/Islandia			X
Israël/Israel/Israel			X
Italie/Italy/Italia			X
Japon/Japan/Japón			X
Jordanie/Jordan/Jordania	X		
Koweït/Kuwait/Kuwait	X		
Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia	X		
Malaisie/Malaysia/Malasia	X		
Malte/Malta/Malta	X		
Maroc/Morocco/Marruecos	X		
Mauritanie/Mauritania/Mauritania	X		
Mexique/Mexico/México	X		
Mongolie/Mongolia/Mongolia	X		
Niger/Niger/Niger	X		
Norvège/Norway/Noruega			X
Pakistan/Pakistan/Pakistán	X		
Panama/Panama/Panamá	X		
Pays-Bas/Netherlands/Paises Bajos			X
Pologne/Poland/Polonia	X		
Portugal			X
Qatar	X		
République démocratique allemande/German Democratic Republic/República Democrática Alemana	X		
Royaume-Uni/United Kingdom/Reino Unido			X
Sénégal/Senegal/Senegal	X		
Somalie/Somalia/Somalia	X		
Soudan/Sudan/Sudán	X		
Sri Lanka	X		
Suède/Sweden/Suecia			X
Suisse/Switzerland/Suiza			X
République arabe syrienne/Syrian Arab Republic/República Arabe Siria	X		
Tchécoslovaquie/Czechoslovakia/Czechoslovakia	X		
Tunisie/Tunisia/Túnez	X		
Turquie/Turkey/Turquia	X		
République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania	X		
URSS/USSR/URSS	X		
Yémen/Yemen/Yemen	X		
Yémen démocratique/Democratic Yemen/Yemen Democrático	X		
Yougoslavie/Yugoslavia/Yugoslavia	X		
Zaïre/Zaire/Zaire	X		
Total	46	2	28

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
B. Employers/Employeurs/Empleadores			
M. Abou Lahcen (Maroc/Morocco/Marruecos)	X		
Mr. Al-Jassem (Koweït/Kuwait/Kuwait)	X		
Mr. Al-Nuaimi (Qatar)	X		
Mr. Al-Zubeyri (Yémen/Yemen/Yemen)	X		
Mr. Arbesser-Rastburg (Autriche/Austria/Austria)			X
Mr. Bamasmoos (Yémen démocratique/Democratic Yemen/Yemen Democrático)	X		
Sr. Varela Traverso (Uruguay)	X		
M. M'Kaissi (Tunisie/Tunisia/Túnez)	X		
M. Bozhinov (Bulgarie/Bulgaria/Bulgaria)	X		
Mr. Dahlan (Arabie saoudite/Saudi Arabia/Arabia Saudita)	X		
Mr. Statler (Canada/Canada/Canadá)	X		
Sr. Durling (Panama/Panama/Panamá)	X		
Mr. Elmukerbi (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)	X		
Sr. Moreno Duarte (Espagne/Spain/España)	X		
Sr. Francis de los Reyes (Cuba)	X		
M. Younousov (URSS/USSR/URSS)	X		
Sr. Garache (Nicaragua)	X		
Mr. El-Herrawi (Egypte/Egypt/Egipto)	X		
M. Georget (Niger/Niger/Niger)	X		
Mr. Dajani (Jordanie/Jordan/Jordania)	X		
Mr. Hilb (Israël/Israel/Israel)			X
Mr. Hussain (Iraq)	X		
Mr. Rowe (Nouvelle-Zélande/New Zealand/Nueva Zelandia)	X		
Mrs. Johansen (Danemark/Denmark/Dinamarca)			X
Mr. Chauhan (Inde/India/India)	X		
M. Kousa (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Mr. Wegesin (Allemagne. République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)			X
Mr. Castle (Royaume-Uni/United Kingdom/Reino Unido)	X		
Mr. Marx (République démocratique allemande/German Democratic Republic/República Democrática Alemana)	X		
Mr. Mattar (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)	X		
Mr. Huttunen (Finlande/Finland/Finlandia)	X		
M. Balboul (Liban/Lebanon/Líbano)	X		
Mr. Noakes (Australie/Australia/Australia)	X		
M. Tassin (France/France/Francia)	X		
M. da Rocha Novo (Portugal)	X		
M. Santos Neves Filho (Brésil/Brazil/Brasil)	X		
M. Cattaneo (Italie/Italy/Italia)	X		
Mr. Glade (Etats-Unis/United States/Estados Unidos)			X
Mr. Samee (Pakistan/Pakistan/Pakistán)	X		
Mr. Myrdal (Suède/Sweden/Suecia)			X
Mr. Williams (Barbade/Barbados/Barbados)	X		
Mr. Shokrollahzadeh Moghaddami (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)	X		
Mr. Zain Al-Abideen (Bahreïn/Bahrain/Bahrein)	X		
M. Arets (Belgique/Belgium/Bélgica)			X
M. Mustafa (Soudan/Sudan/Sudán)	X		
Total	38	0	7

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
<i>C. Workers/Travailleurs/Trabajadores</i>			
Mr. Abdoon (Soudan/Sudan/Sudán)	X		
Mr. Abdullah (Yémen démocratique/Democratic Yemen/Yemen Democrático)	X		
Mr. Abuzied (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)	X		
M. Ait Abdelmalek (Algérie/Algeria/Argelia)	X		
Mr. Al-Na'ami (Yémen/Yemen/Yemen)	X		
Mr. Al-Samak (Bahrein/Bahrain/Bahrein)	X		
Mr. Al-Sayed (Koweït/Kuwait/Kuwait)	X		
M. Andreev (Bulgarie/Bulgaria/Bulgaria)	X		
M. Awab (Maroc/Morocco/Marruecos)	X		
Mr. Beran (Tchécoslovaquie/Czechoslovakia/Checoslovaquia)	X		
Mr. Bilal (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)	X		
M. Bogutyn (Pologne/Poland/Polonia)	X		
Sr. Bonmati Portillo (Espagne/Spain/España)			X
M. Dunet (France/France/Francia)	X		
Mr. Bu-Ainan (Qatar)	X		
Mr. Bulgak (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)	X		
Sra. Castaneda de Gomez (Guatemala)			X
M ^{me} Dreifuss (Suisse/Switzerland/Suiza)			X
M. Drucker (Luxembourg/Luxembourg/Luxemburgo)			X
Mr. Echrech (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)	X		
Mr. Eid (Egypte/Egypt/Egipto)	X		
Sr. Escandell Romero (Cuba)	X		
Sr. Esponda Zabadua (Mexique/Mexico/México)			X
Mr. Fujimoto (Japon/Japan/Japón)			X
Mr. Gray (Etats-Unis/United States/Estados Unidos)			X
Mr. Guo (Chine/China/China)	X		
Mr. Hamza (Iraq)	X		
Mr. Pronk (Pays-Bas/Netherlands/Paises Bajos)			X
M. Issa (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Mr. Kardan (Jordanie/Jordan/Jordania)	X		
Mr. Karlsson (Suède/Sweden/Suecia)			X
Mrs. Kjaer (Danemark/Denmark/Dinamarca)			X
Mr. Knox (Nouvelle-Zélande/New Zealand/Nueva Zelândia)			X
Mr. Kovalevski (République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania)	X		
Mr. Lamprecht (République démocratique allemande/German Democratic Republic/República Democrática Alemana)	X		
Mr. Mukherjee (Inde/India/India)	X		
Sr. Murro (Uruguay)	X		
Mr. Ould Hmeity (Mauritanie/Mauritania/Mauritania)	X		
Mr. Pasaribu (Indonésie/Indonesia/Indonesia)	X		
Mr. Pedersen (Norvège/Norway/Noruega)			X
Sr. Ponce (Equateur/Ecuador/Ecuador)	X		
M. Potapov (URSS/USSR/URSS)	X		
M. Pottie (Belgique/Belgium/Bélgica)			X
Mr. Poya (Afghanistan/Afghanistan/Afganistán)	X		
Mr. Sela (Israël/Israel/Israel)			X
Mr. Sharif (Pakistan/Pakistan/Pakistán)	X		
Mr. Sinan (Arabie saoudite/Saudi Arabia/Arabia Saudita)	X		
Mr. Tan (Philippines/Philippines/Filipinas)			X
Mr. Themistocleous (Chypre/Cyprus/Chipre)	X		
Mr. Tsagaan (Mongolie/Mongolia/Mongolia)	X		
M. Vanni (Italie/Italy/Italia)			X
Mr. Wagner, Dieter (Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)			X
Mr. Warner (Canada/Canada/Canadá)			X
Mr. Wilson (Royaume-Uni/United Kingdom/Reino Unido)			X
Mr. Zainal Rampak (Malaisie/Malaysia/Malasia)	X		
Sr. Agüero Perez (Cuba)	X		
Mr. Al-Haj Hassan (Jordanie/Jordan/Jordania)	X		
Mr. Al-Hojailan (Koweït/Kuwait/Kuwait)	X		
Mr. Al-Jadari (Yémen/Yemen/Yemen)	X		
Mr. Baker (Etats-Unis/United States/Estados Unidos)			X
Mr. Barkan (Israël/Israel/Israel)			X
Mr. Ben Israel (Israël/Israel/Israel)			X
M. Chahir (Maroc/Morocco/Marruecos)	X		
Mr. Edström (Suède/Sweden/Suecia)			X
M. Fakhroo (Bahrein/Bahrain/Bahrein)	X		
Mr. Ibrahim (Egypte/Egypt/Egipto)	X		
Mr. Idriss Ibrahim (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)	X		
M. Lozi (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Sr. Sanchez Madariaga (Mexique/Mexico/México)			X
M. Schweitzer (Luxembourg/Luxembourg/Luxemburgo)			X
Mr. Shamsuddin Abdul Wahab (Malaisie/Malaysia/Malasia)	X		
Total	46	0	25

**Summary of results
Résumé des résultats
Resumen de los resultados**

94 Governments members with 1161 votes each
Membres gouvernementaux avec 1161 votes chacun
Miembros gubernamentales con 1161 votos cada uno

54 Employers' members with 2021 votes each
Membres employeurs avec 2021 votes chacun
Miembros empleadores con 2021 votos cada uno

86 Workers' members with 1269 votes each
Membres travailleurs avec 1269 votes chacun
Miembros trabajadores con 1269 votos cada uno

234 Voting members/Membres votants/Miembros votantes

Maximum number of votes: 327 402
Nombre maximum de votes:
Número máximo de votos:

Quorum/Quórum: 130 961

	Coefficient Coefficient Coeficiente	For Pour A favor		Against Contre En contra		Abstentions Abstentions Abstenciones	
		a	b	a	b	a	b
Governments Gouvernements Gobiernos	X 1161	46	53 406	2	2 322	28	32 508
Employers Employeurs Empleadores	X 2021	38	76 798	0	–	7	14 147
Workers Travailleurs Trabajadores	X 1269	46	58 374	0	–	25	31 725
		188 578		2 322		78 380	

Column a: votes cast
Colonne a: votes exprimés
Columna a: votos emitidos

Column b: number of weighted votes (votes cast multiplied by coefficient)
Colonne b: nombre de votes pondérés (votes exprimés multipliés par le coefficient)
Columna b: número de votos ponderados (votos emitidos multiplicados por el coeficiente)

Results of the vote: For: 188 578 Against: 2 322 Abstentions: 78 380
Résultats de vote: Pour: Contre: Abstentions:
Resultados del voto: A favor: En contra: Abstenciones:

For: 188 578
Pour:
A favor:

Against: 2 322
Contre:
En contra:

Total: 190 900

Quorum: 130 961

Adoption of Amendment D. 19

Amendement D. 19

Enmienda D. 19

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
A. Gouvernements/Governments/Gobiernos			
Algérie/Algeria/Argelia			X
Allemagne. République fédérale d'/Germany. Federal Republic of/Alemania. República Federal de			X
Arabie saoudite/Saudi Arabia/Arabia Saudita			X
Argentine/Argentina/Argentina			X
Australie/Australia/Australia	X		
Autriche/Austria/Austria	X		
Bahrein/Bahrain/Bahrein			X
Bangladesh			X
Belgique/Belgium/Bélgica	X		
République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República			
Socialista Soviética de Bielorrusia			X
Bulgarie/Bulgaria/Bulgaria			X
Burundi			X
Canada/Canada/Canadá	X		
Chine/China/China			X
Colombie/Colombia/Colombia			X
Côte d'Ivoire			X
Cuba			X
Danemark/Denmark/Dinamarca	X		
Egypte/Egypt/Egipto			X
El Salvador	X		
Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos			X
Espagne/Spain/España			X
Etats-Unis/United States/Estados Unidos	X		
Finlande/Finland/Finlandia	X		
France/France/Francia	X		
Guatemala			X
Haiti/Haiti/Haiti			X
Honduras	X		
Hongrie/Hungary/Hungria			X
Inde/India/India			X
Iraq			X
Islande/Iceland/Islandia	X		
Israël/Israel/Israel	X		
Italie/Italy/Italia	X		
Japon/Japan/Japón	X		
Jordanie/Jordan/Jordania			X
Koweït/Kuwait/Kuwait			X
Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia			X
Luxembourg/Luxembourg/Luxemburgo	X		
Malaisie/Malaysia/Malasia			X
Malte/Malta/Malta			X
Maroc/Morocco/Marruecos			X
Mauritanie/Mauritania/Mauritania			X
Mexique/Mexico/México			X
Mongolie/Mongolia/Mongolia			X
Nicaragua			X
Norvège/Norway/Noruega	X		
Pakistan/Pakistan/Pakistán			X
Pays-Bas/Netherlands/Paises Bajos	X		
Philippines/Philippines/Filipinas			X
Pologne/Poland/Polonia			X
Portugal	X		
Qatar			X
République démocratique allemande/German Democratic Republic/República Democrática Alemana			X
Royaume-Uni/United Kingdom/Reino Unido	X		
Saint-Marin/San Marino/San Marino	X		
Sénégal/Senegal/Senegal			X
Somalie/Somalia/Somalia			X
Soudan/Sudan/Sudán			X
Sri Lanka			X
Suède/Sweden/Suecia	X		
Suisse/Switzerland/Suiza	X		
République arabe syrienne/Syrian Arab Republic/República Arabe Siria			X
Tchécoslovaquie/Czechoslovakia/Czechoslovaquia			X
Tunisie/Tunisia/Túnez			X
Turquie/Turkey/Turquia			X
République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista			
Soviética de Ucrania			X
URSS/USSR/URSS			X
Yémen/Yemen/Yemen			X
Yémen démocratique/Democratic Yemen/Yemen Democrático			X
Yougoslavie/Yugoslavia/Yugoslavia			X
Zaire/Zaire/Zaire			X
Total	22	0	50

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
B. Employers/Employeurs/Empleadores			
M. Abou Lahcen (Maroc/Morocco/Marruecos)			X
Mr. Al-Jassem (Koweït/Kuwait/Kuwait)			X
Mr. Al-Nuaimi (Qatar)			X
Mr. Al-Ahlasi (Yémen/Yemen/Yemen)			X
Mr. Arbesser-Rastburg (Autriche/Austria/Austria)	X		
Sr. Carvajal Rustamente (Mexique/Mexico/México)			X
Mr. Bamasmoos (Yémen démocratique/Democratic Yemen/Yemen Democrático)			X
Mr. Bel-Hadj Ammar (Tunisie/Tunisia/Túnez)			X
M. Bozhinov (Bulgarie/Bulgaria/Bulgaria)			X
Mr. Dahlan (Arabie saoudite/Saudi Arabia/Arabia Saudita)			X
Mr. Statler (Canada/Canada/Canadá)	X		
Sr. Durling (Panama/Panama/Panamá)			X
Mr. Elmukerbi (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)			X
Sr. Favelevic (Argentine/Argentina/Argentina)			X
Sr. Moreno Duarte (Espagne/Spain/España)			X
Sr. Francis de los Reyes (Cuba)			X
M. Gaidaienko (URSS/USSR/URSS)			X
Mr. El-Herrawi (Egypte/Egypt/Egipto)			X
Mr. Dajani (Jordanie/Jordan/Jordania)			X
Mr. Hilb (Israël/Israel/Israel)	X		
Mr. Hussain (Iraq)			X
Mr. Rowe (Nouvelle-Zélande/New Zealand/Nueva Zelandia)			X
Mrs. Johansen (Danemark/Denmark/Dinamarca)	X		
M. Malakany (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)			X
Mr. Wegesin (Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)	X		
M. Lounis Khodja (Algérie/Algeria/Argelia)			X
Mr. Mackie (Royaume-Uni/United Kingdom/Reino Unido)			X
Mr. Mattar (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)			X
Mr. Mohamed Ali Ould (Mauritanie/Mauritania/Mauritania)			X
Mr. Noakes (Australie/Australia/Australia)			X
M. Oechslin (France/France/Francia)	X		
M. da Rocha Novo (Portugal)			X
M. Rossi (Brésil/Brazil/Brasil)			X
M. Cattaneo (Italie/Italy/Italia)			X
Mr. Smith (Etats-Unis/United States/Estados Unidos)			X
M. Sow (Sénégal/Senegal/Senegal)			X
Mr. von Holten (Suède/Sweden/Suecia)	X		
Mr. Shokrollahzadeh Moghaddami (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)			X
M. Mustafa (Soudan/Sudan/Sudán)			X
Total	7	0	32

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
<i>C. Workers/Travailleurs/Trabajadores</i>			
Mr. Abdi (Somalie/Somalia/Somalia)			X
Mr. Abdoon (Soudan/Sudan/Sudán)			X
Mr. Abdullah (Yémen démocratique/Democratic Yemen/Yemen Democrático)			X
Mr. Abuzied (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)			X
Mr. Al-Na'ami (Yémen/Yemen/Yemen)			X
Mr. Al-Samak (Bahrein/Bahrain/Bahrein)			X
Mr. Al-Sayed (Koweït/Kuwait/Kuwait)			X
M. Andreev (Bulgarie/Bulgaria/Bulgaria)			X
Mr. Beran (Tchécoslovaquie/Czechoslovakia/Checoslovaquia)			X
Mr. Bilal (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)			X
M. Bogutyn (Pologne/Poland/Polonia)			X
Sr. Bonmati Portillo (Espagne/Spain/España)	X		
M. Bouslah (Tunisie/Tunisia/Túnez)			X
Mr. Bu-Ainan (Qatar)			X
Mr. Bulgak (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)			X
Sra. Castaneda de Gomez (Guatemala)	X		
M. Chahir (Maroc/Morocco/Marruecos)			X
M. Djeflal (Algérie/Algeria/Argelia)			X
Mme Dreifuss (Suisse/Switzerland/Suiza)			X
Mr. Eid (Égypte/Egypt/Egipto)			X
Mr. Eschrech (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Iran)			X
Sr. Esponda Zabadua (Mexique/Mexico/México)			X
Mr. Flynn (Irlande/Ireland/Irlanda)			X
Mr. Fujimoto (Japon/Japan/Japón)	X		
Mr. Gray (Etats-Unis/United States/Estados Unidos)	X		
Mr. Gudmundsson (Islande/Iceland/Islandia)	X		
Mr. Guo (Chine/China/China)			X
Mr. Hamza (Iraq)			X
Mr. Hordijk (Pays-Bas/Netherlands/Paises Bajos)	X		
M. Issa (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)			X
Mr. Jaaskelainen (Finlande/Finland/Finlandia)	X		
Mr. Kardan (Jordanie/Jordan/Jordania)			X
Mr. Karlsson (Suède/Sweden/Suecia)	X		
Mrs. Kjaer (Danemark/Denmark/Dinamarca)	X		
Mr. Knox (Nouvelle-Zélande/New Zealand/Nueva Zelandia)	X		
Mr. Kovalevski (République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania)			X
Mr. Krsikapa (Yougoslavie/Yugoslavia/Yugoslavia)			X
Mr. Lamprecht (République démocratique allemande/German Democratic Republic/República Democrática Alemana)			X
Mr. Chiaruzzi (Saint-Marin/San Marino/San Marino)			X
Mr. Mukherjee (Inde/India/India)			X
Sr. Murro (Uruguay)			X
M. Niasse (Sénégal/Senegal/Senegal)			X
Mr. Ondonda (Congo)			X
Mr. Ould Hmeity (Mauritanie/Mauritania/Mauritania)			X
Sr. Pacho Quipse (Pérou/Peru/Perú)			X
Mr. Pasaribu (Indonésie/Indonesia/Indonesia)			X
Mr. Pedersen (Norvège/Norway/Noruega)	X		
Sr. Ponce (Equateur/Ecuador/Ecuador)			X
M. Potapov (URSS/USSR/URSS)			X
M. Pottie (Belgique/Belgium/Bélgica)	X		
Mr. Puthirasigamoney (Sri Lanka)			X
M. Schweitzer (Luxembourg/Luxembourg/Luxemburgo)	X		
Mr. Sela (Israël/Israel/Israel)	X		
Mr. Sequeira (Portugal)	X		
Mr. Sinan (Arabie saoudite/Saudi Arabia/Arabia Saudita)			X
Mr. Teferi (Ethiopie/Ethiopia/Etiopía)			X
Mr. Tan (Philippines/Philippines/Filipinas)			X
Mr. Timmer (Hongrie/Hungary/Hungria)			X
Mr. Tsagaan (Mongolie/Mongolia/Mongolia)			X
M. Vanni (Italie/Italy/Italia)			X
Mr. Wagner, Dieter (Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)	X		
Mr. Wagner, Goao (Brésil/Brazil/Brasil)			X
Mr. Walcott (Barbade/Barbados/Barbados)	X		
Mr. Warner (Canada/Canada/Canadá)	X		
Mr. Wilson (Royaume-Uni/United Kingdom/Reino Unido)	X		
Mr. Zainal Rampak (Malaisie/Malaysia/Malasia)			X
Mr. Al-Haj Hassan (Jordanie/Jordan/Jordania)			X
Mr. Al-Hojailan (Koweït/Kuwait/Kuwait)			X
Mr. Al-Jadari (Yémen/Yemen/Yemen)			X
Mr. Bachar (Israël/Israel/Israel)	X		
Mr. Baker (Etats-Unis/United States/Estados Unidos)	X		
Mme Baranyai (Hongrie/Hungary/Hungria)			X
Mr. Barkan (Israël/Israel/Israel)	X		
Mr. Brannsten (Norvège/Norway/Noruega)	X		
Mr. Edström (Suède/Sweden/Suecia)	X		
M. Fakhroo (Bahrein/Bahrain/Bahrein)			X
Mr. Gray (Libéria/Liberia/Liberia)			X
Mr. Hemmingsen (Danemark/Denmark/Dinamarca)	X		
Mr. Idriss Ibrahim (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)			X
Mr. Lida-Lipschitz (Israël/Israel/Israel)	X		
M. Lozi (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)			X
Mr. Pronk (Pays-Bas/Netherlands/Paises Bajos)	X		
Sr. Sanchez Madariaga (Mexique/Mexico/México)			X
Total	27	0	57

Summary of results
Résumé des résultats
Resumen de los resultados

94 Government members with 2262 votes each
Membres gouvernementaux avec 2262 votes chacun
Miembros gubernamentales con 2262 votos cada uno

54 Employers' members with 4089 votes each
Membres employeurs avec 4089 votes chacun
Miembros empleadores con 4089 votos cada uno

86 Workers' members with 2444 votes each
Membres travailleurs avec 2444 votes chacun
Miembros trabajadores con 2444 votos cada uno

233 Voting members/Membres votants/Miembros votantes

Maximum number of votes: 637884
Nombre maximum de votes:
Número máximo de votos:

Quorum/Quórum: 255154

	Coefficient Coefficient Coeficiente	For Pour A favor		Against Contre En contra		Abstentions Abstentions Abstenciones	
		a	b	a	b	a	b
Governments Gouvernements Gobiernos	X 2262	22	49764	0	—	50	113100
Employers Employeurs Empleadores	X 4089	7	28623	0	—	32	130848
Workers Travailleurs Trabajadores	X 2444	27	65988	0	—	57	139308
		144375		—		383256	

Column a: votes cast
Colonne a: votes exprimés
Columna a: votos emitidos

Column b: number of weighted votes (votes cast multiplied by coefficient)
Colonne b: nombre de votes pondérés (votes exprimés multipliés par le coefficient)
Columna b: número de votos ponderados (votos emitidos multiplicados por el coeficiente)

Results of the vote: For: 144375 Against: 0 Abstentions: 383256
Résultats de vote: Pour: Contre: Abstentions:
Resultados del voto: A favor: En contra: Abstenciones:

For: 144375
Pour:
A favor:

Against: 0
Contre:
En contra:

Total: 144375

Quorum: 255154

APPENDIX/ANNEXE/ANEXO
RECORD VOTE/VOTE PAR APPEL NOMINAL/VOTACIÓN NOMINAL

Closure of Debate on Amendment D.8
Clôture du débat sur l'amendement D.8
Clausura del debate de la enmienda D.8

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
A. Gouvernements/Governments/Gobiernos			
Algérie/Algeria/Argelia	X		
Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de			X
Arabie saoudite/Saudi Arabia/Arabia Saudita	X		
Argentine/Argentina/Argentina	X		
Australie/Australia/Australia			X
Autriche/Austria/Austria			X
Bahrein/Bahrain/Bahrein	X		
Bangladesh	X		
Belgique/Belgium/Bélgica			X
République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República			
Socialista Soviética de Bielorrusia	X		
Bulgarie/Bulgaria/Bulgaria	X		
Burundi	X		
Cameroun/Cameroon/Camerún			X
Canada/Canada/Canadá			X
Chine/China/China	X		
Colombie/Colombia/Colombia	X		
Côte d'Ivoire			X
Cuba	X		
Danemark/Denmark/Dinamarca			X
Egypte/Egypt/Egipto	X		
El Salvador			X
Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos	X		
Etats-Unis/United States/Estados Unidos			X
Ethiopie/Ethiopia/Etiopía	X		
Finlande/Finland/Finlandia			X
France/France/Francia			X
Ghana	X		
Grenade/Grenada/Granada			X
Honduras			X
Hongrie/Hungary/Hungria	X		
Inde/India/India	X		
Indonésie/Indonesia/Indonesia	X		
République islamique d'Iran/Islamic Republic of Iran/República Islámica del Iran	X		
Iraq	X		
Irlande/Ireland/Irlanda			X
Islande/Iceland/Islandia			X
Israël/Israel/Israel			X
Italie/Italy/Italia			X
Japon/Japan/Japón			X
Jordanie/Jordan/Jordania	X		
Koweït/Kuwait/Kuwait	X		
Liban/Lebanon/Libano	X		
Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia	X		
Luxembourg/Luxembourg/Luxemburgo			X
Malaisie/Malaysia/Malasia	X		
Malte/Malta/Malta	X		
Maroc/Morocco/Marruecos	X		
Mauritanie/Mauritania/Mauritania	X		
Mexique/Mexico/México	X		
Mongolie/Mongolia/Mongolia	X		
Nicaragua	X		
Norvège/Norway/Noruega			X
Pakistan/Pakistan/Pakistán	X		
Panama/Panama/Panamá	X		
Pays-Bas/Netherlands/Países Bajos			X
Philippines/Philippines/Filipinas			X
Pologne/Poland/Polonia	X		
Portugal			X
Qatar	X		
République démocratique allemande/German Democratic Republic/República Democrática Alemana	X		
Royaume-Uni/United Kingdom/Reino Unido			X
Sénégal/Senegal/Senegal	X		
Somalie/Somalia/Somalia	X		
Soudan/Sudan/Sudán	X		
Sri Lanka	X		
Suède/Sweden/Suecia			X
Suisse/Switzerland/Suiza			X
République arabe syrienne/Syrian Arab Republic/República Arabe Siria	X		
Tchécoslovaquie/Czechoslovakia/Czechoslovaquia	X		
Tunisie/Tunisia/Túnez	X		
Turquie/Turkey/Turquía	X		
République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista			
Soviética de Ucrania	X		
URSS/USSR/URSS	X		
Yémen/Yemen/Yemen	X		
Yémen démocratique/Democratic Yemen/Yemen Democrático	X		
Yougoslavie/Yugoslavia/Yugoslavia	X		
Zaire/Zaire/Zaire	X		
Total	50	0	27

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
B. Employers/Employeurs/Empleadores			
Mr. Al-Jassem (Koweït/Kuwait/Kuwait)	X		
Mr. Al-Nuaimi (Qatar)	X		
Mr. Al-Ahlasi (Yémen/Yemen/Yemen)	X		
Mr. Arbesser-Rastburg (Autriche/Austria/Austria)			X
Sr. Carvajal Bustamente (Mexique/Mexico/México)			X
Mr. Bamasmoos (Yémen démocratique/Democratic Yemen/Yemen Democrático)	X		
M. Bel-Hadj Ammar (Tunisie/Tunisia/Túnez)	X		
M. Simeonov (Bulgarie/Bulgaria/Bulgaria)	X		
Mr. Dahlan (Arabie saoudite/Saudi Arabia/Arabia Saudita)	X		
Mr. Statler (Canada/Canada/Canadá)			X
Sr. Durling (Panama/Panama/Panamá)	X		
Mr. Elmukerbi (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)	X		
Sr. Favelevic (Argentine/Argentina/Argentina)	X		
Sr. Pueyo-Pérez (Espagne/Spain/España)			X
Sr. Francis de los Reyes (Cuba)	X		
M. Younousov (URSS/USSR/URSS)	X		
Mr. El-Herrawi (Egypte/Egypt/Egipto)	X		
Mr. Dajani (Jordanie/Jordan/Jordania)	X		
Mr. Hilb (Israël/Israel/Israel)			X
Mr. Hussain (Iraq)	X		
Mr. Rowe (Nouvelle-Zélande/New Zealand/Nueva Zelandia)			X
Mrs. Johansen (Danemark/Denmark/Dinamarca)			X
Mr. Chauhan (Inde/India/India)	X		
Mr. Malakany (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Mr. Wegesin (Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)			X
Mr. Lounis Khodja (Algérie/Algeria/Argelia)	X		
Mr. Castle (Royaume-Uni/United Kingdom/Reino Unido)			X
Mr. Marx (République démocratique allemande/German Democratic Republic/República Democrática Alemana)	X		
Mr. Mattar (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)	X		
Mr. Huttunen (Finlande/Finland/Finlandia)			X
M. Nasr (Liban/Lebanon/Líbano)	X		
Mr. Noakes (Australie/Australia/Australia)			X
M. Tassin (France/France/Francia)			X
M. da Rocha Novo (Portugal)			X
M. Cattaneo (Italie/Italy/Italia)			X
Mr. Smith (Etats-Unis/United States/Estados Unidos)			X
Mr. Myrdal (Suède/Sweden/Suecia)			X
Mr. Shokrollahzadeh Moghaddami (République islamique d'Iran/Islamic Republic of Irán/República Islámica del Irán)	X		
M. Chezzi (Saint-Marin/San Marino/San Marino)			X
M. Mustafa (Soudan/Sudan/Sudán)	X		
Total	23	0	17

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
<i>C. Workers/Travailleurs/Trabajadores</i>			
Mr. Abdi (Somalie/Somalia/Somalia)	X		
Mr. Abdoon (Soudan/Sudan/Sudán)	X		
Mr. Abdullah (Yémen démocratique/Democratic Yemen/Yemen Democrático)	X		
Mr. Abuzied (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)	X		
Mr. Al-Na'ami (Yémen/Yemen/Yemen)	X		
Mr. Al-Samak (Bahrein/Bahrain/Bahrein)	X		
Mr. Al-Sayed (Koweït/Kuwait/Kuwait)	X		
M. Andreev (Bulgarie/Bulgaria/Bulgaria)	X		
Mr. Beran (Tchécoslovaquie/Czechoslovakia/Checoslovaquia)	X		
Mr. Bilal (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)	X		
M. Bogutyn (Pologne/Poland/Polonia)	X		
M. Bouslah (Tunisie/Tunisia/Túnez)	X		
M. Briesch (France/France/Francia)			X
Mr. Bu-Ainan (Qatar)	X		
Mr. Bulgak (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)	X		
Sr. Candore (Argentine/Argentina/Argentina)			X
Sra. Castañeda de Gómez (Guatemala)			X
M. Chahir (Maroc/Morocco/Marruecos)	X		
M. Djéffal (Algérie/Algeria/Argelia)	X		
M ^{me} Dreifuss (Suisse/Switzerland/Suiza)			X
Mr. Echrech (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)	X		
Mr. Eid (Egypte/Egypt/Egipto)	X		
Sr. Agüero Pérez (Cuba)	X		
Sr. Esponda Zabada (Mexique/Mexico/México)			X
Mr. Flynn (Irlande/Ireland/Irlanda)	X		
Mr. Fujimoto (Japon/Japan/Japón)			X
Mr. Gray (Etats-Unis/United States/Estados Unidos)			X
Mr. Guo (Chine/China/China)	X		
Mr. Hamza (Iraq)	X		
Mr. Hordijk (Pays-Bas/Netherlands/Países Bajos)			X
M. Issa (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Mr. Jaaskelainen (Finlande/Finland/Finlandia)			X
Mr. Kardan (Jordanie/Jordan/Jordania)	X		
Mr. Karlsson (Suède/Sweden/Suecia)			X
Mrs. Kjaer (Danemark/Denmark/Dinamarca)			X
Mr. Knox (Nouvelle-Zélande/New Zealand/Nueva Zelândia)			X
Mr. Kovalevski (République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania)	X		
Mr. Krsikapa (Yougoslavie/Yugoslavia/Yugoslavia)	X		
Mr. Lamprecht (République démocratique allemande/German Democratic Republic/República Democrática Alemana)	X		
Mr. Chiaruzzi (Saint-Marin/San Marino/San Marino)	X		
Mr. Mukherjee (Inde/India/India)	X		
Mr. Ould Hmeity (Mauritanie/Mauritania/Mauritania)	X		
Mr. Pedersen (Norvège/Norway/Noruega)			X
Sr. Chang Crespo (Equateur/Ecuador/Ecuador)			X
M. Potapov (URSS/USSR/URSS)	X		
M. Pottie (Belgique/Belgium/Bélgica)			X
Mr. Poya (Afghanistan/Afghanistan/Afganistán)	X		
Mr. Schweitzer (Luxembourg/Luxembourg/Luxemburgo)			X
Mr. Sela (Israël/Israel/Israel)			X
Mr. Sequeira (Portugal)			X
Mr. Sharif (Pakistan/Pakistan/Pakistán)	X		
Mr. Sinan (Arabie saoudite/Saudi Arabia/Arabia Saudita)	X		
Mr. Tan (Philippines/Philippines/Filipinas)	X		
Mr. Timmer (Hongrie/Hungary/Hungria)	X		
Mr. Tsagaan (Mongolie/Mongolia/Mongolia)	X		
M. Vanni (Italie/Italy/Italia)			X
M. Vieira Lopes (Angola)	X		
Mr. Wagner, Dieter (Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)			X
Mr. Wagner, João (Brésil/Brazil/Brasil)			X
Mr. Walcott (Barbade/Barbados/Barbados)			X
Mr. Warner (Canada/Canada/Canadá)			X
Mr. Wilson (Royaume-Uni/United Kingdom/Reino Unido)			X
Mr. Zainal Rampak (Malaisie/Malaysia/Malasia)	X		
Mr. Al-Haj Hassan (Jordanie/Jordan/Jordania)	X		
Mr. Al-Hojailan (Koweït/Kuwait/Kuwait)	X		
Mr. Al-Jadari (Yémen/Yemen/Yemen)	X		
Mr. Bachar (Israël/Israel/Israel)			X
Mr. Baker (Etats-Unis/United States/Estados Unidos)			X
M ^{me} Baranyai (Hongrie/Hungary/Hungria)	X		
Mr. Barkan (Israël/Israel/Israel)			X
Mr. Ben Israel (Israël/Israel/Israel)			X
Mr. Brannsten (Norvège/Norway/Noruega)			X
Mr. Breksted (Norvège/Norway/Noruega)			X
M. Coutinho (Brésil/Brazil/Brasil)			X
M ^{me} Cridazzi (Suisse/Switzerland/Suiza)			X
Mr. Dahl (Norvège/Norway/Noruega)			X
M. Dunet (France/France/Francia)	X		
Ms. Ebbskog (Suède/Sweden/Suecia)			X
Mr. Edström (Suède/Sweden/Suecia)			X
M. Fakhroo (Bahrein/Bahrain/Bahrein)	X		
Mr. Hyvarinen (Finlande/Finland/Finlandia)			X
Mr. Ibrahim (Egypte/Egypt/Egipto)	X		
Mr. Idriss Ibrahim (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)	X		
Mr. Kanaiev (URSS/USSR/URSS)	X		
Mr. Kubwimana (Burundi)	X		
Mr. Lidar-Lipschitz (Israël/Israel/Israel)			X
M. Lozi (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Total	50	0	37

Summary of results
Résumé des résultats
Resumen de los resultados

94 Governments members with 2262 votes each
Membres gouvernementaux avec 2262 votes chacun
Miembros gubernamentales con 2262 votos cada uno

52 Employers' members with 4089 votes each
Membres employeurs avec 4089 votes chacun
Miembros empleadores con 4089 votos cada uno

87 Workers' members with 2444 votes each
Membres travailleurs avec 2444 votes chacun
Miembros trabajadores con 2444 votos cada uno

233 Voting members/Membres votants/Miembros votantes

Maximum number of votes : 637884
Nombre maximum de votes :
Número máximo de votos :

Quorum/Quórum : 255154

	Coefficient Coefficient Coeficiente	For Pour A favor		Against Contre En contra		Abstentions Abstentions Abstenciones	
		a	b	a	b	a	b
Governments Gouvernements Gobiernos	X 2262	50	113100	0	—	27	61074
Employers Employeurs Empleadores	X 4089	23	94047	0	—	17	69513
Workers Travailleurs Trabajadores	X 2444	50	122200	0	—	37	90428
			329347		—		221015

Column a : votes cast
Colonne a : votes exprimés
Columna a : votos emitidos

Column b : number of weighted votes (votes cast multiplied by coefficient)
Colonne b : nombre de votes pondérés (votes exprimés multipliés par le coefficient)
Columna b : número de votos ponderados (votos emitidos multiplicados por el coeficiente)

Results of the vote : For: 329347 Against: 0 Abstentions: 221015
Résultats de vote : Pour: Contre: Abstentions:
Resultados del voto: A favor: En contra: Abstenciones:

For: 329347
Pour:
A favor:
Against: 0
Contre:
En contra:
Total: 329347
Quorum: 255154

APPENDIX/ANNEXE/ANEXO
RECORD VOTE/VOTE PAR APPEL NOMINAL/VOTACIÓN NOMINAL

Amendment D.8

Amendement D.8

Enmienda D.8

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
A: Gouvernements/Governments/Gobiernos			
Algérie/Algeria/Argelia			X
Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de	X		
Arabie saoudite/Saudi Arabia/Arabia Saudita			X
Argentine/Argentina/Argentina			X
Autriche/Austria/Austria	X		
Bahrein/Bahrain/Bahrein			X
Bangladesh			X
Belgique/Belgium/Bélgica	X		
République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia			X
Bulgarie/Bulgaria/Bulgaria			X
Canada/Canada/Canadá	X		
Chine/China/China			X
Colombie/Colombia/Colombia			X
Cuba			X
Danemark/Denmark/Dinamarca	X		
Egypte/Egypt/Egipto			X
El Salvador	X		
Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos			X
Etats-Unis/United States/Estados Unidos	X		
Finlande/Finland/Finlandia	X		
France/France/Francia	X		
Honduras	X		
Hongrie/Hungary/Hungria			X
Inde/India/India			X
Indonésie/Indonesia/Indonesia			X
République islamique d'Iran/Islamic Republic of Irán/República Islámica del Irán			X
Iraq			X
Irlande/Ireland/Irlanda			X
Israël/Israel/Israel	X		
Italie/Italy/Italia	X		
Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia			X
Japon/Japan/Japón	X		
Jordanie/Jordan/Jordania			X
Koweït/Kuwait/Kuwait			X
Liban/Lebanon/Líbano			X
Luxembourg/Luxembourg/Luxemburgo	X		
Malaisie/Malaysia/Malasia			X
Malte/Malta/Malta			X
Maroc/Morocco/Marruecos			X
Mauritanie/Mauritania/Mauritania			X
Mexique/Mexico/México			X
Mongolie/Mongolia/Mongolia			X
Nicaragua			X
Norvège/Norway/Noruega	X		
Pakistan/Pakistan/Pakistán			X
Panama/Panama/Panamá			X
Pays-Bas/Netherlands/Países Bajos	X		
Philippines/Philippines/Filipinas			X
Pologne/Poland/Polonia			X
Qatar			X
République démocratique allemande/German Democratic Republic/República Democrática Alemana			X
Royaume-Uni/United Kingdom/Reino Unido	X		
Saint-Marin/San Marino/San Marino	X		
Sénégal/Senegal/Senegal			X
Somalie/Somalia/Somalia			X
Soudan/Sudan/Sudán			X
Sri Lanka			X
Suède/Sweden/Suecia	X		
Suisse/Switzerland/Suiza	X		
République arabe syrienne/Syrian Arab Republic/República Arabe Siria			X
Tchécoslovaquie/Czechoslovakia/Checoslovaquia			X
Tunisie/Tunisia/Túnez			X
Turquie/Turkey/Turquía			X
République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania			X
URSS/USSR/URSS			X
Yémen/Yemen/Yemen			X
Yémen démocratique/Democratic Yemen/Yemen Democrático			X
Yougoslavie/Yugoslavia/Yugoslavia			X
Zaire/Zaire/Zaire			X
Total	20	0	49

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
B. Employers/Employeurs/Empleadores			
Mr. Al-Jassem (Koweït/Kuwait/Kuwait)			X
Mr. Al-Nuaimi (Qatar)			X
Mr. Al-Ahlsi (Yémen/Yemen/Yemen)			X
Mr. Arbesser-Rastburg (Autriche/Austria/Austria)	X		
Sr. Carvajal Bustamente (Mexique/Mexico/México)	X		
Mr. Bamasmoo (Yémen démocratique/Democratic Yemen/Yemen Democrático)			X
M. Bel-Hadj Ammar (Tunisie/Tunisia/Túnez)			X
M. Simeonov (Bulgarie/Bulgaria/Bulgaria)			X
Mr. Dahlan (Arabie saoudite/Saudi Arabia/Arabia Saudita)			X
Mr. Statler (Canada/Canada/Canadá)	X		
Sr. Durling (Panama/Panama/Panamá)			X
Mr. Elmukerbi (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)			X
Sr. Favalevic (Argentine/Argentina/Argentina)	X		
Sr. Ferrer Dufoll (Espagne/Spain/España)	X		
Sr. Francis de los Reyes (Cuba)			X
M. Younousov (URSS/USSR/URSS)			X
Sr. Garache (Nicaragua)	X		
Mr. El-Herrawi (Egypte/Egypt/Egipto)			X
Mr. Dajani (Jordanie/Jordan/Jordania)			X
Mr. Hilb (Israël/Israel/Israel)	X		
Mr. Hussain (Iraq)			X
Mr. Rowe (Nouvelle-Zélande/New Zealand/Nueva Zelandia)	X		
Mrs. Johansen (Danemark/Denmark/Dinamarca)	X		
M. Malakany (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)			X
Mr. Wegesin (Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)	X		
Mr. Castle (Royaume-Uni/United Kingdom/Reino Unido)			X
Mr. Marx (République démocratique allemande/German Democratic Republic/República Democrática Alemana)			X
Mr. Mattar (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)			X
Mr. Huttunen (Finlande/Finland/Finlandia)	X		
Mr. Noakes (Australie/Australia/Australia)	X		
M. Tassin (France/France/Francia)	X		
M. da Rocha Novo (Portugal)	X		
M. Santos Neves Filho (Brésil/Brazil/Brasil)	X		
M. Cattaneo (Italie/Italy/Italia)	X		
Mr. Glade (Etats-Unis/United States/Estados Unidos)	X		
Mr. Myrdal (Suède/Sweden/Suecia)	X		
Mr. Shokrollahzadeh Moghaddami (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)			X
M. Morri (Saint-Marin/San Marino/San Marino)	X		
M. Mustafa (Soudan/Sudan/Sudán)			X
Total	19	0	20

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
<i>C. Workers/Travailleurs/Trabajadores</i>			
Mr. Abdi (Somalie/Somalia/Somalia)			X
Mr. Abdoon (Soudan/Sudan/Sudán)			X
Mr. Abuzeid (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)			X
Mr. Al-Na Ami (Yémen/Yemen/Yemen)			X
Mr. Al-Samak (Bahreïn/Bahrain/Bahrein)			X
Mr. Al-Sayed (Koweït/Kuwait/Kuwait)			X
M ^{me} Markova (Bulgarie/Bulgaria/Bulgaria)			X
Mr. Bilal (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)			X
M. Bogutyn (Pologne/Poland/Polonia)			X
Sr. Bonmati Portillo (Espagne/Spain/España)	X		
M. Bouslah (Tunisie/Tunisia/Túnez)			X
M. Briesch (France/France/Francia)	X		
Mr. Bu-Ainan (Qatar)			X
Mr. Bulgak (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)			X
Sra. Castañeda de Gómez (Guatemala)	X		
M. Chahir (Maroc/Morocco/Marruecos)			X
M. Djeflal (Algérie/Algeria/Argelia)			X
M ^{me} Dreifuss (Suisse/Switzerland/Suiza)	X		
Mr. Echrech (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)			X
Mr. Eid (Egypte/Egypt/Egipto)			X
Sr. Aguero Perez (Cuba)			X
Sr. Esponda Zabadua (Mexique/Mexico/México)	X		
Mr. Flynn (Irlande/Ireland/Irlanda)	X		
Mr. Fujimoto (Japon/Japan/Japón)	X		
Mr. Gray (Etats-Unis/United States/Estados Unidos)	X		
Mr. Guo (Chine/China/China)			X
Mr. Hamza (Iraq)			X
Mr. Pronk (Pays-Bas/Netherlands/Países Bajos)	X		
M. Issa (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)			X
Mr. Jaaskelainen (Finlande/Finland/Finlandia)	X		
Mr. Kardan (Jordanie/Jordan/Jordania)			X
Mr. Karlsson (Suède/Sweden/Suecia)	X		
Mrs. Kjaer (Danemark/Denmark/Dinamarca)	X		
Mr. Knox (Nouvelle-Zélande/New Zealand/Nueva Zelandia)	X		
Mr. Kovalevski (République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania)			X
Mr. Krsikapa (Yougoslavie/Yugoslavia/Yugoslavia)			X
Mr. Lamprecht (République démocratique allemande/German Democratic Republic/República Democrática Alemana)			X
Mr. Chiaruzzi (Saint-Marin/San Marino/San Marino)			X
Mr. Mukherjee (Inde/India/India)			X
Sr. Murro (Uruguay)			X
Mr. Ould Hmeity (Mauritanie/Mauritania/Mauritania)			X
Ms. Pedersen (Norvège/Norway/Noruega)	X		
Sr. Chang Crespo (Equateur/Ecuador/Ecuador)	X		
M. Potapov (URSS/USSR/URSS)			X
Mr. Poya (Afghanistan/Afghanistan/Afganistán)			X
M. Schweitzer (Luxembourg/Luxembourg/Luxemburgo)	X		
Mr. Sela (Israël/Israel/Israel)	X		
Mr. Sequeira (Portugal)	X		
Mr. Sharif (Pakistan/Pakistan/Pakistán)			X
Mr. Sinan (Arabie saoudite/Saudi Arabia/Arabia Saudita)			X
Mr. Timmer (Hongrie/Hungary/Hungría)			X
M. Vanni (Italie/Italy/Italia)	X		
M. Vieira Lopes (Angola)			X
Mr. Wagner, Dieter (Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)	X		
Mr. Wagner, Toão (Brésil/Brazil/Brasil)	X		
Mr. Warner (Canada/Canada/Canadá)	X		
Mr. Wilson (Royaume-Uni/United Kingdom/Reino Unido)	X		
Mr. Zainal Rampak (Malaisie/Malaysia/Malasia)			X
Mr. Al- Hojailan (Koweït/Kuwait/Kuwait)			X
Mr. Al-Jadari (Yémen/Yemen/Yemen)			X
Mr. Bachar (Israël/Israel/Israel)	X		
Mr. Baker (Etats-Unis/United States/Estados Unidos)	X		
Mr. Barkan (Israël/Israel/Israel)	X		
Mr. Ben Israel (Israël/Israel/Israel)	X		
Mr. Brannsten (Norvège/Norway/Noruega)	X		
Mr. Brekstad (Norvège/Norway/Noruega)	X		
M. Caillat (France/France/Francia)	X		
M ^{me} Cridazzi (Suisse/Switzerland/Suiza)	X		
Mr. Dahl (Norvège/Norway/Noruega)	X		
M. Dunet (France/France/Francia)			X
Mr. Edström (Suède/Sweden/Suecia)	X		
M. Fakhroo (Bahreïn/Bahrain/Bahrein)			X
Mr. Hyvarinen (Finlande/Finland/Finlandia)	X		
Mr. Ibrahim (Egypte/Egypt/Egipto)			X
Mr. Idriss Ibrahim (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)			X
Mr. Lidar-Lipschitz (Israël/Israel/Israel)	X		
Ms. Lindroos (Finlande/Finland/Finlandia)	X		
M. Lozi (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)			X
Mr. Sakharov (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)			X
Total	36	0	43

**Summary of results
Résumé des résultats
Resumen de los resultados**

- 94 Governments members with 2262 votes each
Membres gouvernementaux avec 2262 votes chacun
Miembros gubernamentales con 2262 votos cada uno
- 54 Employers' members with 4089 votes each
Membres employeurs avec 4089 votes chacun
Miembros empleadores con 4089 votos cada uno
- 87 Workers' members with 2444 votes each
Membres travailleurs avec 2444 votes chacun
Miembros trabajadores con 2444 votos cada uno
- 233 Voting members/Membres votants/Miembros votantes

Maximum number of votes: 637 884
Nombre maximum de votes:
Número máximo de votos:

Quorum/Quórum: 255 154

	Coefficient Coefficient Coeficiente	For Pour A favor		Against Contre En contra		Abstentions Abstentions Abstenciones	
		a	b	a	b	a	b
Governments Gouvernements Gobiernos	X 2262	20	45 240	0	–	49	110 838
Employers Employeurs Empleadores	X 4089	19	77 691	0	–	20	81 780
Workers Travailleurs Trabajadores	X 2444	36	87 984	0	–	43	105 092
		210 915		–		297 710	

Column a: votes cast
Colonne a: votes exprimés
Columna a: votos emitidos

Column b: number of weighted votes (votes cast multiplied by coefficient)
Colonne b: nombre de votes pondérés (votes exprimés multipliés par le coefficient)
Columna b: número de votos ponderados (votos emitidos multiplicados por el coeficiente)

Results of the vote: For: 210 915 Against: 0 Abstentions: 297 710
Résultats du vote: Pour: Contre: Abstentions:
Resultados del voto: A favor: En contra: Abstenciones:

For: 210 915
Pour:
A favor:

Against: 0
Contre:
En contra:

Total: 210 915

Quorum: 255 154

APPENDIX/ANNEXE/ANEXO
RECORD VOTE/VOTE PAR APPEL NOMINAL/VOTACIÓN NOMINAL

Closure of Discussion on General Question
Clôture du débat sur la question générale
Clausura del debate de la cuestión general

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
A. Gouvernements/Governments/Gobiernos			
Algérie/Algeria/Argelia	X		
Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de			X
Angola	X		
Arabie saoudite/Saudi Arabia/Arabia Saudita	X		
Australie/Australia/Australia		X	
Autriche/Austria/Austria			X
Bahreïn/Bahrain/Bahrein	X		
Belgique/Belgium/Bélgica			X
République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República			
Socialista Soviética de Bielorrusia	X		
Canada/Canada/Canadá			X
Chili/Chile/Chile			X
Chine/China/China	X		
Colombie/Colombia/Colombia			X
Cuba	X		
Danemark/Denmark/Dinamarca			X
Egypte/Egypt/Egipto	X		
Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos	X		
Etats-Unis/United States/Estados Unidos			X
Finlande/Finland/Finlandia			X
France/France/Francia			X
Hongrie/Hungary/Hungría	X		
Inde/India/India	X		
Indonésie/Indonesia/Indonesia	X		
République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán	X		
Iraq	X		
Irlande/Ireland/Irlanda			X
Islande/Iceland/Islandia			X
Israël/Israel/Israel			X
Italie/Italy/Italia			X
Japon/Japan/Japón			X
Jordanie/Jordan/Jordania	X		
Koweït/Kuwait/Kuwait	X		
Liban/Lebanon/Líbano	X		
Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia	X		
Malaisie/Malaysia/Malasia	X		
Malte/Malta/Malta	X		
Maroc/Morocco/Marruecos	X		
Mauritanie/Mauritania/Mauritania	X		
Mexique/Mexico/México	X		
Mongolie/Mongolia/Mongolia	X		
Nicaragua	X		
Norvège/Norway/Noruega			X
Nouvelle-Zélande/New Zealand/Nueva Zelandia			X
Panama/Panama/Panamá	X		
Pays-Bas/Netherlands/Países Bajos			X
Pologne/Poland/Polonia	X		
Portugal			X
Qatar	X		
République démocratique allemande/German Democratic Republic/República Democrática Alemana	X		
Royaume-Uni/United Kingdom/Reino Unido			X
Saint-Marin/San Marino/San Marino			X
Sénégal/Senegal/Senegal	X		
Somalie/Somalia/Somalia	X		
Soudan/Sudan/Sudán	X		
Sri Lanka	X		
Suède/Sweden/Suecia			X
Suisse/Switzerland/Suiza			X
République arabe syrienne/Syrian Arab Republic/República Arabe Siria	X		
Tchécoslovaquie/Czechoslovakia/Checoslovaquia	X		
Tunisie/Tunisia/Túnez	X		
Turquie/Turkey/Turquía	X		
République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista			
Soviética de Ucrania	X		
URSS/USSR/URSS	X		
Yémen/Yemen/Yemen	X		
Yémen démocratique/Democratic Yemen/Yemen Democrático	X		
Yougoslavie/Yugoslavia/Yugoslavia	X		
Total	42	1	23

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
B. Employers/Employeurs/Empleadores			
Mr. Al-Jassem (Koweït/Kuwait/Kuwait)	X		
Mr. Al-Nuaimi (Qatar)	X		
Mr. Al-Ahlasi (Yémen/Yemen/Yemen)	X		
Mr. Arbesser-Rastburg (Autriche/Austria/Austria)			X
Mr. Bamasmoos (Yémen démocratique/Democratic Yemen/Yemen Democrático)	X		
M. Bel-Hadj Ammar (Tunisie/Tunisia/Túnez)	X		
M. Simeonov (Bulgarie/Bulgaria/Bulgaria)	X		
Mr. Dahlan (Arabie saoudite/Saudi Arabia/Arabia Saudita)	X		
Mr. Statler (Canada/Canada/Canadá)			X
M. Diserens (Suisse/Switzerland/Suiza)			X
Sr. Durling (Panama/Panama/Panamá)	X		
Mr. Elmukerbi (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)	X		
Sr. Favelevic (Argentine/Argentina/Argentina)			X
M. Younousov (URSS/USSR/URSS)	X		
Sr. Garache (Nicaragua)			X
Mr. Dajani (Jordanie/Jordan/Jordania)	X		
Mr. Hilb (Israël/Israel/Israel)			X
Mr. Hussain (Iraq)	X		
Mr. Rowe (Nouvelle-Zélande/New Zealand/Nueva Zelandia)			X
Mrs. Johansen (Danemark/Denmark/Dinamarca)			X
Mr. Wegesin (Allemagne. République fédérale d'/Germany. Federal Republic of/Alemania. República Federal de)			X
Mr. Lounis Khodja (Algérie/Algeria/Argelia)	X		
Mr. Mackie (Royaume-Uni/United Kingdom/Reino Unido)			X
Mr. Mallia Milanes (Malte/Malta/Malta)			X
Mr. Marx (République démocratique allemande/German Democratic Republic/República Democrática Alemana)	X		
Mr. Mattar (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)	X		
Mr. Huttunen (Finlande/Finland/Finlandia)			X
M. Nasr (Liban/Lebanon/Líbano)	X		
Mr. Noakes (Australie/Australia/Australia)			X
M. Tassin (France/France/Francia)			X
M. da Rocha Novo (Portugal)			X
M. Santos Neves (Brésil/Brazil/Brasil)			X
M. Cattaneo (Italie/Italy/Italia)			X
Mr. Glade (Etats-Unis/United States/Estados Unidos)			X
Mr. Samee (Pakistan/Pakistan/Pakistán)	X		
Mr. Myrdal (Suède/Sweden/Suecia)			X
Mr. Shokrollahzadeh Moghaddami (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)	X		
M. Arets (Belgique/Belgium/Bélgica)			X
Mr. Morri (Saint-Marin/San Marino/San Marino)			X
Mr. Suzuki (Japon/Japan/Japón)			X
Total	18	0	22

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
<i>C. Workers/Travailleurs/Trabajadores</i>			
Mr. Abdi (Somalie/Somalia/Somalia)	X		
Mr. Abdoon (Soudan/Sudan/Sudán)	X		
Mr. Abdullah (Yémen démocratique/Democratic Yemen/Yemen Democrático)	X		
Mr. Abuzied (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)	X		
Mr. Al-Na'ami (Yémen/Yemen/Yemen)	X		
Mr. Al-Samak (Bahrein/Bahrain/Bahrain)	X		
Mr. Al-Sayed (Koweït/Kuwait/Kuwait)	X		
M ^{me} Markova (Bulgarie/Bulgaria/Bulgaria)	X		
Mr. Beran (Tchécoslovaquie/Czechoslovakia/Czechoslovakia)	X		
Mr. Bilal (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)	X		
M. Bogutyn (Pologne/Poland/Polonia)	X		
Sr. Bonmati Portillo (Espagne/Spain/España)			X
Mr. Bu-Ainan (Qatar)	X		
Mr. Bulgak (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)	X		
Sra. Castañeda de Gómez (Guatemala)			X
M. Chahir (Maroc/Morocco/Marruecos)	X		
M. Djefal (Algérie/Algeria/Argelia)	X		
M ^{me} Dreifuss (Suisse/Switzerland/Suiza)			X
Mr. Eid (Egypte/Egypt/Egipto)	X		
Sr. Aguero Perez (Cuba)	X		
Mr. Echrech (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)	X		
Sr. Esponda Zabadua (Mexique/Mexico/México)			X
Mr. Flynn (Irlande/Ireland/Irlanda)	X		
Mr. Fujimoto (Japon/Japan/Japón)			X
Mr. Gray (Etats-Unis/United States/Estados Unidos)			X
Mr. Gudmundsson (Islande/Iceland/Islandia)			X
Mr. Guo (Chine/China/China)	X		
Mr. Hamza (Iraq)	X		
Mr. Hordijk (Pays-Bas/Netherlands/Paises Bajos)			X
M. Issa (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Mr. Jaaskelainen (Finlande/Finland/Finlandia)			X
Mr. Kardan (Jordanie/Jordan/Jordania)	X		
Mr. Karlsson (Suède/Sweden/Suecia)			X
Mrs. Kjaer (Danemark/Denmark/Dinamarca)			X
Mr. Knox (Nouvelle-Zélande/New Zealand/Nueva Zelandia)			X
Mr. Kovalevski (République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania)	X		
Mr. Krsikapa (Yougoslavie/Yugoslavia/Yugoslavia)	X		
Mr. Lamprecht (République démocratique allemande/German Democratic Republic/República Democrática Alemana)	X		
Mr. Chiaruzzi (Saint-Marin/San Marino/San Marino)	X		
Mr. Mukherjee (Inde/India/India)	X		
Sr. Murro (Uruguay)	X		
Mr. Ould Hmeity (Mauritanie/Mauritania/Mauritania)	X		
Mr. Pedersen (Norvège/Norway/Noruega)			X
Sr. Chang Crespo (Equateur/Ecuador/Ecuador)			X
M. Potapov (URSS/USSR/URSS)	X		
M. Pottie (Belgique/Belgium/Bélgica)			X
Mr. Poya (Afghanistan/Afghanistan/Afganistán)	X		
Mr. Puthirasigamoney (Sri Lanka)			X
M. Schweitzer (Luxembourg/Luxembourg/Luxemburgo)			X
M. Sela (Israël/Israel/Israel)			X
Mr. Sharif (Pakistan/Pakistan/Pakistán)	X		
Mr. Sinan (Arabie saoudite/Saudi Arabia/Arabia Saudita)	X		
Mr. Tan (Philippines/Philippines/Filipinas)	X		
Mr. Timmer (Hongrie/Hungary/Hungria)	X		
Mr. Tsagaan (Mongolie/Mongolia/Mongolia)	X		
M. Vanni (Italie/Italy/Italia)			X
M. Vieira Lopes (Angola)	X		
Mr. Wagner, Dieter (Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)			X
Mr. Walcott (Barbade/Barbados/Barbados)			X
Mr. Wilson (Royaume-Uni/United Kingdom/Reino Unido)			X
Mr. Zainal Rampak (Malaisie/Malaysia/Malasia)	X		
Mr. Al-Haj Hassan (Jordanie/Jordan/Jordania)	X		
Mr. Al-Hojailan (Koweït/Kuwait/Kuwait)	X		
Mr. Al-Jadari (Yémen/Yemen/Yemen)	X		
Mr. Bachar (Israël/Israel/Israel)			X
Mr. Baker (Etats-Unis/United States/Estados Unidos)			X
Mr. Barkan (Israël/Israel/Israel)			X
Mr. Ben Israel (Israël/Israel/Israel)			X
Mr. Brannsten (Norvège/Norway/Noruega)			X
Mr. Dahl (Norvège/Norway/Noruega)			X
Mr. Ebbeskog (Suède/Sweden/Suecia)			X
Mr. Edström (Suède/Sweden/Suecia)			X
M. Fakhroo (Bahrein/Bahrain/Bahrain)	X		
Mr. Ibrahim (Egypte/Egypt/Egipto)	X		
Mr. Lidar-Lipschitz (Israël/Israel/Israel)			X
M. Lozi (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Mr. Pronk (Pays-Bas/Netherlands/Paises Bajos)			X
Mr. Rychly (Tchécoslovaquie/Czechoslovakia/Chécoslovaquia)	X		
Mr. Sakharov (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)	X		
Sr. Sánchez Madariaga (Mexique/Mexico/México)			X
Total	47	0	33

Summary of results
Résumé des résultats
Resumen de los resultados

94 Government members with 2262 votes each
Membres gouvernementaux avec 2262 votes chacun
Miembros gubernamentales con 2262 votos cada uno

52 Employers' members with 4089 votes each
Membres employeurs avec 4089 votes chacun
Miembros empleadores con 4089 votos cada uno

87 Workers' members with 2444 votes each
Membres travailleurs avec 2444 votes chacun
Miembros trabajadores con 2444 votos cada uno

233 Voting members/Membres votants/Miembros vorantes

Maximum number of votes: 637884
Nombre maximum de votes:
Número máximo de votos:

Quorum/Quórum: 255154

	Coefficient Coefficient Coeficiente	For Pour A favor		Against Contre En contra		Abstentions Abstentions Abstenciones	
		a	b	a	b	a	b
Governments Gouvernements Gobiernos	X 2262	42	95044	1	2262	23	52026
Employers Employeurs Empleadores	X 4089	17	69513	0	0	22	89958
Workers Travailleurs Trabajadores	X 2444	47	114868	0	0	33	80652
		279385		2262		222636	

Column a: votes cast
Colonne a: votes exprimés
Columna a: votos emitidos

Column b: number of weighted votes (votes cast multiplied by coefficient)
Colonne b: nombre de votes pondérés (votes exprimés multipliés par le coefficient)
Columna b: número de votos ponderados (votos emitidos multiplicados por el coeficiente)

Results of the vote: For: 279385 Against: 2262 Abstentions: 222636
Résultats de vote: Pour: Contre: Abstentions:
Resultados del voto: A favor: En contra: Abstenciones:

For: 279385
Pour:
A favor:

Against: 2262
Contre:
En contra:

Total: 281647

Quorum: 255154

APPENDIX/ANNEXE/ANEXO
RECORD VOTE/VOTE PAR APPEL NOMINAL/VOTACION NOMINAL

Adoption of preamble paragraph 6

Sixième paragraphe du préambule

Sexto párrafo del preámbulo

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
A. Gouvernements/Governments/Gobiernos			
Algérie/Algeria/Argelia	X		
Allemagne. République fédérale d'/Germany. Federal Republic of/Alemania. República Federal de			X
Arabie saoudite/Saudi Arabia/Arabia Saudita	X		
Argentine/Argentina/Argentina	X		
Australie/Australia/Australia	X		
Autriche/Austria/Austria	X		
Bahrein/Bahrain/Bahrein	X		
Belgique/Belgium/Bélgica			X
République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República			
Socialista Soviética de Bielorrusia	X		
Bulgarie/Bulgaria/Bulgaria	X		
Canada/Canada/Canadá			X
Chine/China/China	X		
Colombie/Colombia/Colombia			X
Cuba	X		
Danemark/Denmark/Dinamarca			X
Egypte/Egypt/Egipto	X		
Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos	X		
Espagne/Spain/España	X		
Etats-Unis/United States/Estados Unidos			X
Finlande/Finland/Finlandia			X
France/France/Francia			X
Hongrie/Hungary/Hungría	X		
Inde/India/India	X		
Indonésie/Indonesia/Indonesia	X		
République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán	X		
Iraq	X		
Irlande/Ireland/Irlanda	X		
Islande/Iceland/Islandia			X
Israël/Israel/Israel			X
Italie/Italy/Italia			X
Japon/Japan/Japón			X
Jordanie/Jordan/Jordania	X		
Koweït/Kuwait/Kuwait	X		
Liban/Lebanon/Líbano	X		
Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia	X		
Malaisie/Malaysia/Malasia	X		
Malte/Malta/Malta	X		
Maroc/Morocco/Marruecos	X		
Mauritanie/Mauritania/Mauritania	X		
Mexique/Mexico/México	X		
Mongolie/Mongolia/Mongolia	X		
Nicaragua	X		
Norvège/Norway/Noruega			X
Nouvelle-Zélande/New Zealand/Nueva Zelandia			X
Pakistan/Pakistan/Pakistán	X		
Panama/Panama/Panamá	X		
Pays-Bas/Netherlands/Paises Bajos			X
Philippines/Philippines/Filipinas	X		
Pologne/Poland/Polonia	X		
Portugal			X
Qatar	X		
République démocratique allemande/German Democratic Republic/República Democrática Alemana	X		
Royaume-Uni/United Kingdom/Reino Unido			X
Sénégal/Senegal/Senegal	X		
Somalie/Somalia/Somalia	X		
Soudan/Sudan/Sudán	X		
Sri Lanka	X		
Suède/Sweden/Suecia			X
Suisse/Switzerland/Suiza			X
République arabe syrienne/Syrian Arab Republic/República Arabe Siria	X		
Tchécoslovaquie/Czechoslovakia/Checoslovaquia	X		
Tunisie/Tunisia/Túnez	X		
Turquie/Turkey/Turquía	X		
République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista			
Soviética de Ucrania	X		
URSS/USSR/URSS	X		
Yémen/Yemen/Yemen	X		
Yémen démocratique/Democratic Yemen/Yemen Democrático	X		
Yougoslavie/Yugoslavia/Yugoslavia	X		
Zaïre/Zaire/Zaire	X		
Total	50	0	19

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
B. Employers/Employeurs/Empleadores			
Mr. Al-Jassem (Koweït/Kuwait/Kuwait)	X		
Mr. Al-Nuaimi (Qatar)	X		
Mr. Al-Zubeyri (Yémen/Yemen/Yemen)	X		
Mr. Arbesser-Rastburg (Autriche/Austria/Austria)			X
Sr. Carvajal Bustamente (Mexique/Mexico/México)			X
Mr. Bamasmoo (Yémen démocratique/Democratic Yemen/Yemen Democrático)	X		
M. Bel-Hadj Ammar (Tunisie/Tunisia/Túnez)	X		
Mr. Dahlan (Arabie saoudite/Saudi Arabia/Arabia Saudita)	X		
Mr. Statler (Canada/Canada/Canadá)			X
Sr. Durling (Panama/Panama/Panamá)	X		
Mr. Elmukerbi (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)	X		
Sr. Favelevic (Argentine/Argentina/Argentina)	X		
Sr. Francis de los Reyes (Cuba)	X		
M. Younousov (URSS/USSR/URSS)	X		
Sr. Garache (Nicaragua)			X
Mr. Dajani (Jordanie/Jordan/Jordania)	X		
Mr. Hilb (Israël/Israel/Israel)			X
Mr. Hussain (Iraq)	X		
Mr. Rowe (Nouvelle-Zélande/New Zealand/Nueva Zelandia)			X
Mrs. Johansen (Danemark/Denmark/Dinamarca)			X
Mr. Khurana (Inde/India/India)	X		
Mr. Malakany (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Mr. Wegesin (Allemagne. République fédérale d'/Germany. Federal Republic of/Alemania. República Federal de)			X
Mr. Lounis Khodja (Algérie/Algeria/Argelia)	X		
Mr. Castle (Royaume-Uni/United Kingdom/Reino Unido)			X
Mr. Mallia Milanes (Malte/Malta/Malta)			X
Mr. Marx (République démocratique allemande/German Democratic Republic/República Democrática Alemana)	X		
Mr. Mattar (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)	X		
Mr. Huttunen (Finlande/Finland/Finlandia)			X
M. Nasr (Liban/Lebanon/Líbano)	X		
Mr. Black (Australie/Australia/Australia)			X
M. Tassin (France/France/Francia)			X
M. da Rocha Novo (Portugal)			X
Sr. Santos Neves Filho (Brésil/Brazil/Brasil)			X
M. Cattaneo (Italie/Italy/Italia)			X
Mr. Glade (Etats-Unis/United States/Estados Unidos)			X
Mr. Myrdal (Suède/Sweden/Suecia)			X
Mr. Shokrollahzadeh Moghaddami (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)	X		
M. Arets (Belgique/Belgium/Bélgica)			X
M. Morri (Saint-Marin/San Marino/San Marino)			X
M. Suzuki (Japon/Japan/Japón)			X
Total	20	0	21

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
<i>C. Workers/Travailleurs/Trabajadores</i>			
Mr. Abdi (Somalie/Somalia/Somalia)	X		
Mr. Abdoon (Soudan/Sudan/Sudán)	X		
Mr. Abdullah (Yémen démocratique/Democratic Yemen/Yemen Democrático)	X		
Mr. Abuzied (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)	X		
Mr. Al-Na'ami (Yémen/Yemen/Yemen)	X		
Mr. Al-Samak (Bahreïn/Bahrain/Bahrein)	X		
M ^{me} Markova (Bulgarie/Bulgaria/Bulgaria)	X		
Mr. Beran (Tchécoslovaquie/Czechoslovakia/Checoslovaquia)	X		
Mr. Bilal (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)	X		
M. Bogutyn (Pologne/Poland/Polonia)	X		
Sr. Bonmati Portillo (Espagne/Spain/España)			X
Mr. Bu-Ainan (Qatar)	X		
Mr. Bulgak (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)	X		
Sra. Castañeda de Gómez (Guatemala)			X
M. Chahir (Maroc/Morocco/Marruecos)	X		
M. Djeflal (Algérie/Algeria/Argelia)	X		
M ^{me} Dreifuss (Suisse/Switzerland/Suiza)			X
Mr. Eid (Egypte/Egypt/Egipto)	X		
Sr. Agüero Pérez (Cuba)	X		
Mr. Eschrech (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)	X		
Sr. Esponda Zabadua (Mexique/Mexico/México)			X
Mrs. O'Donovan (Irlande/Ireland/Irlanda)	X		
Mr. Fujimoto (Japon/Japan/Japón)			X
Mr. Gray (Etats-Unis/United States/Estados Unidos)			X
Mr. Gudmundsson (Islande/Iceland/Islandia)	X		
Mr. Guo (Chine/China/China)	X		
Mr. Hamza (Iraq)	X		
Mr. Hordijk (Pays-Bas/Netherlands/Países Bajos)			X
M. Issa (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Mr. Jaaskelainen (Finlande/Finland/Finlandia)			X
Mr. Kardan (Jordanie/Jordan/Jordania)	X		
Mr. Karlsson (Suède/Sweden/Suecia)			X
Mrs. Kjaer (Danemark/Denmark/Dinamarca)			X
Mr. Knox (Nouvelle-Zélande/New Zealand/Nueva Zelandia)			X
Mr. Kovalevski (République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania)	X		
Mr. Krsikapa (Yougoslavie/Yugoslavia/Yugoslavia)	X		
Mr. Lamprecht (République démocratique allemande/German Democratic Republic/República Democrática Alemana)	X		
Mr. Chiaruzzi (Saint-Marin/San Marino/San Marino)	X		
Mr. Mukherjee (Inde/India/India)	X		
Sr. Murro (Uruguay)	X		
Mr. Ould Hmeity (Mauritanie/Mauritania/Mauritania)	X		
Ms. Pedersen (Norvège/Norway/Noruega)			X
Sr. Chang Crespo (Equateur/Ecuador/Ecuador)			X
M. Potapov (URSS/USSR/URSS)	X		
Mr. Poya (Afghanistan/Afghanistan/Afganistán)	X		
M. Schweitzer (Luxembourg/Luxembourg/Luxemburgo)			X
M. Sela (Israël/Israel/Israel)			X
Mr. Sequeira (Portugal)			X
Mr. Sharif (Pakistan/Pakistan/Pakistán)	X		
Mr. Sinan (Arabie saoudite/Saudi Arabia/Arabia Saudita)	X		
Mr. Tan (Philippines/Philippines/Filipinas)	X		
Mr. Timmer (Hongrie/Hungary/Hungria)	X		
Mr. Tsagaan (Mongolie/Mongolia/Mongolia)	X		
M. Vanni (Italie/Italy/Italia)			X
M. Vieira Lopes (Angola)	X		
Mr. Wagner, Dieter (Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)			X
Mr. Walcott (Barbade/Barbados/Barbados)			X
Mr. Zainal Rampak (Malaisie/Malaysia/Malasia)	X		
Mr. Al-Haj Hassan (Jordanie/Jordan/Jordania)	X		
Mr. Al-Hojailan (Koweït/Kuwait/Kuwait)	X		
Mr. Al-Jadani (Yémen/Yemen/Yemen)	X		
Mr. Bachar (Israël/Israel/Israel)			X
Mr. Baker (Etats-Unis/United States/Estados Unidos)			X
Mr. Barkan (Israël/Israel/Israel)			X
Mr. Ben Israel (Israël/Israel/Israel)			X
Mr. Brannsten (Norvège/Norway/Noruega)			X
Mr. Dahl (Norvège/Norway/Noruega)			X
M. Dunet (France/France/Francia)	X		
Mr. Edström (Suède/Sweden/Suecia)			X
M. Fakhroo (Bahreïn/Bahrain/Bahrein)	X		
Mr. Ibrahim (Egypte/Egypt/Egipto)	X		
Mr. Lidar-Lipschitz (Israël/Israel/Israel)			X
M. Lozi (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)	X		
Mr. Pronk (Pays-Bas/Netherlands/Países Bajos)			X
Mr. Sakharov (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)	X		
Sr. Sánchez Madariaga (Mexique/Mexico/México)			X
Total	47	0	29

Summary of results
Résumé des résultats
Resumen de los resultados

- 94 Governments members with 2262 votes each
Membres gouvernementaux avec 2262 votes chacun
Miembros gubernamentales con 2262 votos cada uno
- 52 Employers' members with 4089 votes each
Membres employeurs avec 4089 votes chacun
Miembros empleadores con 4089 votos cada uno
- 87 Workers' members with 2444 votes each
Membres travailleurs avec 2444 votes chacun
Miembros trabajadores con 2444 votos cada uno

233 Voting members/Membres votants/Miembros votantes

Maximum number of votes : 637884
Nombre maximum de votes :
Número máximo de votos :

Quorum/Quórum : 255154

	Coefficient Coefficient Coeficiente	For Pour A favor		Against Contre En contra		Abstentions Abstentions Abstenciones	
		a	b	a	b	a	b
Governments Gouvernements Gobiernos	X 2262	50	113100	0	–	19	42978
Employers Employeurs Empleadores	X 4089	20	81780	0	–	21	85869
Workers Travailleurs Trabajadores	X 2444	47	114868	0	–	29	70876
		309748		–		199723	

Column a: votes cast
Colonne a: votes exprimés
Columna a: votos emitidos

Column b: number of weighted votes (votes cast multiplied by coefficient)
Colonne b: nombre de votes pondérés (votes exprimés multipliés par le coefficient)
Columna b: número de votos ponderados (votos emitidos multiplicados por el coeficiente)

Results of the vote: For: 309748 Against: 0 Abstentions: 199723
Résultats du vote: Pour: Contre: Abstentions:
Resultados del voto: A favor: En contra: Abstenciones:

For:	309748
Pour:	
A favor:	
Against:	0
Contre:	
En contra:	
Total:	309748
Quorum:	255154

APPENDIX/ANNEXE/ANEXO
RECORD VOTE/VOTE PAR APPEL NOMINAL/VOTACIÓN NOMINAL

Amendments D.12, D.20 and D.33

Amendements D.12, D.20 et D.33

Enmiendas D.12, D.20 Y D.33

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
A. Gouvernements/Governments/Gobiernos			
Algérie/Algeria/Argelia			X
Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de	X		
Arabie saoudite/Saudi Arabia/Arabia Saudita			X
Argentine/Argentina/Argentina			X
Australie/Australia/Australia	X		
Autriche/Austria/Austria	X		
Bahreïn/Bahrain/Bahrein			X
Belgique/Belgium/Bélgica	X		
République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia			X
Bulgarie/Bulgaria/Bulgaria			X
Canada/Canada/Canadá	X		
Chine/China/China			X
Colombie/Colombia/Colombia			X
Cuba			X
Danemark/Denmark/Dinamarca	X		
Egypte/Egypt/Egipto			X
Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos			X
Etats-Unis/United States/Estados Unidos	X		
Finlande/Finland/Finlandia	X		
France/France/Francia	X		
Hongrie/Hungary/Hungría			X
Inde/India/India			X
République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán			X
Iraq			X
Irlande/Ireland/Irlanda			X
Islande/Iceland/Islandia	X		
Israël/Israel/Israel	X		
Italie/Italy/Italia	X		
Japon/Japan/Japón	X		
Jordanie/Jordan/Jordania			X
Koweït/Kuwait/Kuwait			X
Liban/Lebanon/Líbano			X
Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia			X
Luxembourg/Luxembourg/Luxemburgo	X		
Malaisie/Malaysia/Malasia			X
Malte/Malta/Malta			X
Maroc/Morocco/Marruecos			X
Mauritanie/Mauritania/Mauritania			X
Mexique/Mexico/México			X
Mongolie/Mongolia/Mongolia			X
Nicaragua			X
Norvège/Norway/Noruega	X		
Pakistan/Pakistan/Pakistán			X
Panama/Panama/Panamá			X
Pays-Bas/Netherlands/Países Bajos	X		
Philippines/Philippines/Filipinas			X
Pologne/Poland/Polonia			X
Portugal	X		
Qatar			X
République démocratique allemande/German Democratic Republic/República Democrática Alemana			X
Royaume-Uni/United Kingdom/Reino Unido	X		
Sénégal/Senegal/Senegal			X
Somalie/Somalia/Somalia			X
Soudan/Sudan/Sudán			X
Sri Lanka			X
Suède/Sweden/Suecia	X		
Suisse/Switzerland/Suiza	X		
République arabe syrienne/Syrian Arab Republic/República Arabe Siria			X
Tchécoslovaquie/Czechoslovakia/Checoslovaquia			X
Tunisie/Tunisia/Túnez			X
Turquie/Turkey/Turquía			X
République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania			X
URSS/USSR/URSS			X
Yémen/Yemen/Yemen			X
Yémen démocratique/Democratic Yemen/Yemen Democrático			X
Yougoslavie/Yugoslavia/Yugoslavia			X
Zaire/Zaire/Zaire			X
Total	20	0	47

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
B. Employers/Employeurs/Empleadores			
Mr. Al-Jassem (Koweït/Kuwait/Kuwait)			X
Mr. Al-Nuaimi (Qatar)			X
Mr. Al-Ahlasi (Yémen/Yemen/Yemen)			X
Mr. Arbesser-Rastburg (Autriche/Austria/Austria)	X		
Sr. Arroyo San Martín (Mexique/Mexico/México)	X		
Mr. Bamasmoos (Yémen démocratique/Democratic Yemen/Yemen Democrático)			X
M. Bel-Hadj Ammar (Tunisie/Tunisia/Túnez)			X
Mr. Dahlan (Arabie saoudite/Saudi Arabia/Arabia Saudita)			X
Mr. Statler (Canada/Canada/Canadá)	X		
Sr. Durling (Panama/Panama/Panamá)			X
Mr. Elmukerbi (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)			X
Sr. Favelevic (Argentine/Argentina/Argentina)			X
Sr. Francis de los Reyes (Cuba)			X
Sr. Garache (Nicaragua)	X		
Mr. Dajani (Jordanie/Jordan/Jordania)			X
Mr. Hilb (Israël/Israel/Israel)	X		
Mr. Hussain (Iraq)			X
Mr. Jessup (Nouvelle-Zélande/New Zealand/Nueva Zelandia)	X		
Mrs. Johansen (Danemark/Denmark/Dinamarca)	X		
Mr. Khurana (Inde/India/India)	X		
M. Malakany (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)			X
Mr. Wegesin (Allemagne. République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)	X		
Mr. Lounis Khodja (Algérie/Algeria/Argelia)			X
Ms. Mackie (Royaume-Uni/United Kingdom/Reino Unido)			X
Mr. Marx (République démocratique allemande/German Democratic Republic/República Democrática Alemana)			X
Mr. Mattar (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)			X
Mr. Huttunen (Finlande/Finland/Finlandia)	X		
M. Nasr (Liban/Lebanon/Líbano)			X
Mr. Black (Australie/Australia/Australia)	X		
M. Tassin (France/France/Francia)			X
M. da Rocha Novo (Portugal)	X		
M. Cattaneo (Italie/Italy/Italia)	X		
Mr. Glade (Etats-Unis/United States/Estados Unidos)	X		
Mr. Tabani (Pakistan/Pakistan/Pakistán)			X
Mr. Myrdal (Suède/Sweden/Suecia)	X		
Mr. Shokrollahzadeh Moghaddami (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)			X
M. Morri (Saint-Marin/San Marino/San Marino)	X		
Ms. Hjelmas (Norvège/Norway/Noruega)	X		
Mr. Tsujino (Japon/Japan/Japón)	X		
Total	18	0	21

Group/Member Groupe/Membre Grupo/Miembro	Votes for Voix pour Votos a favor	Votes against Voix contre Votos en contra	Abstentions Abstentions Abstenciones
<i>C. Workers/Travailleurs/Trabajadores</i>			
Mr. Abdi (Somalie/Somalia/Somalia)			X
Mr. Abdoon (Soudan/Sudan/Sudán)			X
Mr. Abdullah (Yémen démocratique/Democratic Yemen/Yemen Democrático)			X
Mr. Abuzied (Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia)			X
Mr. Al-Na'ami (Yémen/Yemen/Yemen)			X
Mr. Al-Samak (Bahrein/Bahrain/Bahrein)			X
Mr. Al-Sayed (Koweït/Kuwait/Kuwait)			X
M ^{me} Markova (Bulgarie/Bulgaria/Bulgaria)			X
Mr. Bilal (Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos)			X
M. Bogutyn (Pologne/Poland/Polonia)			X
Sr. Bonmati Portillo (Espagne/Spain/España)	X		
M. Dunet (France/France/Francia)			X
Mr. Bu-Ainan (Qatar)			X
Mr. Bulgak (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)			X
M. Chahir (Maroc/Morocco/Marruecos)			X
M. Djeflal (Algérie/Algeria/Argelia)			X
M ^{me} Dreifuss (Suisse/Switzerland/Suiza)	X		
Mr. Eid (Egypte/Egypt/Egipto)			X
Sr. Aguero Perez (Cuba)			X
Mr. Echrech (République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán)			X
Sr. Esponda Zabadua (Mexique/Mexico/México)	X		
Mr. Fujimoto (Japon/Japan/Japón)	X		
Mr. Gray (Etats-Unis/United States/Estados Unidos)	X		
Mr. Gudmundsson (Islande/Iceland/Islandia)	X		
Mr. Guo (Chine/China/China)			X
Mr. Hamza (Iraq)			X
M. Issa (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)			X
Mr. Jaaskelainen (Finlande/Finland/Finlandia)	X		
Mr. Kardan (Jordanie/Jordan/Jordania)			X
Mr. Karlsson (Suède/Sweden/Suecia)	X		
Mrs. Kjaer (Danemark/Denmark/Dinamarca)	X		
Mr. Knox (Nouvelle-Zélande/New Zealand/Nueva Zelandia)	X		
Mr. Kovalevski (République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania)			X
Mr. Krsikapa (Yougoslavie/Yugoslavia/Yugoslavia)			X
Mr. Lamprecht (République démocratique allemande/German Democratic Republic/República Democrática Alemana)			X
Mr. Chiaruzzi (Saint-Marin/San Marino/San Marino)			X
Sr. Murro (Uruguay)			X
Mr. Ould Hmeity (Mauritanie/Mauritania/Mauritania)			X
Ms. Pedersen (Norvège/Norway/Noruega)	X		
Sr. Chang Crespo (Equateur/Ecuador/Ecuador)	X		
M. Potapov (URSS/ÚSSR/URSS)			X
Mr. Poya (Afghanistan/Afghanistan/Afganistán)			X
M. Schweitzer (Luxembourg/Luxembourg/Luxemburgo)	X		
M. Sela (Israël/Israel/Israel)	X		
Mr. Sequeira (Portugal)	X		
Mr. Sharif (Pakistan/Pakistan/Pakistán)			X
Mr. Sinan (Arabie saoudite/Saudi Arabia/Arabia Saudita)			X
Mr. Tan (Philippines/Philippines/Filipinas)			X
Mr. Timmer (Hongrie/Hungary/Hungria)			X
M. Vanni (Italie/Italy/Italia)	X		
Mr. Wagner, Dieter (Allemagne, République fédérale d'/Germany, Federal Republic of/Alemania, República Federal de)	X		
Mr. Walcott (Barbade/Barbados/Barbados)	X		
Mr. Zainal Rampak (Malaisie/Malaysia/Malasia)			X
Mr. Al-Haj Hassan (Jordanie/Jordan/Jordania)			X
Mr. Al-Hojailan (Koweït/Kuwait/Kuwait)			X
Mr. Al-Jadari (Yémen/Yemen/Yemen)			X
Mr. Bachar (Israël/Israel/Israel)	X		
Mr. Baker (Etats-Unis/United States/Estados Unidos)	X		
Mr. Barkan (Israël/Israel/Israel)	X		
Mr. Ben Israel (Israël/Israel/Israel)	X		
Mr. Brannsten (Norvège/Norway/Noruega)	X		
Mr. Dahl (Norvège/Norway/Noruega)	X		
Mr. Edström (Suède/Sweden/Suecia)	X		
M. Fakhroo (Bahrein/Bahrain/Bahrein)			X
Mr. Ibrahim (Egypte/Egypt/Egipto)			X
Mr. Lidar-Lipschitz (Israël/Israel/Israel)	X		
M. Lozi (République arabe syrienne/Syrian Arab Republic/República Arabe Siria)			X
Mr. Sakharov (République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia)			X
Sr. Sánchez Madariaga (Mexique/Mexico/México)	X		
Total	27	0	42

**Summary of results
Résumé des résultats
Resumen de los resultados**

94 Government members with 2262 votes each
Membres gouvernementaux avec 2262 votes chacun
Miembros gubernamentales con 2262 votos cada uno

52 Employers' members with 4089 votes each
Membres employeurs avec 4089 votes chacun
Miembros empleadores con 4089 votos cada uno

87 Workers' members with 2444 votes each
Membres travailleurs avec 2444 votes chacun
Miembros trabajadores con 2444 votos cada uno

233 Voting members/Membres votants/Miembros votantes

Maximum number of votes: 637884
Nombre maximum de votes:
Número máximo de votos:

Quorum/Quórum: 255154

	Coefficient Coefficient Coeficiente	For Pour A favor		Against Contre En contra		Abstentions Abstentions Abstenciones	
		a	b	a	b	a	b
Governments Gouvernements Gobiernos	X 2262	20	45240	0	-	47	106314
Employers Employeurs Empleadores	X 4089	18	73602	0	-	21	85869
Workers Travailleurs Trabajadores	X 2444	27	65988	0	-	42	102648
		184830		-		294831	

Column a: votes cast
Colonne a: votes exprimés
Columna a: votos emitidos

Column b: number of weighted votes (votes cast multiplied by coefficient)
Colonne b: nombre de votes pondérés (votes exprimés multipliés par le coefficient)
Columna b: número de votos ponderados (votos emitidos multiplicados por el coeficiente)

Results of the vote: For: 184830 Against: 0 Abstentions: 254831
Résultats du vote: Pour: Contre: Abstentions:
Resultados del voto: A favor: En contra: Abstenciones:

For: 184830
Pour:
A favor:

Against: 0
Contre:
En contra:

Total: 184830

Quorum: 255154

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Seventh Item on the Agenda: Rural Employment Promotion

Report of the Committee on Rural Employment

Introduction

1. The Committee on Rural Employment was set up by the Conference at its second sitting on 2 June 1988. It was originally composed of 128 members (63 Government members, 25 Employers' members and 40 Workers' members). In order to ensure equality of voting strength, 200 votes were allocated to each Government member, 504 to each Employer member and 315 to each Worker member. The composition of the Committee was subsequently modified seven times and the number of votes allotted accordingly.¹

2. The Committee elected the following officers:

Chairman: Mr. Ruphin (Government member, Madagascar);

Vice-Chairmen: Mr. Velazco Arzac (Employers' member, Mexico) and Mr. Ahmed (Workers' member, Pakistan);

Reporter: Mr. van Raalte (Government member, Netherlands).

3. The Committee appointed a Working Party composed of the Government members of Argentina, Bulgaria, Indonesia, Malawi and the United Kingdom; the Employers' members Messrs. Velazco Arzac, Khurana, Limburg, Mambwe, Smith and substitute Mr. Cheshire; and the Workers' members Messrs. Ahmed, Boddy, Maiyaki, Veretennikov and Zaffora.

4. The Committee held 13 sittings.

5. The Committee had before it Report VII, prepared by the Office, on the seventh item on the agenda of the Conference, "Rural employment promotion".

6. The Chairman, in his opening address, underlined the importance of the rural sector in all countries, and the very serious problems it was facing. He argued that priority should be given to food self-sufficiency and rural employment in the battle against injustice, inequality and poverty. This required material and financial resources, the application of appropriate technologies, labour-intensive techniques and vocational training. One could envisage the creation of rural development poles to encourage rural employment creation and to combat the rural exodus. Recalling the ILO's Right of Association (Agriculture) Convention, 1921 (No. 11), Rural Workers' Organisations Convention, 1975 (No. 141), Co-operatives (Developing Countries) Recommendation, 1966 (No. 127), Rural Workers' Organisations Recommendation, 1975 (No. 149) and Plantations Recommendation, 1958 (No. 110), the efforts of the World Employment Programme since its inception and the value of multilateral and bilateral co-operation, he pointed out that, nevertheless, a great deal remained to be done. There were tasks for all – the ILO, developing countries, and industrialised countries.

7. In welcoming the members of the Committee, the representative of the Secretary-General stressed the need for added efforts to promote growth, stimulate employment and reduce poverty in the hostile environment of the 1980s. The crucial question was how to accelerate the pace of the incipient recovery while pursuing both growth and equity. Rural employment had suffered as a result of lopsided development in the past; unemployment, underemployment, unremunerative jobs and poor working conditions were endemic features of many rural societies. In presenting the report he explained that the ILO had attempted to document the evolution of rural employment in both developed and developing countries. While emphasis was on the latter, where the problems were more urgent, it had been important to include developed countries in view of the problem they faced as well as the impact they had on the situation in developing countries. The report laid particular emphasis on the need to develop an employment-oriented strategy for increasing labour absorption in the rural areas of developing countries, through both more vigorous agricultural growth and the reinforcement of linkages with a growing non-farm economy. He invited the Committee to consider in particular whether the tasks of rural employment promotion and poverty alleviation should

¹The modifications were as follows:

- (a) 3 June, 131 members (66 Government members with 100 votes each; 25 Employers' members with 264 votes each; 40 Workers' members with 165 votes each);
- (b) 6 June, 134 members (68 Government members with 1,025 votes each; 25 Employers' members with 2,788 votes each; 41 Workers' members with 1,700 votes each);
- (c) 7 June, 133 members (67 Government members with 1,025 votes each; 25 Employers' members with 2,747 votes each; 41 Workers' members with 1,675 votes each);
- (d) 9 June, 129 members (68 Government members with 437 votes each; 23 Employers' members with 1,292 votes each; 38 Workers' members with 782 votes each);
- (e) 13 June, 131 members (69 Government members with 152 votes each; 24 Employers' members with 437 votes each; 38 Workers' members with 276 votes each);
- (f) 15 June, 127 members (69 Government members with 136 votes each; 24 Employers' members with 391 votes each; 34 Workers' members with 276 votes each); and
- (g) 16 June, 124 members (70 Government members with 12 votes each; 24 Employers' members with 35 votes each; 30 Workers' members with 28 votes each).

receive greater attention in strategies for recovery, growth and employment creation; what might be the possibilities for increased labour absorption in agriculture and in rural non-farm activities; and what guidance and advice it would offer for the future direction of ILO activities in the areas of rural employment and development.

General discussion

8. The Employers' Vice-Chairman welcomed the report, especially in view of the fact that it was an important issue of concern to all; he was looking forward to hearing the views of the Workers' members on this crucial subject. He stressed the need for a set of practical conclusions which should be directly applicable and realistic in economic terms. The use of new technologies should be emphasised and special attention should be paid to the problem of migration. In addition, full use should be made of the resources available in rural areas. He stated that rural employment promotion basically meant integrated rural development or agricultural modernisation. Employment promotion should not be an end in itself; it was part of a larger strategy towards rural modernisation. For the Employers' group, key elements of this strategy were the development of the non-farm economy and the improvement of rural living conditions. Furthermore, rural modernisation implied productive employment using new technologies and modern production methods. These should serve to achieve self-sufficiency in food and higher agricultural production, thus contributing to rural wealth. The Employers' Vice-Chairman further pointed out that resources were limited. In particular, there was insufficient land to distribute without resulting in holdings that would be too small to be economic. Resources should not be allocated solely on the basis of social criteria. Economic and social criteria needed to be combined so that investment resources could be mobilised in order to raise productivity. As regards the small farm sector, capital investments should be carefully considered to ensure that they were justified in economic terms. The legal environment was also important, and adequate price incentives were needed. He also stated that private ownership contributed effectively to increasing productive investment and to keeping the population in rural areas; the guarantee of the right to private ownership should therefore be the basis for employment creation. The Employers' Vice-Chairman concluded that public works construction such as roads and wells was essential for rural development. He suggested that such investment decisions should be taken in consultation with employers' as well as workers' organisations. He noted that in some countries employers had made a economic contribution to infrastructure improvements.

9. The Employers' group also was of the view that small and medium-sized enterprises, as discussed in the 72nd Session (1986) of the International Labour Conference, could make an important contribution to rural development. Such enterprises should be promoted by providing permanent and basic education as well as vocational training. Employers' and workers' organisations could play a useful role in helping to identify training needs. The Employers'

group also considered that it was necessary to recognise the contribution of the informal sector to employment, to examine the causes of its expansion, to improve the climate for it and to provide specific support measures. It also felt that a programme of action was needed to increase food production. Self-sufficiency in food would help to combat migration to the cities and reduce food imports, thus making foreign exchange available for industrial development.

10. The Workers' Vice-Chairman associated himself with the previous speaker and was looking forward to close collaboration with him. He felt that the report suggested some useful measures for promoting rural employment, although information could have been provided on such aspects as the magnitude of youth unemployment in rural areas, the costs and benefits of biotechnology and the impact of trade policies. He pointed out that the subject under discussion was of concern to other United Nations agencies, particularly the FAO, and that the policies of bodies such as the GATT, the World Bank and the IMF had important effects on rural employment. The Workers' members attached great importance to the right to work, as recognised in the Universal Declaration of Human Rights. Employment gave dignity, but it must be freely chosen.

11. Measures were required in many areas. The Workers' Vice-Chairman gave first priority to human resources development, as there was an urgent need for people in rural areas to gain access to meaningful education, skills and income-generating capability. The development of abilities and talents created assets for the nation and mankind. Equal opportunities would at least lead to more equality even if, as Aristotle said long ago, "there is as much injustice in the equal treatment of unequal cases as there is in unequal treatment of equal cases". Rural development was essential for eliminating poverty and increasing employment, enabling people to stay in rural areas, and it was the responsibility of governments to ensure that all at least satisfied their basic needs for education, health, housing and safe water. The second priority was structural change in societies, so that those denied access to basic resources, especially land, could contribute to development. The scale of landlessness and near-landlessness was enormous. The Declaration of Principles and Programme of Action of the world Employment Conference had referred to the need for agrarian reform, which would facilitate development and employment creation. The third priority was access to technology, which should be shared, for the common good. This called for both national and international action. The example of Europe showed that with the application of agricultural technologies, output could rise with fewer workers, while augmenting incomes and national wealth. Non-farm technologies were also very important. There were other areas where the State could make a greater contribution, such as in protecting rural workers from toxic chemicals, strengthening the infrastructure, promoting food conservation, and providing credit and other inputs for small farmers. It required greater political will to eliminate poverty, provide for basic needs, protect safety and health, and ensure a minimum wage. But, it also required stronger workers' organisations, to improve the lot of workers and to contribute to overall nation-

al prosperity. ILO Conventions, as referred to by the Chairman, were important in improving the institutional framework to enhance the role of the rural poor in national development. In particular, too few countries had ratified Convention No. 141, which was an urgent priority.

12. At the international level, action by many agencies was needed since high debt burdens and interest rates, monetary policies, fluctuating exchange rates, falling commodity prices and adverse trade policies kept the rural poor from obtaining a fair return on their labour. He looked forward to a greater role by the ILO in these areas, especially in view of its tripartite structure. The ILO also had an important function in promoting workers' organisations, workers' education and co-operatives, as well as in research and the dissemination of information, and in encouraging equal treatment of women in employment. The Advisory Committee on Rural Development, which had not met since 1983, should meet more regularly. Finally, he expressed the hope that the outcome of the deliberations of the Committee would benefit the rural poor.

13. The representative of the Organisation of African Trade Union Unity praised the report for providing a comprehensive discussion of the employment problem in the three developing continents. In Latin America the main problem was one of absorbing labour in the urban sector. In the Asian region the labour force was largely rural so that there was a need to increase rural labour absorption, while the high incidence of landlessness called for land reform. In Africa, where around 70 per cent of the labour force remained in the rural areas, a solution to unemployment must also be found in the rural sector. He observed that the African crisis was often blamed on government mismanagement which could be corrected by introducing structural adjustment programmes. That was based on an adequate analysis. The ILO had provided an alternative view and, in this context, he commended the Office for developing competent research and technical advisory services regarding employment, food security and income distribution in Africa. Many still talked about "getting the prices right", but experience in a number of African countries had not produced the expected results. Distorted prices could have a negative effect on agricultural production, but structural adjustment programmes had typically obscured the fundamental problem of African agriculture – the fragile resource base. The absence of a green revolution and the use of primitive technology suggested that prices would only have a marginal impact on production. ILO research had made a useful contribution on the impact of adjustment programmes and he trusted that this work would continue. As regards the ILO's role in rural employment promotion, assistance in public works, while useful, could only make a marginal contribution to reducing unemployment. Rather, the ILO's major role should be to do research that was country-specific and provided guidance for policy.

14. He stressed that the developing countries were experiencing difficult times, with external markets shrinking and export prices falling. In this context, he supported the report's emphasis on food security. The use of local resources should also be promoted to resume growth, and the agricultural sector should

be entrusted the role of pulling the economies out of the depression. While the eventual aim of development was industrialisation, agriculture should not be excessively squeezed to achieve this. He concluded that future ILO research should stress country-specific issues and give priority to the impact of structural adjustment on employment. The international aspects of the African crisis, including access to external markets and financing, should also be emphasised, and work on food security and migration should continue. Non-farm activities should be encouraged, but their limited potential should be recognised.

15. The members of the Committee expressed their appreciation for the report on rural employment promotion prepared by the Office. A number of speakers observed that it was well written and well documented and provided a solid basis for the work of the Committee. The report was considered to have provided a valuable overview of a complicated problem and of a wide range of experience in rural promotion. Nevertheless, the Government member of Czechoslovakia felt that the report tended to generalise too much about the situation in industrialised countries with centrally planned economies and that certain data pertaining to his country were distorted. The Government member of the United States was of the view that the report's discussion of price policy was misleading.

16. The difficult world situation was mentioned by many members. Structural adjustment programmes in a context of heavy debt burdens and protectionism constrained the possibilities for rural employment promotion and rural development. Limits on government expenditures hindered governments from undertaking the necessary investments and programmes in the rural sector. Moreover, the concentration of the international financial institutions on economic factors and criteria, without adequate attention to the social aspects and social costs, helped to explain the failure of some of the policies they imposed. The particular crisis in Africa was underlined by several Government members, who commented on the combined effects of inadequate rainfall, backward technologies, low and precarious incomes and harsh structural adjustment programmes, all of which made it difficult to build up the necessary political will. It was also argued that agricultural protection and subsidies in industrialised countries were a major barrier to the improvement of the agricultural sector in developing countries. They restricted developing country exports and thus their capacity to import inputs for domestic industry and for agricultural modernisation. In some developing countries, when there had been an improvement in agricultural productivity, the benefits had been eroded by declining world prices and the loss of market access due to protectionism. Some developed countries also saw the need for trade reform. The Government member of the United States referred to the consensus reached among the OECD ministers at their recent meeting, on the need for reform in agricultural trade, and to his Government's view, as expressed in the GATT, that all agricultural subsidies, quotas and import barriers should be phased out over a ten-year period.

17. Many members of the Committee pointed out that the rural economies of developing countries had a major role to play in absorbing the labour force. The urban areas had only a limited potential to employ additional labour from rural areas. In this regard, the Government member of Brazil observed that those leaving the rural areas lacked the skills needed in urban areas, and thus either became unemployed or found only insecure, poorly remunerated jobs. In designing effective policies to promote rural employment, efforts should be made to ensure that such policies were an integral part of national development strategies. Moreover, as several members pointed out, macro-economic conditions and the linkages between agriculture and industry should be taken into account. The Government member of Turkey stressed that rural employment problems could not be solved in the short run since the issues were difficult and complex. Several speakers expressed the view that policy measures should focus on economic as well as social development. An effective rural development strategy needed to focus on both access to social services and employment promotion. A number of Committee members also emphasised that policy-making should not focus on agriculture alone. The non-farm sector should play an active role in absorbing labour. Attention was drawn to the criteria that should be used in defining a rural employment strategy. The need to give priority to agricultural productivity and the creation of productive employment was stressed by some members. Sustained employment growth could not be achieved without economic growth. Others felt that social criteria should play an equally important role. Agricultural productivity was an important criterion in identifying policies to promote sustained development, but not necessarily the single most important one.

18. Some members referred to population growth and other demographic aspects in discussing the rural employment situation. High rates of population growth increased the labour supply and often contributed to surplus labour in rural areas. This in turn was linked to migration from rural areas and the search for jobs in the urban centres. Several members expressed particular concern over high levels of youth unemployment.

19. Several members considered that economic development should be properly balanced between rural and urban areas. The rural sector should be given adequate priority in the allocation of public expenditures and investment. Policies should provide sufficient incentives to both urban and rural producers. A number of members drew attention to the fact that unbalanced growth was one of the main causes for the migration to urban areas and suggested the need for policies to reduce excessive migration flows. Regional planning was also considered an important element in employment promotion strategies. Rural poverty was often concentrated in certain areas, and region-specific measures were called for to deal with the special conditions there. The Government member of China stressed the need for action to promote labour mobility between regions and to create new towns.

20. Several Government members offered observations that reflected the diversity of conditions and experience within national economies and in the

rural sector. There were differences between developed countries as well as between developing countries and, as the Government member of the Netherlands pointed out, rural development and rural employment promotion depended upon the specific socio-economic, cultural, physical and political circumstances in a country or a region. Some Government members from industrialised market economy countries stressed the importance of competitive markets, private enterprise and getting prices right for the purpose of resource allocation. It was observed that governments' role in this regard was to create a policy environment conducive to a competitive, stable economy in which private enterprise could flourish. Yet, in the view of many members the State had to play a larger role in the development of productive agriculture and related activities and the fostering of inter-sectoral linkages. The Government member and the Employers' member of Czechoslovakia laid particular stress on the importance of co-operatives. It also was argued that prices reflected the balance of market forces to a greater extent than the real value of products.

21. A number of speakers drew attention to the importance of the agrarian structures in determining levels of rural employment and incomes. The Government member of Brazil in particular stressed the uneven distribution of land and the consequent need for land reform. The availability of land and its distribution had a major impact on labour absorption in agriculture. The existence of fully recognised land titles also was important. Landless workers were at a special disadvantage in securing an adequate livelihood. Several members felt that agrarian reform, including the redistribution of land, was essential in order to achieve higher incomes and to reduce unemployment. Agrarian reform was also important in stemming the exodus to urban areas and in raising food production. However, as the Government member of India pointed out, successful implementation required both administrative abilities of a high order and political will. It was also imperative that agrarian reform include such other measures as the provision of an adequate infrastructure and technical assistance to small-scale farmers. The Government member of Chile expressed the view that land reform would lower agricultural productivity and adversely affect the national economy. Referring to centrally planned economies, several speakers pointed to the successful experience of developing agricultural and non-agricultural co-operatives in rural areas and the linkages between them. The Government member of China described his Government's policy of promoting rural township enterprises and observed their positive impact on rural non-farm employment.

22. There was widespread agreement that greater attention to improving women's employment and social status was required. Overall development strategies needed to incorporate women's activities, and appropriate policies and special schemes to support women workers should be designed. It was also stated that rural women's enhanced access to technical advice and credit would strengthen their contribution to rural development.

23. A large number of speakers stressed the crucial role of technology in raising agricultural and non-farm output and labour productivity, and conse-

quently, incomes and standards of living in rural areas. For agriculture, biotechnologies should be given more prominence, and reference was also made to the importance of high-yield seed varieties, farm equipment and the transfer of technology from the developed to developing countries. In general, a need was seen for better dissemination of more appropriate technologies, adapted to the diverse local realities.

24. In referring to the non-farm sector, many members of the Committee asserted that this sector should be assigned a key role in rural employment policy. The declining share of agriculture in total production, together with the diminishing prospects of sufficient employment creation in urban areas, underscored the role of non-farm activities, including rural industries, in absorbing the rapidly growing labour force in rural areas. Committee members suggested various approaches to increasing employment in this sector. The need to diversify the rural economy, by developing the services and commerce sectors among others, was stressed. The view was also presented that non-farm employment should be expanded through small and medium-sized enterprises. Forestry, construction and agro-industry were identified by several Committee members as activities with good potential for further development. The Government member of Senegal said that, as a general policy, non-farm activities should be geared to available rural markets and be designed so as to support agriculture. The use of local resources also was regarded as important by many members. One Committee member felt, however, that the non-farm sector's potential to absorb surplus labour should not be overestimated.

25. In view of the need to increase food production in developing countries, a number of Committee members urged the adoption of measures to achieve self-sufficiency in food. Food security should be a key objective in policy-making. The availability of credit, in particular, was considered an important constraint and several speakers emphasised the need to improve access to credit for small-scale producers. This could be achieved by extending banking facilities in rural areas and by introducing simplified procedures for obtaining credit. Other members made the point that credit policies should be accompanied by measures to provide agricultural inputs, such as improved seeds, and extension services. Efforts to achieve self-sufficiency in food were sometimes made more complicated, as the Government member of the Congo pointed out, because people had developed distorted food consumption habits favouring imported foodstuffs, such as bread, in place of local food products.

26. Many members referred to the multiple functions of infrastructure investment in facilitating the integrated development of rural areas. Irrigation was in many cases a priority for raising agricultural output and reducing its variability. Rural roads and telecommunications improved the environment for industrial investment and the provision of services. Moreover, rural public works projects made a direct contribution to labour absorption and poverty alleviation, even if only temporarily. Where they succeeded in reaching target groups while creating durable

assets of value to those groups, the income gains could be more long-lasting.

27. Issues surrounding population policy were raised by several members. Along with education and improving the availability of family planning information, priority had to be given to maternal and child health. Also, in the view of one member, it was important to integrate demographic policies into national economic planning.

28. A number of members drew attention to the need to raise the level of human resources and, in particular, to the importance of improved training for workers in rural areas. A trained labour force was linked to creating jobs and reducing rural unemployment. Several speakers urged that training and training curricula be adapted to meet the skill requirements of the rural sector and the training needs of those working or seeking work in various fields of farm and non-farm activity. The Government member of Egypt stressed the importance of establishing vocational training centres throughout the country, with courses adapted to the labour market requirements of each region. The Government member of Swaziland called for more emphasis to be given to blue-collar over white-collar training.

29. The key role of workers' organisations was stressed by a number of speakers. There was an underlying human focus to the discussion of rural employment promotion and rural development, and people's participation was fundamental. Co-operative forms of organisation were beneficial because they could strengthen bargaining power and incomes through economies of scale. In the rural context, Convention No. 141 and Recommendation No. 149 were particularly pertinent in the view of several members.

30. It should be mentioned that, while not reproduced in this summary of the general discussion, the country-specific information offered by many members provided an invaluable exchange of experiences among developed and developing countries.

31. Many members expressed views on the role that the ILO should play in the promotion of rural employment and on the emphasis to be given to particular means of action. Several speakers maintained that no new standards were needed in this area. Rather, the emphasis should be placed on the ratification and implementation of existing standards. The Workers' Vice-Chairman urged ratification of Convention No. 141 and requested up-to-date information on how ratification was proceeding. Some members pointed to areas where the ILO should conduct further research or strengthen data collection and the dissemination of information.

32. Several members attached considerable importance to technical co-operation. They urged the ILO to give more emphasis to technical co-operation and technical advisory services aimed at tackling basic rural problems and assisting in the design of policies. The Government member of India felt that the ILO should develop and encourage packages of inter-related projects rather than concentrate on isolated micro-projects, while the Government member of the United States maintained that the ILO should not undertake massive projects but instead supply critical missing ingredients which constrained devel-

opment and could be efficiently and effectively provided. Evaluation of the effectiveness of ILO technical co-operation activities in the rural field was also discussed. Evaluation could help determine future directions of technical co-operation. The Government member to the Congo called, in particular, for the ILO to conduct evaluation studies with a view to measuring a project's degree of success or failure, thereby helping other countries to avoid the traps or overcome the difficulties encountered elsewhere.

33. In view of the complex and difficult nature of the rural development process, a number of members stressed the need for the ILO to co-operate closely with other international organisations. Many United Nations specialised agencies and other international and regional bodies were identified, with several members drawing attention in particular to the important role played by the UNDP and the FAO.

Developed countries

34. The Employers' Vice-Chairman stated that his group felt that the report submitted by the Office offered many important and enlightening concepts, but that the aim of the Committee should be to come up with suggestions that went beyond the report and the conclusions of earlier conference discussions on rural employment. The Employers' members wanted viable recommendations and enriched criteria that would promote rural modernisation and employment and achieve progress over the next ten years. Conclusions should be drawn solely from what came out of this tripartite meeting.

35. The Employers' Vice-Chairman then went on to outline the proposals of the Employers' group. Governments, employers' and workers' organisations should jointly assess development potential in rural areas of all countries in the spheres of agriculture, livestock, fisheries and forestry and the ILO should collect up-to-date statistics at least initially for developed countries. Small- and medium-sized enterprises, on which a resolution and set of conclusions had been adopted at the 72nd Session (1986) of the International Labour Conference, were the best instrument for generating jobs in rural areas and reducing migration. This called for fiscal and credit policies as well as technological information to enable and encourage some of the rural population to become employers. The establishment of agro-industries in the most needy rural areas should be stimulated through incentives, including social incentives, which could create jobs and increase the tax base. The Employers' Vice-Chairman also urged the strengthening of employers' and producers' organisations and stressed that special efforts should be undertaken to incorporate small-scale entrepreneurs. There was a need for stepped-up research, especially with respect to the biotechnological revolution, and for intensified vocational training for people in rural areas through the setting up of training institutes by government or employers' or workers' organisations. Market opportunities should be more readily available in rural areas; markets should be more transparent and prices more appropriate. He then went on to state that the developed countries should liberalise their international trade – but gradually, not abruptly – in order to facilitate trade in agricultural and agro-

industrial products. Moreover, with the support of workers' and employers' organisations, governments should develop infrastructure projects that made efficient use of resources in order to promote rural development, perhaps including projects for tourist centres. He also urged that the developed countries, in their relations with developing countries, show more fairness, in particular with respect to the purchase of raw materials from developing countries, the sale of food surpluses, technical co-operation as well as external investment to promote industries and rural employment in developing countries. The Employers' members also wished to recommend that the mechanisms in all countries for promoting and protecting agriculture, agro-industry, livestock and animal husbandry be applied flexibly so as to strengthen international trade and competitiveness. Furthermore, industrialised countries should undertake social and structural measures supportive of rural production and employment, such as early retirement and projects for ecology and reforestation. Finally, technical co-operation, on which there had been an extensive discussion at the 73rd (1987) Session of the International Labour Conference, should be harnessed by developed countries to help generate rural employment in developing countries.

36. The Workers' Vice-Chairman began by underscoring some of the proposals made by the Employers' group that the Workers' group welcomed and could support. He cited the development of infrastructure and the placing of amenities in rural areas, vocational training, the promotion of biotechnologies, and the involvement of employers' and workers' organisations in future activities, including agro-based industries. The research capacity of the developing countries, especially in biotechnology, should be developed. But there were many other issues of concern to the Workers' group. He cited the rural-urban gap, which did not encourage young people to remain in the rural sector, the mass under-employment of female and part-time workers and the need to ensure that contract labourers were not exploited. He urged the fuller utilisation of seasonal and part-time workers while providing them with decent wages and social conditions. Importance was also attached to paying increased attention to working conditions associated with the use of new technologies by multinationals. The health, safety and trade union rights of workers should be protected. Turning to price policies and tariff protection, the Workers' members recognised that it was necessary to remove restrictions in order to ensure greater rural employment: an interdependent world required free trade and access by developing countries to the markets of developed countries. Where workers faced displacement, they should be assured of adequate alternative employment and social security benefits. Retraining and manpower reconversion measures were especially important. The Workers' Vice-Chairman then raised the need to train women and young people for future employment, and to reduce working hours through collective bargaining efforts. Finally, he welcomed the recent agrarian policies that had been introduced in some developed countries, such as Spain, as well as efforts within centrally-planned economy countries to improve the life of workers and give them more autonomy in decision-making.

37. The Employers' Vice-Chairman, referring to the Workers' Vice-Chairman's comment on multinational enterprises, pointed out that when the ILO had studied the situation of multinational enterprises and the employment conditions they offered, it had found that wages and working conditions and safety and health were equal to or better than those offered by national enterprises.

38. It was pointed out that rural employment problems differed between countries and regions. Several Government members referred to the changing nature of rural employment in industrialised centrally planned economy countries; although these did not share the unemployment problems referred to by several members of industrialised market-economy countries, they nevertheless faced problems concerning rural employment and the rational and effective use of human resources. There were imbalances, for example, in location and in the age structure. While total rural employment had fallen over the past 20 years in most countries of the region, there had been an increase in the share of non-farm activities in rural employment, with the expansion of complementary industrial and service sector activity. This trend had generally been accompanied by higher education and skill levels in the rural population and a reduction in the income gap between rural and urban areas. Furthermore, insurance or social security protection, such as health care, maternity protection and pensions, had been extended to rural workers, so that they had coverage similar to that of urban workers. A striking and alarming characteristic of the rural labour force was its older age structure compared to that of the overall population. Several speakers stressed that there was a need to make rural employment more attractive to youth and to adopt other measures that would help to redress the age imbalance.

39. There was a diversity of institutional forms in agriculture both within and between industrialised centrally planned economy countries. The Government member of the USSR commented on the problems of state and collective farms and on his Government's policy for the promotion of co-operatives under recent legislation. Although not yet of major significance, these co-operatives were expected to play an important role in the modernisation of rural areas, in agro-industries, technical services, and service industries as well as in agriculture. The new legislation also facilitated closer relations between co-operatives and state enterprises. The co-operative movement was also expected to help solve some social problems, by providing additional employment in areas where there was surplus labour overall of seasonally, by raising family incomes, and by incorporating activities for pensioners, handicapped persons, housewives and youth. The Government member of the German Democratic Republic pointed out that agricultural co-operatives already included most of the rural population in his country, and that the agricultural sector played a decisive role in the economy by providing foodstuffs and raw materials for industry. As explained by the Deputy Government member of Poland, on the other hand, three-quarters of the agricultural land in her country was held by individuals, although there also were state and co-operative farms. However, a decline in employment

in individual agriculture was expected as a result of increasing land concentration.

40. A number of measures had been taken by governments of industrialised centrally planned economy countries in order to strengthen the rural economy and to make more effective use of labour. Vocational training was emphasised by several speakers. The rural population, already much better educated than in the past, also had higher expectations and sought to apply new technologies, for which specialised training was needed. This would also help to make rural employment more appealing to young people and discourage their migration to the towns and cities. Improvements in infrastructure, often through co-operation between state enterprises and co-operatives, also contributed to greater efficiency in the use of resources and higher incomes in rural areas as non-farm employment opportunities expanded. Closer relations between agricultural and non-agricultural co-operatives or enterprises could contribute to reducing seasonal variations in the need for labour and thus reduce the necessity for seasonal displacement of workers. An innovative means to accomplish this was described by the Government member of the German Democratic Republic. There were agreements between agricultural and industrial co-operatives and enterprises where some coal miners and transport workers provided additional labour to the agricultural sector in the summer, and some agricultural workers worked in the coal and transport sectors in the winter. These agreements, which were promoted by the Government, led to a better allocation of labour over the year and thus to higher family incomes. Price reforms had also been instituted in order to intensify agricultural production and increase the supply of various inputs, such as farm equipment and other industrial products, while maintaining stable food prices for consumers.

41. Several members commended the Office for the report's analysis of rural employment problems in industrialised market economies, although one Government member felt that the report should have paid attention to the psychological impact of unemployment and policies to deal with this problem. The level of rural unemployment had risen in many countries. Members generally felt that increased efforts were needed to provide a solution. It was stressed, however, that uniform models for policy design did not exist and that research and action should be country-specific.

42. Regional imbalances and the regional concentration of rural unemployment, obscured by national averages, were of great concern to a number of industrialised market-economy countries. A long-term trend of declining rural employment had accompanied higher agricultural productivity and the industrialisation of agriculture. A number of examples were given of government assistance to deprived rural areas. The Government member of Spain also referred to the European Employment Fund as a source of support. In addition, there were targeted credit and rural vocational training programmes in several countries, and enlarged social security schemes and strengthened infrastructure were also important. The decentralisation of universities and colleges, as had been carried out in Finland, could

make a significant contribution to the creation of enterprises and employment in rural areas.

43. The Government member of Australia cited how a programme of traineeships in non-trade occupations, including agriculture and horticulture, served as a useful complement to apprenticeships in providing structured training to young people. In addition, he stressed the importance of local initiatives through which communities could generate their own employment based on their own priorities, with government playing only a supportive role. The Government member of Finland expanded on this subject, pointing out that local employers, trade unions or others could create small enterprises and engage in self-employment or other income-generating activities, which were especially needed in more remote rural areas. He also referred to the studies of local initiatives in the OECD which illuminated the reinforcing effects of various policies including local banks, government training centres and larger enterprises. The OECD had just decided to take up the question of how its experience could be of help to developing countries.

44. The Government member of the United States stressed the fundamental importance to the developed countries of maintaining a dynamic free market environment conducive to broad-based, non-inflationary and sustained economic growth in order to promote full employment. He also urged developed countries to seek to provide more open markets for the exports of developing countries. He felt that increased financial flows, industrial co-operation, technology transfer and training were at the heart of developed country assistance to rural employment promotion. Moreover, there was a need for adjustment in developed countries to improve efficiency, and he referred to the recognition given by the Governing Body Committee on Employment to the question of structural adjustment. Reform should include agricultural trade policies and there should be a concerted and progressive reduction of agricultural support. The Government member of the United Kingdom supported the view that international trade should be liberalised and that agricultural support should be reduced. The Government member of Switzerland recognised the concern of developing countries over agricultural surpluses but he pointed to the right of each country to determine its appropriate volume of production. He also argued that farm subsidies could be justified in terms of the objective of food self-sufficiency. The Government member of Austria pointed to the contribution that subsidies could make in promoting the development of backward regions, new agro-industries and the production of specific crops.

45. It was also pointed out that the reduction of rural unemployment required the creation of new employment in rural and in urban areas. Finally, Committee members pointed to a number of measures essential for dealing with rural employment problems in developed countries, including the promotion of small-scale enterprises, the strengthening of linkages between agriculture and other sectors, the adoption of macro-economic policies that could be favourable to the establishment of agro-industries, and the provision of social amenities, especially for rural women. Special mention was made of the

Council of Europe's campaign for rural Europe, introduced in 1987.

Developing countries

46. The Workers' Vice-Chairman stressed that his group could not be satisfied with merely restating the facts of grim poverty, mass unemployment and unmet basic needs, or the lack of social and economic and women's development. The Workers' group wished to see proposals for concrete action. At the international level, market access for the exports of developing countries was called for, in line with the international division of labour and interdependence. But even all the needed changes at the international level, in commodity prices, exchange rates, interest rates and debt, would not automatically benefit the rural areas of developing countries. There were essential steps to be taken at the national level. Governments should make a political commitment to improving the lot of the rural poor and making their policies more favourable to rural areas, rather than focusing their attention exclusively on urban centres, which attracted the young away from rural areas. Investment in sound and effective rural infrastructure could contribute to a better rural-urban balance. He also stressed a number of points which had come up in the general discussion, including the access of the rural population to education, training, health care, and the need to focus special attention on women, youth and the handicapped. Concerning the institutional framework, the role of workers' organisations and their participation were fundamental to avoid confining rural development to the elites. The ratification of Convention No. 141 was urgent. Workers' members could also in principle support rural producers' and marketing co-operatives with state assistance, so long as they were voluntary and so long as co-operative legislation provided for equal rights and participation by all. Agrarian reform, with land to the tiller, should continue where landlessness was significant, and tenants' rights should be adequately protected by the State. Technology could play a very important role; resources for its transfer from developed to developing countries could come from reduced expenditure on armaments. One should consider, however, the possibly negative safety and health effects of introducing new technologies. In applying biotechnologies there was a need to avoid displacing labour. A special focus on women was needed, in terms of education, training, access to land and to decision-making. In particular, legislation should protect the wages and working conditions of home-based workers. Family planning could be promoted through improved health care, including extension services and traditional birth attendants, so that infant mortality would decline. Rural industrialisation was also a priority, including food processing and agro-industries, with related skills development. The State should improve marketing facilities and promote the introduction of high-yield varieties of seed. Efforts were needed to develop handicrafts, using local materials. And there was some scope for tourism development in rural areas. More government resources should be devoted to research on conditions at the grassroots level, about which there was too much conjecture. No one could deny the importance of productivity, but the benefits should

be widely shared, including among workers and consumers. There should be a balance between policies for economic growth and income distribution.

47. The President of the Pan-African Federation of Agricultural Trade Unions suggested that there had been insufficient efforts to follow up on ILO work over the past 40 years. In his view, trade unions not only had a role in preserving workers' rights, but they should also initiate projects that promoted employment, including education and training. For example, the Egyptian Trade Union Federation had initiated, in co-operation with the Government, an integrated agricultural project under which land was allocated, and loans and training provided to workers. A pilot model village had been able to achieve self-sufficiency in food and in some manufactures. He also referred to a recent conference on agriculture and rural development which called for the setting up of an agricultural development fund. He then proposed a flexible strategy that, taking account of inter-country differences, would promote agrarian reform, agro-industries, skill advancement and opportunities for women.

48. On behalf of the Employers' group, the Employers' Vice-Chairman, noting that there seemed to be considerable convergence of views in the Committee, outlined a strategy for the modernisation of rural areas. In the first place, governments, in co-operation with employers' and workers' organisations, should formulate national strategies where rural employment promotion was incorporated into an overall, integrated strategy of economic, social and political objectives and the respect of human rights. Concerning agrarian reform, the land was a limited resource, and its redistribution could delay progress and even lead to a breakdown in agricultural production and to poverty, and thus to the exodus of rural youth. In the case of Mexico, in spite of the best of intentions, the reform had been a major failure, placing a heavy burden on the agricultural economy. Land had been divided up into tiny, unproductive holdings, such that peasants could not even meet their basic needs. In all cases, it was essential to combine rural employment promotion with other factors in order to improve the land's productivity. Creating jobs always required investment. Given debt burdens and trade deficits, it was not possible for developing countries to depend on external finance for job creation. A dynamic process of wealth creation had to be initiated, making investment in rural areas attractive – in industry and services, as well as in agriculture and livestock. Investment required the provision of legal protection of private property rights in both land holdings and tenancies. The most appropriate instruments for creating productive and stable jobs were small- and medium-sized enterprises. Everyone should have equal rights and opportunities to take up agricultural and non-farm activities, with no economic activity being the exclusive reserve of government or any privileged group. All workers in rural areas should have access to technologies and to social security, with particular attention to the participation of women, youth and the disabled. Co-operatives could be a viable instrument for promoting rural employment among producers and in services, so long as they were autonomous, independent and voluntary. They must not become a political instrument, imposing

any one ideology. Rural employment, both in agriculture and in non-farm activities, depended on the dynamism and autonomy of workers', producers' and employers' organisations in rural areas. They should receive the necessary technical support and training to be able to overcome backward rural technologies. Improved export possibilities for the agricultural and agro-industrial products of developing countries could make an important contribution to generating the income needed for investment in job creation in rural areas. For countries suffering from high interest rates and debt burdens, the objective of promoting rural employment could not be separated from that of food self-sufficiency. Governments should prevent monopolies and the excessive centralisation of production, inputs, credit and marketing, and instead pursue decentralisation and flexibility. Rural employment promotion also required substantial investment in infrastructure, including electrification, health and educational facilities and leisure, in order to improve the living conditions in rural areas and to reduce rural-urban disparities. Workers' and employers' organisations should be consulted on these investments.

49. Finally, the Employers' members wished to make some additional points with respect to land reform. It should never be used as a weapon for economic or political purposes, but only to promote general economic development, based on sound economic and technical factors. Any country considering land or agrarian reform should justify it in terms of optimising the use and productivity of land, generating employment and improving rural living standards. Otherwise, a redistribution of productive assets to the poor could reduce productivity and constrain the application of technologies. They adhered to the principle of free enterprise and open markets, where all people had the right to lawful work and to the protection of their property rights. Where land reform was carried out, it required the provision of credit, marketing facilities, technical assistance and training in the use of technologies and in management skills, in order to be successful. If the State resorted to taking private land, it should be justified in terms of rendering idle land productive. Prompt and adequate compensation was essential, as well as the right of recourse to independent judicial authorities in case of disputes. And when agrarian policies involved the opening up of new areas, due attention had to be given to ecological factors. It had to be recognised that most agrarian reforms, even though carried out with the best of intentions, with time became failures in terms of both production and employment creation. In sum, the majority of countries would require overall rural modernisation rather than agrarian reform, except in exceptional cases in certain countries. The Workers' Vice-Chairman, however, argued that land reform had proved successful and had strengthened agricultural production when it was accompanied by the necessary facilities and inputs, including credit and infrastructure.

50. Proceeding from the earlier general discussion of the serious economic and social problems found in the rural sector of developing countries, many Government members reiterated the great importance they attached to improving employment opportunities and living conditions in rural areas. Rural employment promotion was vital and some speakers

supported the adoption of rural-based, employment-oriented development strategies. Other members, while agreeing that it was correct to encourage greater emphasis on the rural sector, pointed to the growing urban population and urged that development strategies be comprehensive. Agriculture, industry and commerce all had to be developed.

51. Several Government members returned to the subject of agrarian reform, and a range of views was expressed. The Government member of Chile argued against agrarian reform in situations where there was a lack of skilled labour and infrastructure. The result would be the inefficient use of productive resources, thereby requiring the government to subsidise or take over small landholdings which otherwise would fail. The Government member of Belgium, referring to certain densely populated countries in East Africa (for example, Rwanda and Burundi) where land was scarce and very small holdings proliferated, wondered whether government policies should encourage or discourage land concentration. The problems of excessively small landholdings were referred to by the Government members of Indonesia and Tunisia. Nevertheless, the importance of access to land and other productive assets for achieving equity objectives was stressed by several members (in this context, see paragraph 21).

52. Some members mentioned policies to provide agriculture, and in particular smallholders, with selected seeds, fertilisers, pesticides and irrigation systems as well as credit, new technologies, information and extension services. Another policy concern discussed within the Committee was that of prices. The adjustment of prices of agricultural products, including more favourable prices for producers, drew support from some members. But it was also observed that increased prices, particularly of food items, could reduce the purchasing power of the poor and, in particular, the landless.

53. The crucial role of rural non-farm activities in generating employment and raising incomes of the rural poor was highlighted by many members. A number of members noted the contribution that cottage industries and small- and medium-sized enterprises, including agro-based industries, could make in terms of jobs and output. Moreover, the Government member of Nepal observed that informal rural industries, when organised so as to realise their growth potential, could lay the foundation for the emergence of an industrial tradition as well as the upgrading of skills and the development of managerial capabilities. Many speakers also underscored small rural industries' requirements for credit, technology, markets, training and infrastructure. Some speakers referred to the important role fishing played as a provider of food and jobs and a contributor to the national economy, but also drew attention to fishing's needs for special credits and other forms of assistance.

54. A number of efforts to extend credit to the rural areas, sometimes through the establishment of new types of credit facilities, were brought to the attention of the Committee. An example of the role of a rural savings bank in promoting integrated activities in a participatory manner was given by the Government member of Cape Verde. Easier access to credit was also among the principal measures

urged to promote employment in the informal sector. This was an area where inter-sectoral linkages also could be strengthened.

55. As regards the absorption of labour in rural areas, a number of members stressed the importance of labour-intensive activities. Special public works programmes, which could generate employment, create physical assets and improve access to social services, were highlighted. The Government member of Uganda argued that by improving road communication and opening up the rural areas, the level of employment would rise as more and more people were attracted to start rural employment-generating projects. But it was also observed by other speakers that public works programmes alone did not solve poverty or necessarily contribute to economic advancement.

56. While certain of the public work activities mentioned were of an environmental character, such as soil conservation and re-afforestation, a number of speakers from industrialised market-economy countries introduced the larger concern of ensuring that environmental considerations formed part of strategies for rural development and the promotion of rural employment. The distressing consequences of the growing disharmony between human beings and the land were depicted by one member, while another maintained that increased production at the expense of the environment would backfire. In referring to the Brundtland report, the Government member of Norway stated the firm belief that sustainable development and growth depended on improved natural resource management. She urged that the needs of the present generation be addressed without compromising the ability of future generations to meet their own needs.

57. The significant contribution that women made to the rural economy, the adverse conditions in which they worked and lived, and the need to bring them to the forefront of policy formulation for the rural sector were given considerable emphasis by a number of members. Notwithstanding the central role played by women, especially in food production, their work was largely unremunerated and unreported in official statistics. As the Government member of Nepal forcefully stated, women were doubly disadvantaged, first as members of rural poor families and again as women. In spite of their significant contribution to the household and national economies, they continued to languish without assets, in ill health and illiteracy, occupying a subordinate position within both family and society. Women also were overworked. As the Government member of Norway pointed out, policies for rural development must address the problems related to women's total life situation, thereby providing access to land, credit, training, extension services and labour-saving technologies, but also to primary health care, family planning and primary education. Development policies should also address the interrelationship between women's productive and reproductive roles. It was observed that rural industries and non-farm activities in general should be given greater attention as a source of employment for rural women, without restricting them to more traditional activities such as sewing, knitting and handicrafts. The ultimate objective was to integrate women, their needs and inter-

ests, in the overall development process and in decision-making.

58. The problems of other target groups, particularly young people, were discussed by a number of members. Youth unemployment was regarded as a particularly serious contemporary challenge and some speakers referred to measures to assist young people; at the same time, many members expressed concern over high rates of rural-urban migration. It was remarked that the outflow of young people deprived the rural areas of an active productive workforce, but it also was observed that with mechanisation and productivity gains, employment opportunities for young people were rapidly declining in rural areas. Moreover, with smallholdings losing their family structure, the presence of young people in the rural areas became less and less viable. A member voiced concern about the ageing of the rural population. With respect to target groups, however, the Government member of Belgium noted the omission in the report prepared by the Office of any mention of the situation of the disabled in rural areas.

59. In view of the connection between rural employment promotion and skill development and upgrading, several Government members from developing countries cited initiatives in the area of rural vocational training and practical technical training. These included a training institute aimed at producing skilled manpower which would gradually replace expatriate workers, and vocational training centres whose graduates also received business management training so that they could become small employers. Other speakers signalled educational needs such as adjusting the rural educational structure and conducting literacy campaigns. Some members remarked on the links between improving the qualifications of the labour force and achieving productivity gains, and one member emphasised the relationship between increases in labour productivity, on the one hand, and improved education and better access to health services and clean water, on the other. Several speakers stressed the importance of family planning and attention to health and safety, including primary health care. It was observed, however, that while a demographic policy was clearly necessary, this would only have an effect in the long term.

60. Several members referred to tripartite arrangements that had been established nationally or in the rural areas of their countries. The importance of involving employers' and workers' organisations as well as the rural population at the grass-roots level in decision-making was emphasised by a number of speakers. The Government member of the Philippines outlined five interlocking pillars of a rural workers' development programme. These included the participation of rural workers in political and economic decision-making, their organisation into self-reliant groups as well as their provision with an economic base and access to productive resources and services. The Government member of China called attention to policies aimed at mobilising to a maximum degree the initiatives of peasants and rural institutions at all levels. Several other members also noted the importance of seeking to maximise the use of local resources as part of an overall rural development strategy. This in turn was related to the under-

taking of local initiatives and enhanced participation by the beneficiaries at the local level. Several members also mentioned the role that NGOs were playing or could play in the field of rural development, including assistance and support for rural women. The Government member of the United Republic of Tanzania mentioned that there might also be a need for a different role of departments of labour in employment creation as against their traditional role in labour administration and dispute settlement.

61. A number of members stressed the harm that global recession was causing to developing countries. Their capacity for rural development and the creation of rural employment depended to a considerable extent on more rapid growth in the world economy. The burden of debt was also a major hindrance to the progress of developing countries. The structural adjustment programmes they were carrying out had a particularly severe impact on the poor, as was underlined by the Government member of the Philippines. She called for a greater effort to evaluate the effects of structural adjustment on employment and poverty. Given the negative impact on employment and incomes in the short term, the Government member of Tunisia argued for the setting up of accompanying measures to ease these effects. The Government member of the United Kingdom stated that his Government understood the problem of the impact of structural adjustment on the rural population, and thus was making some additional financial resources available to those developing countries carrying out effective structural adjustment programmes.

62. There was, however, a need for structural adjustment in the developed countries, according to the Government member of Argentina. Developing countries suffered from the distortion in international trade caused by the developed country agricultural surpluses, trade imbalances, protectionism and the instability in international markets, which prevented them from pursuing investment and growth in line with their comparative advantage. He also wondered how developing countries could service their debt if they were deprived of market access. Import barriers and export subsidies in developed countries should be eliminated. More fairness in trade relations was essential. In this context, the Government member of the United Kingdom stated his Government's support for reducing agricultural surpluses and liberalising agricultural trade.

Role of the ILO

63. With respect to the issues pertaining to rural employment promotion, the Committee members made numerous suggestions for ILO action. Both the Employers' and Workers' Vice Chairmen agreed with the rural-focused, employment-oriented development strategy proposed in the report. The Employers' Vice-Chairman, however, wished to ensure that such a strategy gave the necessary emphasis to growth, while the Workers' Vice-Chairman stressed that equity and social development should be part of the proposed strategy.

64. The Government member of Sweden felt that the ILO strategy was clearly growth-oriented and that equity aspects should have been emphasised

more. He argued that there was no contradiction between equity-oriented policy and the raising of productivity since, for example, improved education and better access to health services for the poor would lead to higher labour productivity. Also, increased purchasing power of the rural poor was often a pre-condition for growth. He urged that the ILO should not forget its commitment to the cause of equity. On this point, the Government member of Brazil urged the ILO to support member countries in carrying out land reform programmes.

65. Several members felt that the ILO should pay adequate attention to the international dimension of rural poverty. Debt problems, trade restrictions, exchange rate fluctuations, low prices for the exports of developing countries and structural adjustment programmes had all contributed to the worsening of the rural employment situation in developing countries in the 1980s. The Workers' Vice-Chairman suggested that the Office should take account of these problems in its follow-up to the conclusions of the High-Level Meeting on Employment and Structural Adjustment. Another member suggested that the ILO should provide an alternative view on adjustment policies. The Government member of Congo and the Deputy Government member of Algeria considered that the ILO should promote a more just pattern of North-South trade. Another member questioned, however, whether the ILO was the appropriate forum to discuss such issues as trade liberalisation and agricultural surpluses.

66. Other speakers observed that environmental aspects should also be emphasised in the proposed strategy. One member favoured environmental policies that were labour-intensive, including those involving public works, and suggested that the ILO should encourage these policies. The Government member of Norway, in her reference to the conclusions of the Brundtland report, mentioned that these presented a major challenge to international organisations to ensure the integration of environmental aspects in their development activities. The members of the Committee also commented on the rural emphasis of the ILO's proposed strategy. Several stressed that rural job creation was essential for dealing with the unemployment problem, but that the problem of growing urban unemployment also had to be addressed by any development strategy. With a view to implementing the ILO's proposed strategy in an effective manner, a number of members pointed to the importance of attaching high priority to the non-farm sector which was particularly suited for creating employment for rural women, who should be a key target group of the ILO's work. While agreeing with the ILO's approach for dealing with rural employment problems, some members observed that its action programmes should be country-specific. The Government member of the United States supported the ILO's proposed strategy and called upon the ILO to collaborate closely with the recipient countries in identifying their employment problems. He further stressed the need for implementing the ILO approach within the framework of the Medium-Term Plan 1990-95, stressing that existing budget constraints were severe and that it would be desirable for the Office to concentrate on doing fewer things better.

67. The important role of ILO standard-setting activities in achieving social development in rural areas was fully recognised by the members of the Committee. The Workers' Vice-Chairman proposed that the ILO continue its efforts to promote the ratification of standards and, in particular, of Convention No. 141. He drew attention to the fact that this Convention had been ratified by only a few countries. He also stressed the need for promoting human rights in rural areas through standards. The Employers' Vice-Chairman shared these views and presented specific suggestions for future ILO work on standards. He proposed that the Office prepare a study examining why Convention No. 141 had received only 25 ratifications since its adoption in 1975. He wondered whether the terms of the Convention were realistic or whether member countries had not paid sufficient attention to it. He also proposed that Tenants and Share-croppers Recommendation, 1968 (No. 132) be upgraded to a Convention. He felt that this would be justified given the importance of providing secure land tenure rights. Several Government members questioned the need for new standards. The Government member of the United States thought that new legal instruments were not needed and that ILO action should focus on updating existing Conventions and promoting their ratification and implementation. Other Government members supported this view, although the Government member of Switzerland noted that the possibility of new Conventions should not be dismissed at the outset and that the Committee, in discussing the report, might want to submit specific suggestions.

68. Many members commented on the role of the ILO in carrying out and disseminating research, technical advisory services and data gathering. The Employers' Vice-Chairman began by saying that the ILO should increase the dissemination of technical information on the subjects covered by its mandate. He also stated that the ILO should distribute more statistical information. Annual statistics should be updated and published each year. Several Government members supported this call for improved data collection and dissemination. Recognising the ILO's role of providing data on social development, the Government member of Norway stressed the need for data that were country and gender-specific. The Government member of Iraq also underlined the importance of influencing public opinion on employment matters and felt that the ILO could make an important contribution in this area. A number of research topics were suggested by members. As regards the ILO's proposed rural-focused, employment-oriented strategy, the Government member of India called for studies to examine how rural demand for non-farm products could be stimulated. The Workers' Vice-Chairman called for concrete research to identify appropriate measures for reducing the rural-urban income gap. A Workers' member said that ILO research on the African crisis should continue and that it should stress the development of appropriate development strategies and the role of prices. A number of speakers called upon the ILO to examine the social impact of structural adjustment policies, and how rural poverty was affected by conditions on international markets, debt problems and exchange rate fluctuations. The Government member of the Philippines suggested that the ILO should

monitor the impact of policies and programmes designed to reduce rural unemployment.

69. Several Committee members stressed the importance of ILO research in the design of technical co-operation. Research should feed back into the formulation of technical co-operation activities, according to the Government member of the United Kingdom; the Government member of Ethiopia drew attention to research to assist countries in developing proper strategies for employment growth. The Government member of Belgium said that if the ILO wanted to act, it should not only evaluate past actions but also anticipate future developments. Moreover, as an international organisation, the ILO had the advantage of being particularly well placed to do comparative research in different parts of the world. He also added that his Government attached much importance to ILO research because it concerned employment issues which were highly relevant to its development co-operation programme.

70. The Workers' Vice-Chairman called for increased technical advisory services to assist governments and tripartite organisations in promoting employment creation, productivity, technology, basic needs satisfaction and infrastructure. The need for effective technical advisory services was also stressed by several members. The Government member of the Netherlands considered that the ILO's policy advisory role complemented the work of other international organisations. The Government member of the United Republic of Tanzania expressed great appreciation for ILO advisory missions which had made an important contribution to government planning.

71. Many members of the Committee felt that the ILO could make an important contribution to reducing rural unemployment and underemployment in developing countries, and they considered technical co-operation to be a very important means of ILO action. The Workers' Vice-Chairman identified a number of priority areas for ILO programmes. He particularly mentioned projects for workers' education, co-operative development and other means of strengthening rural workers' organisations. Projects concerned with basic needs, skills development, technology, safety and health, were also a priority. He further referred to employment creation schemes, anti-poverty programmes and projects for raising women's welfare. To the extent possible, projects should be multi-purpose. The Employers' Vice-Chairman was also of the view that technical co-operation projects could upgrade the social condition of the rural population and improve the rural infrastructure. Like several subsequent speakers, he stressed, in particular, the importance of economic growth and training projects for employment creation. Technical co-operation to assist member countries in dealing with the socio-economic impact of structural adjustment policies was proposed by the Government member of Tunisia. Technical co-operation, the Government member of Czechoslovakia felt, played a vital role in reaching those who had not benefited from mainstream growth.

72. The Government member of India suggested that technical co-operation should take the form of a package of interrelated rather than isolated projects. Several other Government members endorsed this

view and agreed with the Workers' Vice-Chairman that projects should be multi-purpose and reflect an integrated rural development approach incorporating basic needs, skills development, technology and other elements. One member suggested that the ILO should develop models for technical co-operation in developing countries. The Government member of Australia, however, suggested that development packages would only be appropriate when countries had similar problems and were at a comparable stage of development; otherwise, projects would have to be country-specific. Others also considered that country-specific conditions should be emphasised in project design which, according to one member, should focus on critical missing ingredients in rural employment growth. The need for data banks for planning and designing technical co-operation was also referred to. A number of the Committee members indicated that it was essential for the ILO to review the impact of its technical co-operation projects. Valuable lessons could be learned by examining both successes and failures. A member felt that the extent to which projects were replicable could thus be determined. Project impact evaluation, as the Government member of the United Kingdom pointed out, was an indispensable guide for future technical co-operation, provided that clearly defined criteria were used in the exercise. These, he added, should include the promotion of enterprises, economic viability, productive employment and effective training, among others. Finally, the Government member of China stated that his Government wished to increase co-operation and exchanges with the ILO.

73. In the discussion many speakers referred to the valuable contribution the ILO could make in improving the social and economic condition of rural women. Members were unanimous in regarding women-oriented activities as essential for promoting social justice and economic development in the rural areas of developing countries. The Workers' Vice-Chairman urged the ILO to give high priority to activities for improving the condition of rural women as well as that of young persons, and recommended that they should be key target groups for technical co-operation programmes. Home-based workers should be given special attention. The Employers' Vice-Chairman encouraged the ILO to step up its promotion of human rights-related Conventions. The Government member of Norway considered that the ILO had an important task in promoting women's access to and control of productive resources and over the returns on their own labour. Expressing her agreement with the Government member of Nepal, she argued against welfare-oriented projects for rural women and in favour of projects that created economically viable employment opportunities for them. In addition, she stressed the very important role the ILO had to play in promoting the organisation of rural women so as to increase their participation in political life. She generally supported an integrated approach to rural development rather than micro projects, but in certain socio-economic or cultural situations there was a need for women-specific projects, without losing sight of their role in the overall development strategy. She also argued that ILO resources should be earmarked for women's projects. The Government member of Sweden also

emphasised that agricultural growth often took place at the expense of female employment, and he suggested that the ILO should place the promotion of female employment high on its agenda of future research and technical co-operation.

74. The Committee discussed the role of the ILO in promoting strong and viable rural workers' organisations, which were crucial in fostering social and economic development that was fully shared by workers. The Workers' Vice-Chairman called upon the ILO to continue its workers' education programme which, he stressed, had provided essential and vital support to workers' organisations in many countries. He further mentioned that technical co-operation projects should, to the extent possible, include activities to strengthen rural workers' organisations and emphasise the potential contribution these could make to rural development. The Employers' Vice-Chairman also expressed the view that rural workers' and employers' organisations had a vital role to play in promoting social justice and he stressed the importance of ILO action in this area.

75. A number of Committee members commented on the ILO's role in promoting small-scale and medium-scale enterprises for rural development. This role, according to both the Employers' and Workers' Vice-Chairman, should concentrate on providing training for technical and managerial skills. In addition, the Employers were of the view that ILO action in this area should take account of the resolution and conclusion on the promotion of small- and medium-sized enterprises adopted by the Conference at its Seventy-Second Session (1986).

76. Many members of the Committee commented on the need for ILO efforts to promote rural employment and development by providing appropriate training programmes. The Employers' Vice-Chairman favoured general and specialised training schemes in rural areas. The Workers' Vice-Chairman stressed the importance of human resources development and he stated that ILO training programmes should be, to the extent possible, multi-purpose. The Government member of the United States noted that enhanced rural training programmes were an essential requirement for successful rural employment promotion and that the ILO had an important role to play in this connection. In this context, he referred to general education, literacy and technical skills training programmes. Training programmes must be continuously adapted, he added, to the rapidly changing structure in developing countries.

77. With a view to promoting the use of viable and appropriate technologies in rural areas, the Committee suggested that the ILO continue its on-going efforts in this area. The Workers' Vice-Chairman made the point that technical co-operation projects should include the promotion of appropriate new technology. He also maintained that the ILO should carry out research on the socio-economic impact of biotechnologies and that the FAO and UNDP should be involved in this work. The Government member of Ethiopia noted that the ILO had a role to play in designing proper and balanced technology that suited the needs of developing countries. The Government member of India pointed to the useful contribution the ILO could make in publishing information on

relevant technologies in the farm and non-farm sector, while the Government member of Senegal stressed the need for the ILO to publish more information on technical improvements in agriculture.

78. As regards public works, the Committee stressed the important contribution of ILO public works projects in promoting equitable development in the developing countries through improved infrastructure and better access to social services. The Workers' and the Employers' Vice-Chairmen both felt that these projects should receive continuing emphasis in the ILO's technical programme and that workers' and employers' organisations alike should be consulted in the selection and design of these projects.

79. Recognising the importance of tripartism in fostering economic and employment growth at the national level, both Vice-Chairmen stressed that workers' and employers' organisations should be regularly consulted in the design and implementation of ILO technical co-operation projects. This view was supported by a Government member. The Workers' Vice-Chairman added that the last full meeting of the Advisory Committee on Rural Development was held in 1983 and that this Committee should hold its meetings more frequently.

80. Finally, Committee members emphasised the need for continued inter-agency collaboration in the field of rural development. The promotion of rural employment was a task that required close collaboration with other specialised agencies, and the Workers' Vice-Chairman called upon the ILO to strengthen these linkages. The Employers' Vice-Chairman added that inter-agency consultations concerned with rural development should have a tripartite representation, and he noted that employers' and workers' organisations were not associated with FAO projects. The Deputy Government member of Algeria also favoured close inter-agency collaboration, while the Government member of India stressed that such collaboration, particularly with the FAO and UNIDO, was also necessary in order to avoid duplication. Inter-agency co-operation involving lending agencies as well as organisations active in the social field, such as UNICEF and WHO, was stressed by the Government member of the Central African Republic. The Government member of the Netherlands stressed the importance that his Government attached to the streamlining and better coherence of operational activities within the United Nations system. He referred to Resolution A/RES/42/196 adopted by the General Assembly in December 1987, recommending that the various organisations belonging to the United Nations system should co-operate more closely, and urging that the central role of the resident co-ordinator at the country level be recognised. He also stressed that there was an urgent need for interconnected, flexible and simplified procedures for the operational activities of the United Nations system in order to respond better to the priorities of the developing countries. The Government member of the United Kingdom stated that it was necessary to respect the distinct mandates of agencies within the United Nations system, as was stated in the Conclusions of the High-Level Meeting on Employment and Structural Adjustment.

81. At the seventh sitting of the Committee, the Chairman introduced a working document in the form of a resolution and conclusions that were the results of the discussion of the Working Party. There were certain paragraphs or phrases on which the Working Party had been unable to reach agreement, but the document provided what was generally regarded as a sound basis for discussion. The Chairman recommended that the Committee begin by taking up the portion of the working document on which the Working Party had been unable to reach agreement. These had been placed in square brackets.

82. The Workers' Vice-Chairman began by observing that the document fully reflected the discussions of the Committee. The Workers' group, he added, had prepared several amendments that dealt with some of their specific concerns. These included the need to provide adequate infrastructure, to promote rural employment, to strengthen rural workers' and employers' organisations, to promote the ratification of Convention No. 141, among others. The Workers' Vice-Chairman also stressed the need for improving the international environment and drew attention to paragraph 12 (now paragraph 11) of the conclusions dealing with international action. In this context he provided some data on the international situation which pointed to the need for urgent action by the international community, in view of the very acute situation in developing countries which was manifested in massive unemployment, underemployment, poverty, malnutrition and high infant mortality rates. In 1980, some 730 million people, or 34 per cent of the population of developing countries, were estimated to be living in poverty; of those, 340 million, or 16 per cent of the total population, were severely malnourished. As recently as 1983, around 9.3 million children died at birth and the infant mortality rate was 88 per thousand. At present, 500 million people living in rural areas were entirely landless, and 440 million were marginal small farmers, or near landless. Furthermore, the rates of unemployment and underemployment were rising. These conditions had been further compounded owing to the economic difficulties caused by the unfavourable international environment which had prevailed since the early 1980s. The total external debt of developing countries amounted to \$992.6 billion in 1985. This represented 194 per cent of their exports, and 45 per cent of their GNP. The debt service amounted to 18.9 per cent of export earnings. He said that given the decline in resources available to these countries due to the debt servicing burden, the fall in commodity prices, rising interest rates and trade barriers, the governments of developing countries should mobilise the political will to deal with these problems.

83. The Employers' Vice-Chairman felt that the document was balanced and serious, although in several places the text was unnecessarily repetitive. It constituted a worthwhile tool that could be used in an effective way by governments. It was not necessary to discuss points which, while difficult, had been agreed on in the Working Party. Rather the Employers' group wanted to focus only on points which it considered indispensable for improving the docu-

ment. He stressed again that in order to promote employment in rural areas private enterprise was essential for investment, which created jobs and contributed to integrated rural development. The Employers' Vice-Chairman further pointed to the fact that developed countries were producing agricultural surpluses, while many developing countries had failed because they had followed utopian paths which did not take account of the fact that employment creation required making investments.

84. The first instance of a disputed text, in paragraph 6 (now paragraph 5), concerned references to workers' exposure to new hazards arising from the adoption of technological innovations in agriculture. The Employers' Vice-Chairman preferred to delete the clause "but at the same time exposing workers to new hazards", and to include the complete sentence, "it is necessary to ensure that workers are adequately protected against potential chemical and biological hazards"; but he proposed to rephrase it to read, "it is necessary that workers should be adequately protected against potential occupational hazards, chemical and biological hazards deriving from those innovations", in order to avoid implying that new technologies necessarily involved new hazards. The Government member of the United Kingdom suggested inserting "in some cases" in the clause referring to new hazards, and "for example" after the words "potential occupational hazards", which rendered the clause acceptable to the Employers' Vice-Chairman. The Workers' Vice-Chairman agreed to these amendments, but also wished to add, after the reference to new hazards, the words "and risks to employment". The Employers' Vice-Chairman wished to study the proposition of the Workers' Vice-Chairman, who agreed to propose it later as a written amendment. The text was then adopted as amended.

85. The Committee next considered a square bracketed phrase that introduced "and the promotion of enterprises" to paragraph 14(a) (now paragraph 13(a)) containing strategies for labour absorption. Both the Employers' and Workers' Vice-Chairmen agreed to retain this phrase on the condition that the word "new", as suggested by the Employers' Vice-Chairman, was inserted before the word "enterprises". This was accepted.

86. Paragraph 14(k) (now paragraph 13(k)) on the promotion of full participation by employers' and workers' organisations contained the square bracketed phrases "including trade union organisations" and "as well as co-operatives and grass-roots movements". Following agreement by the Employers' and Workers' Vice-Chairmen to delete the second square bracketed phrase, the Government member of Sweden suggested that both square bracketed phrases be dropped and replaced by a reference to the provision in Convention No. 141. Both groups agreed, with the Employers' group then suggesting that the text should read "promoting the full participation of employers' organisations and workers' organisation as defined in Convention No. 141". This wording was accepted by the Committee.

87. Another proposal which was in square brackets, in paragraph 15 (now paragraph 14), concerned giving priority in technical co-operation programmes to those countries which had ratified Convention No.

141. The Workers' Vice-Chairman proposed to reword this passage by replacing the reference to Convention No. 141 by a reference to the respect of trade union rights. The Government member of the USSR argued that it was inappropriate to link in technical co-operation to the ratification of Convention No. 141 since the reasons for its limited ratification had not yet been examined; therefore the whole phrase should be deleted. The Government members of India and Denmark agreed. The Government member of the United Kingdom suggested that linkage to trade union rights was a different issue and should be presented separately as an amendment. The Employers' Vice-Chairman, while agreeing with the reference to respect for trade union rights, considered it perhaps preferable to enlarge the phrase to encompass the respect of human rights, questioning how assistance could be given which did not respect them. The Workers' Vice-Chairman agreed. However, a number of Government members from developing countries objected to linking technical co-operation with respect for human rights, and raised the question of criteria to be applied. The Workers' Vice-Chairman offered an amendment on this point, which read: "In allocating resources to such programmes, every encouragement should be given to promoting human rights, including freedom of association and the right to organise." The Committee agreed.

88. The Committee then turned to paragraph 16 (now paragraph 15), on the ratification and application of relevant ILO standards, which contained three square bracketed phrases. The first of these would have added the words "with a view to its possible upgrading to a Convention" to a sentence pertaining to a possible revision of Recommendation No. 132. The Employers' Vice-Chairman indicated a willingness to withdraw this phrase, and after some discussion this was agreed. There followed a square bracketed sentence that requested "the Governing Body to consider placing on the agenda of an early session of the Conference the question of the control and application of modern agricultural technologies with a view to the adoption of an instrument". The Employers' Vice-Chairman felt that it was not for the Committee to take decisions for the Governing Body nor to anticipate the results of the Conference. He agreed, however, to retain the sentence if the words "control and" before "application" were deleted and the words "with a view to the adoption of an instrument", at the end of the sentence, were dropped. This too, after discussion, was agreed to by the Workers' Vice-Chairman and accepted by the Committee. Another square bracketed sentence in the same paragraph invited the Governing Body also "to place on the agenda of an early session of the Conference an item relating to rural employment promotion with a view to the adoption of an instrument". The Employers' Vice-Chairman believed that this was premature, but the Workers' Vice-Chairman argued that this should be seen as giving guidance to the Governing Body for the future and need not imply its immediate placement on the Conference agenda. Following a further exchange of views among members of the Committee, the Workers' Vice-Chairman agreed to delete the sentence in square brackets.

89. The Committee then proceeded to consider a square bracketed phrase added at the end of paragraph 17 which aimed at allocating more resources to work by the ILO on rural labour and employment. This was supported by the Workers' Vice-Chairman and also accepted by the Employers' Vice-Chairman who suggested, however, that the word "more" be changed to "sufficient". The Workers' Vice-Chairman agreed. The Government member of Côte d'Ivoire asked that the word "work" in the French text be changed to "activities". Some Government members then returned to the text on which the Workers' and Employers' members had agreed, arguing that the Committee, by expressing the view that more resources should be allocated to work on rural labour and employment, was appropriately voicing its conviction that this was a high priority. The Workers' Vice-Chairman pointed out that the Committee was asking the Office to take up various additional activities in the area of rural employment promotion which would require the allocation of adequate resources. The Government members of the United States and the USSR, while not disagreeing, underscored the ILO's difficult financial situation and the heavy responsibility that this placed on the Governing Body. The Government member of the Philippines observed that if the square bracketed phrase were to assign "priority" in the allocation of resources to rural employment, this would reflect the importance of the area, while recognising the financial situation. In this context, some other Government members pointed out that the reference to priority concerned a shift in focus or emphasis in favour of work on rural employment and need not imply an increase in the overall budget. The representative of the Secretary-General then suggested that the phrase "consider giving greater priority in the allocation of resources to activities concerning rural labour and employment" might meet the concerns of the various speakers. The Committee agreed to this wording.

90. The whole of paragraph 18, concerning dialogue between industrialised and developing countries, especially with respect to agricultural trade policies, was in square brackets. There was some disagreement as to the competence of the ILO in this field, and several amendments were suggested. The representative of the Secretary-General proposed a compromise text, which was agreed and which read as follows: "The ILO should, within its sphere of competence, contribute to the promotion of dialogue between industrialised and developing countries. The Conference urges that the contribution of the ILO in this area should be based on the Conclusions of the High-Level Meeting on Employment and Structural Adjustment".

91. Paragraph 19 on inter-agency collaboration contained a square bracketed sentence stating that the ILO should include tripartite representatives in its delegations and in joint activities with other agencies. Both the Employers' and Workers' groups agreed to this sentence but the Government member of the United Kingdom felt that such representation had substantial budgetary implications and that the ILO could not suggest to other international organisations how to organise their work. He proposed an alternative which was not adopted. The Employers' Vice-Chairman suggested the following text: "In the

joint committees of the United Nations system in which the ILO participates, tripartite representatives should, wherever possible, be included in ILO delegations". The Committee agreed.

92. At its eighth sitting, the Committee began to consider the 133 amendments that had been submitted. All amendments were adopted by consensus or withdrawn following a brief discussion or, in a few cases, referred back to the Office for purely drafting changes. However, those cases where there were marked differences of view are reported in the paragraph which follow.

93. The Employers' Vice-Chairman was concerned that the fourth sentence of paragraph 1 implied that only unbalanced development strategies were responsible for insufficient employment growth in developing countries, and thus proposed to delete the second part of the sentence. In line with this concern, the Government member of the United Kingdom proposed that instead the sentence be changed to read as follows: "The problem is particularly acute in developing countries where decades of unbalanced development have contributed to limiting the capacity of the urban and modern sectors of the economy to generate sufficient employment". This change was accepted by the Committee.

94. Paragraph 2 was slightly amended and then adopted. Paragraph 3 was adopted without discussion.

95. There was considerable discussion on paragraph 4, which concerned the extension of social security, retraining and other measures to assist workers in developed countries affected by changes in their countries' agricultural policies to find alternative employment. The Employers' members had submitted an amendment to delete the paragraph; they did not object to the concept but felt that it was adequately reflected elsewhere and was inappropriate in the introductory section. The Workers' Vice-Chairman stressed the importance his group attached to such measures. The Employers' Vice-Chairman then suggested modifications to indicate that the introduction of protection would be progressive and that it would apply to the "rural population" rather than "rural workers". These changes were accepted by the Workers' Vice-Chairman, who also agreed that the text could be moved and inserted as a new clause in paragraph 8 (now paragraph 7(i)). The Committee agreed.

96. The Government members of Bulgaria, the German Democratic Republic and the USSR proposed an amendment which sought to ensure that the formulation of "new development strategies" in paragraph 5 (now paragraph 4) formed part of the general concept of establishing "a new international economic order". The amendment was supported by the Workers' Vice-Chairman. The Government member of the Philippines favoured emphasizing the creation of more favourable conditions at the international as well as at the national level. But the amendment was opposed by the Government members of the United States and the United Kingdom, who respectively felt that the concept was ambiguous and adequately covered earlier in the document. The Employers' Vice-Chairman initially observed that there were other competent international bodies

responsible for making proposals on a new international economic order, a term which was ambiguous in the context in which it was being used and had political implications. He subsequently proposed a sub-amendment aimed at reflecting the concerns expressed about factors at the international level. The Government member of the USSR accepted the proposed change which read as follows: "to devise new development strategies at the national and international levels". This paragraph was then adopted by the Committee.

97. The Workers' group introduced an amendment to paragraph 6 (now paragraph 5) to add the words "and risks to employment" to the following sentence "Major technological innovations are now being adopted in agriculture, offering encouraging prospects for raising productivity and increasing incomes but at the same time exposing workers to occupational hazards". The Employers' Vice-Chairman did not support this because he felt that technology could also increase employment. He agreed, however, to support the Workers' members amendment when combined with a proposal by the Government member of the Netherlands to add "and employment" after "raising productivity and increasing incomes". The Workers' Vice-Chairman agreed and the Committee adopted this formulation for the paragraph.

98. Paragraph 7 (now paragraph 6) was adopted without change. Paragraph 8 (now paragraph 7), after a number of amendments were made, including the addition of a new clause (formerly paragraph 4), was adopted.

99. Paragraph 9 (now paragraph 8), concerning the agricultural support and trade policies of industrialised market-economy countries, gave rise to an extended discussion. The Government member of Switzerland was particularly concerned about recognising the need of developed countries for national food security and for policies to discourage a rural exodus, and he proposed amendments to that effect. He felt that more liberal agricultural trade, as proposed in the paragraph, might lead to a greater imbalance and concentration of agricultural production rather than to a more appropriate decentralisation. The Workers' and Employers' Vice-Chairmen were persuaded by the argument and accepted these amendments with slight modifications. However, an amendment to include a reference to allowing market signals to influence the orientation of agricultural production which was proposed by the Government member of the United States, utilising language recently agreed in the OECD, was not sustained. An amendment submitted by the Employers' group introduced the concept of protecting the environment, and was accepted. Following some further discussion and rephrasing, the paragraph was adopted by the Committee.

100. Paragraph 10 (now paragraph 9) was adopted without amendment.

101. The Committee considered an amendment proposed by the Employers' group to delete from the last sentence of paragraph 11(e) (now paragraph 10(e)), the words "consolidation of holdings should be encouraged so as to optimise production" and insert "groupings of holdings or production units

should be encouraged so as to optimise production and marketing". The Government member of Brazil proposed several amendments, of which those concerned with the importance of crop diversification and improving smallholders' access to irrigation were adopted, while another emphasising the social function of land, was not supported. Another amendment to delete the entire sentence was proposed by the Government member of the United States, arguing that smallholdings could operate efficiently and make a substantial contribution to total agricultural output. The Employers' Vice-Chairman expressed his preference for the amendment introduced by his group. He further proposed to insert in his amendment after the word "encouraged" the words "without changing the legal title". The Workers' group supported the amendment on the condition that this last addition be deleted and the word "voluntary" be inserted to indicate that smallholders should not be obliged to group their holdings. This was acceptable to the Employers' group and the Committee agreed. After a long discussion and extended debate, with some amendment to its other clauses, paragraph 11 (now paragraph 10) was adopted.

102. Paragraph 12 (now paragraph 11) was adopted without change.

103. Paragraph 13 (now paragraph 12) was adopted after only slight amendment. However, there was considerable discussion on an amendment proposed by the Government member of the United States which concerned the role of the Governing Body Committee on Employment in overseeing ILO work in this area. The Workers' Vice-Chairman stated that the amendment was superfluous, since the Governing Body in any case guided the work of the ILO. He also considered that it was for this Committee to put forth its own views on what the ILO should undertake in this field. Several Government members were also concerned that it would be unbalanced to refer to a particular ILO body in this context and not elsewhere in the conclusions. While not endorsing the amendment, the Employers' Vice-Chairman felt that it was important that the Committee on Employment followed the subject of rural employment promotion on a permanent basis, to ensure a follow-up to the conclusions of the Committee. The Committee agreed to include this point in paragraph 17, referring to the need for the Governing Body Committee on Employment to keep under review the ILO's work on rural employment.

104. The Government members of Somalia and Uganda proposed to add new provisions to paragraph 14(a) (now paragraph 13(a)) in order to include in ILO assistance to member States, studies of the impact of structural adjustment programmes on employment and food security and advice on the feasibility of alternative adjustment programmes, and requesting the ILO to give particular emphasis to Africa. The Workers' Vice-Chairman supported these amendments. The Employers' Vice-Chairman, however, while agreeing with the first two points, felt that it was not correct to single out Africa, and it was agreed to refer only to the least developed countries. The Government member of the Netherlands objected to the ILO offering advice on alternative structural adjustment programmes, as being beyond the competence of the ILO. The representative of the

Secretary-General explained that the ILO was being asked to give its views on the employment aspects of alternative programmes, and a rephrasing to that effect was approved.

105. An amendment, which was proposed by the Workers' group to paragraph 14(f) (now paragraph 13(f)) to include a reference to plantation workers, was withdrawn on the understanding that the ILO's attention would be drawn to the importance of including attention to the specific problems of plantation workers in the International Programme for the Improvement of Working Conditions and Environment (PIACT).

106. The Government member of Indonesia proposed to amend paragraph 14(k) (now paragraph 13(k)) to include a reference to women's organisations as well as employers' and workers' organisations. The Employers' and Workers' Vice-Chairman preferred to maintain the traditional reference to employers' and workers' organisations, which covered both men and women. They confirmed their commitment to equality, which was why there was a special clause concerning women. The Government member of the Philippines nevertheless felt that it was regrettable that the two Vice-Chairmen could not agree to expand the tripartite concept which otherwise could be used to limit the participation through organisation of those, especially women, in rural areas who were not members of employers' or workers' organisations. Paragraph 14 (now paragraph 13), after slight amendment to some of its clause, was then adopted.

107. Paragraphs 15 and 16 (now paragraphs 14 and 15) were adopted after slight amendment. Paragraph 17, as amended, was adopted. Paragraph 18 was adopted without change.

108. The Government member of the Netherlands proposed to amend paragraph 19 to include a reference to recognising the central role of the General Assembly and the Economic and Social Council in providing overall co-ordination and guidance, and a request to the Conference to urge the Governing Body to report to ECOSOC as stated in resolution A/RES/42/196 of December 1987. The Workers' Vice-Chairman pointed out that there were many other relevant resolutions adopted by the United Nations that would then also have to be mentioned. He also argued that the ILO was not subservient to another body, and reference to co-operation with other organisations of the United Nations system was already included in the conclusions. The Employers' Vice-Chairman also opposed the amendment. The representative of the Secretary-General explained that the ILO did recognise the role of the United Nations General Assembly and the UNDP Governing Council and that the ILO already reported regularly to the relevant United Nations committees and to ECOSOC. He suggested that, given the concern of the Government member of the Netherlands with co-ordination of the ILO's operational activities, reference could appropriately be made to the need to implement the conclusions adopted by the Conference at its 73rd Session (1987) concerning technical co-operation, in which extensive references were made to co-ordination. This was accepted in place of the proposed amendment, and the Committee then adopted paragraph 19.

109. The Workers' members proposed to add a new paragraph, calling on the ILO to initiate consultations between rural workers' organisations with a view to determining steps to be taken to improve the health and safety and employment of rural workers. The Employers' Vice-Chairman suggested a broader formulation, to include contact between the ILO and both employers' and workers' organisations on the issue of employment. The proposed paragraph was amended to include employers' organisations and to delete "rural" before "workers' organisations". It was adopted and placed in the text as paragraph 16.

110. The Resolution was adopted unanimously.

111. At its 13th sitting the Committee adopted its report with some minor amendments to the report

and to the conclusions. However, the Government member of Senegal objected to the language in paragraph 10 of the conclusions which, in his view, appeared to compel governments to take certain actions.

112. The Committee submits its report, the resolution and the conclusions to the Conference for consideration.

Geneva, 20 June 1988

(Signed) G. RUPHIN
Chairman

R. VAN RAALTE
Reporter

Resolution concerning rural employment promotion

The General Conference of the International Labour Organisation,
Having taken note of Report VII on rural employment promotion;

1. Adopts the following conclusions;
2. Invites the Governing Body to request the Director-General:
 - (a) to bring these conclusions to the attention of member States;
 - (b) to take these conclusions into account in preparing the Programme and Budget Proposals for 1990-91 and future biennia, and in preparing or revising future medium-term plans for the Organisation.

Conclusions concerning rural employment promotion

INTRODUCTION

1. Global unemployment and underemployment are the challenge of our time in the present context of growing population and increased urbanisation. Under-utilisation of labour, and the associated problem of poverty, affect many countries at all levels of development. These difficulties have been compounded by an increasingly difficult international environment. The problem is particularly acute in developing countries where decades of unbalanced development have contributed to limiting the capacity of the urban and modern sectors of the economy to generate sufficient employment and economic growth. The debt problem, declining commodity prices, fluctuating exchange rates and protectionism have led to a drastic reduction in export earnings and in the import capacity of developing countries. Faced with this situation, many countries have had to adopt structural adjustment programmes which have affected employment prospects, at least in the short term. In the search for a solution to the employment problem, rural economies of both developed and developing countries will have a major role to play. Economic growth provides the most desirable environment for employment creation and should be accompanied by income growth in particular for the poorest sections of society.

2. Looking ahead, there are challenging tasks to be undertaken. The relationship between agricultural policies of developed countries and the export earnings of, and employment in, developing countries require a more liberal approach to trade in the developed countries. In industrialised market economies an important issue which needs to be confronted relates to the costs and benefits of alternative policy options to deal with agricultural surpluses, protection and food prices. An awareness of problems connected with international trade should be encouraged at all levels within these countries. The results of significant changes in international trade would be complex and would vary between countries and within countries. It

can be expected that change would have implications for employment and employment promotion policies in both developed and developing countries.

3. In centrally planned economies the current initiatives towards reform may have far-reaching implications for agricultural productivity and employment. A major issue in this respect relates to the optimum organisational structure and the institutionalisation of the recent reforms. These reforms aim at the expansion of technological innovations with a view to increasing efficiency and labour productivity in agriculture. Such changes would release labour for industry and services and would increase the supply of food for the urban areas.

4. In developing countries the rapid increase of population and the labour force will continue in the foreseeable future. There is sufficient evidence that agriculture alone will not be able to absorb the increase in the labour force, even under the most optimistic scenarios. Major reorientations in social and economic policies will be required to create the appropriate framework for the increase in employment opportunities and incomes of the rural population, who are generally poor, in the agricultural as well as the non-farm economies of developing countries. The lessons of past experience, together with the present difficult international environment, emphasise the need to devise new development strategies at the national and international levels in which the crucial role of the rural sector is fully recognised, and to create more favourable macro-economic conditions for the rural sector. Under the present conditions, in many countries, revival of growth itself requires acceleration of agricultural growth and development of trade linkages between agriculture and industry. There is also an urgent need to increase income growth, to combat mass poverty, unemployment and underemployment in rural areas and to bring about an equitable distribution of the benefits of growth. In pursuing such a strategy, particular attention should be given to closing the rural-urban gap through the creation of appropriate infrastructures, and to the full participation of women.

5. While the challenges of employment are great, taking a forward look points to increased opportunities. There are signs of gradual recovery from the global recession of the early 1980s. Major technological innovations are now being adopted in agriculture, offering encouraging prospects for raising productivity and increasing incomes and employment, but at the same time in some cases exposing workers to new hazards and risks to employment. It is necessary that workers should be adequately protected against potential occupational hazards, for example, chemical and biological hazards deriving from those innovations. There is a growing awareness that efforts at the international level should be directed at protecting the poor, especially the rural poor, against the shocks of negative international developments. All these trends point out the opportunities that exist in facing up to the challenge of global unemployment and underemployment.

NATIONAL ACTION

6. All countries, whatever their level of development, and whatever their economic and social systems, need to give greater attention to the contribution that the development and modernisation of rural areas can make to overall growth, to balanced economic and social development, and to the solution of their employment problems.

7. Countries should ensure that:

- (a) strategies and policies for growth and development lead to a better balance between rural and urban areas, and to a strengthening of the linkages between agriculture and industry. The rural sector, including agriculture, plantations, forestry, animal husbandry, fisheries and non-agricultural enterprises, can make an important contribution to industrial development as a supplier of food and raw materials, as a market for local industrial products and as a provider of investible surplus in rural areas. Small- and medium-sized enterprises should be promoted in accordance with the conclusion adopted by the Conference at its 72nd Session (1986) concerning the promotion of small- and medium-sized enterprises. Appropriate policies regarding prices, credit, taxation, technology, investment and institutional development should be considered, taking into account their social implications. Rural workers' organisations should be promoted in accordance with the Rural Workers' Organisations Convention, 1975 (No. 141);
- (b) adequate opportunities for gainful and productive employment in farm and non-farm activities, particularly for youth, are provided to the inhabitants of

rural areas so as to improve the standard of living in these areas, and to stem the exodus of the rural population to the large cities. The special needs of vulnerable and disadvantaged groups such as the handicapped should be accorded appropriate attention. Special consideration should also be given to indigenous and tribal populations;

- (c) policies for overall rural development make adequate provision for hydraulic, electrical, communication and other infrastructural development as well as health, housing, education and cultural services, thus reducing the gap in living conditions between rural and urban areas;
- (d) every effort is made to provide seasonal, part-time, casual and migrant workers and contract labour with adequate social protection and working conditions. Every effort should also be made to create alternative employment opportunities during the rest of the year. In this connection, attention should be given to the ratification and full implementation of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96);
- (e) women's central role in rural development is fully recognised and women are given equal access to basic resources, productive assets and property rights. In recognition of women's double work burden related to employment and family responsibilities, measures to provide them with adequate social services and appropriate technologies should be given priority. In parallel, non-traditional productive activities for women should be supported and women's access to decision-making institutions should be facilitated;
- (f) agricultural policies, including pricing policies, are so designed as to increase productivity, ensure sufficient supply of food to all people, and provide adequate incentives and incomes to food producers, particularly in developing countries;
- (g) every encouragement is given to the development of rural non-farm activities (including rural industries and services) which can on the one hand provide locally many of the goods, services, infrastructural facilities and equipment needed for agricultural growth and employment, using local resources and locally produced inputs to the maximum extent possible, and on the other hand provide employment and incomes to a significant section of the rural labour force. In this context, encouragement and assistance needs to be given to the growth of enterprises in rural areas, especially small- and medium-sized ones and co-operatives, ensuring them adequate access to capital, credit, equipment, markets and skills;
- (h) policies for education, vocational training and technical advisory services, available on a continuing basis, and human resource development are so designed as to provide rural populations, including youth, women and children, with the skills and aptitudes required for productive employment, both in the farm and non-farm sectors, in rural areas;
- (i) provision is made for the progressive extension of social security, retraining and other measures to assist the rural population in finding alternative employment opportunities whenever they are affected by changes in the economic environment;
- (j) representative organisations of employers and workers are consulted in the design and implementation of policies, programmes and projects for overall rural development. Encouragement should also be given to local initiatives for employment. In conformity with the Rural Workers' Organisations Convention, 1975 (No. 141) and Recommendation (No. 149), member States should encourage the growth of strong rural workers' organisations, and should take appropriate measures for the ratification and application of those instruments;
- (k) due attention is given to the protection and rehabilitation of the rural environment and particularly to addressing the problems of soil deterioration and erosion, so as to provide the basis for sustainable development and employment growth in rural areas; and
- (l) where rural employment promotion requires the introduction of technological change and innovation, due attention is paid to rural workers' health and safety, including their protection against chemical and biological hazards.

Developed countries

8. In industrialised market economies, important issues include the costs and benefits of alternative policy options aimed at a more liberal trade in agricultural products, a reduction in agricultural surpluses and a diminished production-stimulating support with a view to reducing the budgetary burdens of such support and to further opening up markets for developing countries. In this context consider-

ation should be given to policies designed to: (a) minimise the potentially negative effects, particularly on the poorest regions and the poorest segments of the populations; (b) encourage the development of small and medium-sized enterprises to provide jobs for the farmers and agricultural workers affected; (c) promote the protection and preservation of the rural environment; (d) discourage rural exodus leading to more unemployment in urban areas; and (e) take measures to ensure appropriate food security. Member States should extend social security, training, retraining and other measures to facilitate labour mobility particularly during the transitional phase. Innovative policies in this respect should aim at increasing employment opportunities in the rural areas so as to contribute to a reduction in overall unemployment.

9. The recent developments in centrally planned economies pose a challenge for planners and policy-makers. Attempts at reform and restructuring must give agriculture an important place in future development. These countries in introducing new policy measures for increasing efficiency and labour productivity in agriculture, should focus on: (a) reforms concerning prices, methods of labour remuneration, and organisation of work; (b) the introduction of institutional changes that guarantee greater farm autonomy and decentralisation in decision-making and access to ownership of land in accordance with national legislation; (c) policies to assist workers who may be displaced as a consequence of the reforms; and (d) appropriate support to the creation of small and medium-sized enterprises in rural areas. These countries should also focus on further increasing their imports of agricultural products from developing countries.

Developing countries

10. The acute situation in developing countries, reflected in massive unemployment, underemployment, poverty, malnutrition and high child mortality rates, requires the assignment of a central role to rural employment promotion. This is particularly important in view of the difficult international environment which has prevailed since the early 1980s. Given the decline in resources available to these countries due to the debt servicing burden, the fall in commodity prices, rising interest rates and trade barriers, member States should mobilise the political will to adopt policies and programmes in support of a rural employment-oriented strategy of development, aiming at the alleviation of rural poverty, the creation of income generating activities and the improvement of the socio-economic well-being of rural people. This should include the following elements:

- (a) in defining their national development strategies, particularly in the context of structural adjustment and the need for recovery, member States should give priority to employment promotion, economic growth and modernisation of the rural sector. Structural adjustment programmes should be so designed as to improve the productive potential of undertakings of all types and increase the productive and income-earning capacity of the weakest groups. The rural sector's share in investment and public expenditure, especially in the development of infrastructure and social services, should be commensurate with its relative importance in population and poverty. Furthermore, pricing, subsidy and other macro-policies should be so designed as to provide adequate incentives to rural producers and to develop market linkages between the rural and urban sectors;
- (b) in designing population policy, priority should be accorded to the promotion of family planning based on education complemented by family and child health care measures and basic literacy in rural areas;
- (c) in order to bring about a more balanced spatial distribution of population, and mitigate the impact of excessive urbanisation, member States should give consideration to the development of small and medium-sized towns and the encouragement of small and medium-sized agro-industrial enterprises, including those processing plantation crops;
- (d) member States should design an employment-oriented strategy of rural development that aims at promoting labour absorption in both the farm and non-farm sectors. The non-farm sector must play a key role in this strategy;
- (e) the promotion of labour absorption in agriculture requires designing an integrated set of programmes in support of smallholders aiming at increasing productivity and employment of this important sector. Such programmes should include the adoption of policies which stimulate crop diversification and the diffusion of high-yielding varieties, appropriate farm equipment, biotechnological innovations and the results of agricultural research, paying due attention to the environment as well as to the health and safety of rural workers, including their protection against occupational hazards; the provision

- of adequate credit, extension, training and marketing services; the allocation of public investment to irrigation development, and the adoption of programmes of subsidies and credit to enable smallholders to make fuller use of their land through irrigation. In cases where very small holdings are unproductive or inefficient because of their size, voluntary consolidation of holdings or production units should be encouraged so as to optimise production and marketing;
- (f) the right to a freely chosen employment and to own property should be recognised. In certain situations, agrarian reform involving redistribution of property rights in land in favour of the landless or small producers, would assist the modernisation of agriculture, employment opportunities and equitable rural development. Wherever appropriate, such reforms should be undertaken within the context of an overall rural development strategy, with the objectives of promoting optimum use of land and facilitating the application of appropriate new technologies, and should be carried out through just legal procedures, providing effective and equitable compensation and access to independent judicial process for those adversely affected. Such reforms would need to be accompanied by measures to improve facilities for credit, input supply, marketing, training and extension services. Since in many countries different types of property title coexist, there should be legal security of property and/or tenure;
 - (g) the development of a dynamic non-farm sector (rural and agro-based industries and services) requires: (i) designing innovative policies to provide incentives for the channelling of agricultural resources into value-adding non-farm enterprises; (ii) creating infrastructure and other facilities including credit, training, marketing and technology; (iii) stimulating and respecting various organisational forms of production in conformity with basic human rights; and (iv) implementing complementary policies to support and legitimise the role of the informal sector with access to financing, appropriate technologies and enterprise skills;
 - (h) any direct employment creation programmes that may exist should lead to an increase in the bargaining power of rural workers, and ensure adequate remuneration and, where applicable, social protection through legislation for both men and women. In this context, priority should be given to the ratification and full implementation of the Minimum Wage-Fixing Machinery (Agriculture) Convention, 1951 (No. 99);
 - (i) in designing and implementing rural employment policies, special attention should be paid to enabling women's full participation in the development process. In particular, emphasis should be given to: (i) ensuring their equitable access to training, employment extension services and productive assets including land; (ii) enforcing equality of pay and guaranteeing social protection; (iii) encouraging women's full integration into rural workers' organisations on the basis of a recognition of their particular needs and concerns and ensuring their full participation and influence in rural development processes, including through women's organisations in the service of the community; and (iv) encouraging and promoting women's participation in small and medium-sized enterprises in rural areas;
 - (j) national strategies should take full account of the basic needs of the rural population with a view to closing the gap between urban and rural living standards;
 - (k) the success of rural employment strategies requires full participation by rural workers and employers through their freely chosen organisations in all phases of planning, implementation and evaluation. Within this context, member countries are called upon to increase efforts to step up the ratification and application of ILO instruments concerning the rural sector, especially the Rural Workers' Organisations Convention, 1975 (No. 141), and Recommendation (No. 149), the Plantations Convention, 1958 (No. 110), and the Tenants and Share-croppers Recommendation, 1968 (No. 132);
 - (l) encouragement of rural workers' and employers' organisations to participate more fully in the organisation of services for people's health care; literacy; training; the provision of safe drinking water, electricity, communications and other facilities to the villages; group-based credit programmes for the poor; and the promotion of workers' education for strengthening their active participation in rural workers' organisations;
 - (m) production, marketing, credit and other types of rural co-operatives have a major role to play in promoting employment, development and self-sufficiency. The rural population should have free access, democratic control and independence from any external interference in the creation and functioning of

co-operatives. Their development should be encouraged, in conformity with the Co-operatives (Developing Countries) Recommendation, 1966 (No. 127). Efforts should be made to develop training, credit, marketing and other facilities to enable co-operatives to mobilise local resources and increase the access of the rural population to productive resources and services;

- (n) policy-making is often constrained by the lack of relevant data, particularly on rural employment and incomes. Member countries should undertake determined efforts to improve the data base for policy-making particularly by providing information disaggregated by sex and by rural and urban sector separately;
- (o) care should be taken to ensure that all appropriate research data are communicated to the local level so that they can be utilised and their benefits realised; and
- (p) existing programmes should be evaluated and the lessons learned taken into account for application in future programmes.

INTERNATIONAL ACTION

11. Recognising the need to improve the international environment for developing countries, and taking account of the Conclusions adopted by the High-Level Meeting on Employment and Structural Adjustment and the special responsibility of the ILO in the United Nations system for labour and social matters including the promotion of full, productive and freely chosen employment and its responsibility to examine and consider economic and financial policies in the light of their impact on employment and social conditions, the Conference calls upon the international community:

- (a) to take the necessary steps for a more liberal international trade, avoiding distortions, together with appropriate protective social policy measures;
- (b) to find a solution to reduce the debt burden of developing countries;
- (c) to facilitate increased flows of capital and aid; and
- (d) to develop mechanisms for the transfer to developing countries of appropriate technological innovation, including biotechnology, and the use of raw materials for industrial processing.

THE ROLE OF THE ILO

12. In view of the impact of macro-economic policies, especially those aiming at economic reform and structural adjustment, on employment and livelihood of the rural population, the Conference urges the ILO to reassess present research on the interlinkages between macro-economic policies and employment and poverty in the rural areas with a view to undertaking innovative, original applied research on these topics. The main objective of this research should be to provide sound advisory services and data to ILO constituents in order to assist them in promoting growth strategies for recovery.

13. The ILO should, within its field of competence, combine research, advisory services and technical co-operation to strengthen its assistance to member States in the following areas:

- (a) the design of strategies aiming at increasing labour absorption in rural areas through the promotion of growth linkages between agriculture and the non-farm rural economy. Such strategies should aim at increasing productivity in both sectors through the adoption of innovative and appropriate technology and the promotion of new enterprises. The ILO's work should include: (i) documenting and disseminating knowledge on the appropriate macro and micro policies for promoting economic growth, labour absorption and productivity in agriculture and the non-farm economy; (ii) studying the methods of strengthening the agriculture/non-agriculture linkages in the rural areas; (iii) the formulation of alternative options for employment promotion policies, particularly for the least developed countries; (iv) studying the impact on rural employment and production of different systems of ownership; (v) documenting and studying the ways of developing rural-urban linkages as well as linkages with the non-traditional export markets; and (vi) studying the impact of structural adjustment programmes on employment and food security. The ILO should advise governments on the employment aspects of alternative adjustment programmes, particularly in the least developed countries;

- (b) the promotion of employment in the rural non-farm economy, this being a crucial element in the promotion of employment in the rural areas in the medium term. Technical co-operation projects in this area should shift away from isolated micro projects into more interrelated projects of a coherent programme. In line with the conclusions adopted by the Conference at its 72nd Session (1986) concerning the promotion of small- and medium-sized enterprises, the ILO should pay special attention to the role that such enterprises can play in rural development. The Conference calls upon the ILO to organise, where appropriate, non-farm employment strategy missions, in co-operation with other agencies, in order to assist governments and employers' and workers' organisations in the promotion of rural non-farm activities;
- (c) the promotion of labour absorption in agriculture in developing countries. Particular emphasis should be given to: (i) designing the appropriate institutional framework for promoting increased agricultural production and employment; (ii) providing assistance to maximise the employment potential of the introduction of improved technologies such as high-yielding varieties, improved farm equipment and bio-technology; (iii) assisting in the establishment of occupational safety and health programmes for agricultural workers; (iv) acting as a "clearing house" for information on successful experiences of increased labour absorption in agriculture and the real living conditions obtained by the workers; and (v) assisting rural workers' and employers' organisations in the formulation of socio-economic programmes;
- (d) the design of an integrated programme in support of smallholders in the rural areas of developing countries with a view to increasing the production of food and the promotion of employment. Such an approach might include: (i) the design of an innovative institutional framework for improving access to credit, particularly for the poor; (ii) the provision of appropriate training, complemented by access to appropriate technical assistance, by introducing innovative and participatory training approaches and methodologies; and (iii) the provision of technology suited to the needs of small farmers, keeping in view their safe working conditions;
- (e) the development of appropriate approaches to, and programmes for, enhancing technical, managerial, organisational, enterprise and other skills for men and women to enable them to participate in and benefit from the process of growth and development in rural areas;
- (f) the development of strategies, within the International Programme for the Improvement of Working Conditions and Environment (PIACT), for improving the living and working conditions of rural workers;
- (g) the documentation and dissemination of information on the causes and dimensions of rural poverty with particular emphasis on the linkages between rural and urban poverty caused by migratory movements. In this respect emphasis should be given to special anti-poverty and direct employment creation programmes targeted at the most disadvantaged groups. These should include special public works programmes, food-for-work programmes and other direct interventions.
- (h) giving priority to activities in support of rural women. Particular emphasis should be given to: (i) continuing research and documentation on the constraints on employment, conditions of work and differential impact of policies on rural women; (ii) direct measures to increase returns to women's labour in agricultural, productive and economically viable employment opportunities; (iii) encouraging the development of social amenities including provision of safe water supply, easy access to fuel and child care facilities; (iv) steps to encourage women's full participation and influence in economic and social development; (v) women's access to decision-making bodies; and (vi) developing productive non-traditional activities for women;
- (i) the design of programmes aimed at documenting and improving the legal, economic and social conditions of home-based workers;
- (j) the design of programmes aimed at documenting and improving the legal, economic and social condition of the informal sector, which is now recognised as an important element of the rural sector both in terms of employment creation and in terms of generation of productive activities;
- (k) the promotion of the full participation of employers' organisations and workers' organisations as defined in the Rural Workers' Organisations Convention, 1975 (No. 141) in designing and implementing rural employment policies. In this respect emphasis should be given to assisting the rural population in the creation and development of their own organisations, to the promotion of

legislation protecting rural workers and their organisations, and to workers' education programmes for such organisations; and

- (l) the collection and dissemination of data by sex, region and sector, on rural employment, wages, incomes, and other aspects of development, and the assistance to member States in creating systems to monitor the conditions in rural areas, especially of the poor groups. It should also make greater efforts to disseminate such data and the results of its research on the experience of different countries to a wider audience on a regular basis.

14. The ILO's technical co-operation programmes should aim at the promotion of national self-reliance, respond to the priorities and needs as defined by member States, and be carried out in close consultation with the social partners, including those in the recipient countries. In allocating resources to such programmes, every encouragement should be given to the promotion of human rights, including freedom of association and the right to organise. The ILO should continue and expand its work related to the evaluation and monitoring of the socio-economic impact of technical co-operation projects and ensure the dissemination of the results of its inquiries and the lessons of its experience, both successes and failures. Special attention should be given to the effectiveness of technical co-operation projects.

15. The ILO should vigorously promote and monitor the ratification and application of relevant ILO standards, particularly those related to such basic human rights as freedom of association and the right of organisation of rural workers, non-discrimination and abolition of forced labour as well as of child labour. The ILO should also investigate the reasons for the limited ratification of the Rural Workers' Organisation Convention, 1975 (No. 141) and the Plantations Convention, 1958 (No. 110), and promote a tripartite dialogue on the subject. The Governing Body is requested to place on the agenda of an early session of the Conference the revision of the Tenants and Share-croppers Recommendation, 1968 (No. 132). The Conference also calls upon the Governing Body to consider placing on the agenda of an early session of the Conference the question of the application of modern agricultural technologies.

16. The ILO should initiate consultations between workers' organisations and between employers' organisations as to steps which might be taken to improve health and safety as well as employment of rural workers.

17. In the context of the Medium-Term Plan and the Sectorial Activities Programme, the Conference calls upon the Governing Body to convene the Advisory Committee on Rural Development at more frequent intervals. The Governing Body Committee on Employment should keep under review the ILO's work on rural employment. The Governing Body should also consider giving greater priority in the allocation of resources to activities concerning rural labour and employment.

18. The ILO should, within its sphere of competence, contribute to the promotion of dialogue between industrialised and developing countries. The Conference urges that the contribution of the ILO in this area should be based on the Conclusions of the High-Level Meeting on Employment and Structural Adjustment.

19. In carrying out its activities, particularly technical co-operation programmes, the ILO should continue and strengthen its co-operation with other organisations of the United Nations system to promote employment-oriented patterns of development in the rural sector, and should implement the conclusion concerning technical co-operation adopted by the Conference at its 73rd Session (1987). In the joint committees of the United Nations system in which the ILO participates, tripartite representatives should, whenever possible, be included in ILO delegations.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Thirty-second sitting

Monday, 20 June 1988, 10.15 a.m.

President: Mr. Beyreuther

RATIFICATION OF THE INSTRUMENT FOR THE AMENDMENT OF THE CONSTITUTION OF THE INTERNATIONAL LABOUR ORGANISATION, 1986

Interpretation from German: The PRESIDENT – I have the pleasure of announcing that the Director-General of the International Labour Office has registered the ratification by Ghana of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986. This brings the total number of ratifications and acceptances of the Instrument to 43.

THIRD REPORT OF THE CREDENTIALS COMMITTEE: SUBMISSION AND NOTING

Interpretation from German: The PRESIDENT – The next item on our agenda is the third report of the Credentials Committee.

I call on Mr. Nakamura, Government delegate, Japan, Chairman of the Credentials Committee, to submit the report.

Mr. Nakamura (*Government delegate, Japan; Chairman of the Credentials Committee*) – I have the honour to submit to the Conference the third report of the Credentials Committee, which is contained in *Provisional Record* No. 26.

This report contains the Committee's decisions on the objections to the nomination of the Workers' delegation of Chile, the Workers' delegation of Greece, the Workers' delegation of Nicaragua and the Workers' delegate of the Philippines.

I am pleased to say that the decisions of the Committee recorded in this report were unanimous.

Since it was adopted unanimously, the Conference is required under article 26, paragraph 5(b) of the Standing Orders only to take note of it.

Interpretation from German: The PRESIDENT – I invite the Conference to take note of the third report of the Credentials Committee.

(The report is noted.)

REPORT OF THE COMMITTEE ON THE APPLICATION OF STANDARDS: SUBMISSION AND DISCUSSION

Interpretation from German: The PRESIDENT – The third item on our agenda is the report of the Committee on the Application of Standards.

I would like to ask the officers of the Committee to come up to the rostrum: Mr. El-Assar, Government adviser, Egypt, Chairman; Mr. Wisskirchen, Employers' adviser, Federal Republic of Germany, Employers' Vice-Chairman; Mr. Houthuys, Workers' adviser, Belgium, Workers' Vice-Chairman; and Mr. Elmiger, Government delegate, Switzerland, Reporter.

I now call on Mr. Elmiger, the Reporter, to present the report.

Interpretation from French: Mr. ELMIGER (*Government delegate, Switzerland; Reporter of the Committee on the Application of Standards*) – I have the honour of presenting to the Conference the report of the Committee on the Application of Standards, which will be found in *Provisional Record* No. 28. The Committee was established in accordance with article 7 of the Standing Orders of the Conference with a view to examining the third item on its agenda: "Information and reports on the application of Conventions and Recommendations".

As usual, the Committee divided its work into three parts. It began with a general discussion of the questions relating to the application of Conventions and Recommendations and the manner in which the member States are complying with their obligations under the Constitution of the Organisation in regard to its instruments. The Committee then discussed the general survey made by the Committee of Experts on the Application of Conventions and Recommendations, which dealt this year with the Discrimination (Employment and Occupation) Convention and Recommendation, 1958 (No. 111). Lastly, it examined a number of individual cases in respect of which the Committee of Experts had made observations in its report, as regards the application of ratified Conventions and compliance with the obligation to supply reports and to submit Conventions and Recommendations to the competent national authorities.

The main questions which were examined during the general discussion in the Committee are indicated in the first part, section B, of the General Report of the Committee, in paragraphs 4 to 63. The report of the Committee of Experts served as a basis for this discussion as well as for the examination of individual cases.

This year the Conference commemorated three anniversaries of particular importance for the ILO: the 40th anniversary of the Universal Declaration of Human Rights, the 40th anniversary of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the 30th anniversary

sary of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

Like the Committee of Experts, the Conference Committee welcomed the fact that the Director-General had devoted his Report to the Conference to human rights, and considered it particularly appropriate that this year the general survey of the Committee of Experts dealt with Convention and Recommendation No. 111.

The Committee recognised the vital contribution which the ILO had made towards the implementation of human rights through its action to define these rights and ensure that they are applied. It declared itself to be convinced that in order to promote human rights the ILO must continue to establish standards adapted to developments in the world and to endeavour to improve the application of the procedures by which it ensures respect for these standards.

The Committee was of the opinion that the Universal Declaration of Human Rights and the ILO Conventions dealing with fundamental rights were as relevant as ever today. They should not merely exist as instruments, but must be respected in practice. In this connection, many speakers, echoing the Director-General's Report to the Conference, deplored the gaps which exist between the acceptance of the principles and actual practice, as well as the numerous and at times massive violations of human rights which continued in all parts of the world.

The interdependence and the universality of human rights were emphasised. In this connection, certain members stressed the importance of civil and political freedoms for the respect of economic and social rights, for which the ILO is more particularly responsible. Others emphasised the importance of the right to work without which other human rights are without any foundation. Reference was also made to the effective enjoyment of human rights.

On the occasion of the 40th anniversary of the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Committee reiterated the particular importance which, just as the Committee of Experts, it attaches to this Convention. An appeal was addressed to the member States to ratify the Convention if they had not yet done so, and to ensure its full application. The considerable impact of Convention No. 87 on national legislation and practice was emphasised and examples of this impact were mentioned.

The Employers' and Workers' members associated themselves with the comments made by the Committee of Experts in paragraph 17 of its general report, to the effect that the restrictions to freedom of association are often the consequence of general limitations of civil liberties and that the fundamental guarantees of civil liberties condition the effective exercise of the principles of freedom of association. They emphasised the importance for social dialogue of the respect of the fundamental principle of Convention No. 87, according to which workers and employers should have the right to establish and join organisations of their own choosing without previous authorisation. The Workers' members regretted that the application of Convention No. 87 continued to come up against serious difficulties in many countries and that the economic crisis which raged throughout

the world was at times used as a pretext for anti-trade union repression.

The Committee discussed ratifications and denunciations of Conventions. The slower pace of ratifications aroused concern, and various members were of the opinion that the Office should give the utmost attention to the reasons for this slowdown, on which various views were expressed, and to ways of remedying this situation.

The high number of denunciations of the Conventions of night work for women and the Underground Work (Women) Convention, 1935 (No. 45) (which five countries recently denounced) was the starting point for a discussion on special standards for the protection for women and the future revision of the Night Work (Women) Convention (Revised), 1948 (No. 89). In this year's report, as it had done in 1986 for the Conventions on night work, the Committee of Experts had requested the Governing Body to seek a solution to the growing difficulties encountered in the application of Article 3, paragraph 1, of the White Lead (Painting) Convention, 1921 (No. 13), which prohibits the employment of women in any kind of industrial painting work involving the use of white lead. A summary of these discussions is to be found in paragraphs 24 to 27 and paragraph 82 of the report of the Conference Committee.

As it does every year, the Committee discussed the supervisory system. This discussion is reflected in paragraphs 28 to 40 of its report.

A certain consensus emerged as regards the quality of the report of the Committee of Experts as well as on the considerable, useful and meticulous work it involves. Numerous speakers reiterated their support of the principles of independence, objectivity and impartiality of the Committee of Experts. Members from the socialist countries felt that it was necessary to improve the supervisory system so as to increase the number of ratifications and the participation of governments in supervisory procedures.

They made a number of proposals aimed at giving a more important role to the Conference Committee and facilitating dialogue within this Committee. These proposals, which concern the respective roles of the Committee of Experts and the Conference Committee as well as the latter's working methods, are reflected in paragraphs 33 to 35 of the report. The Employers' members, the Workers' members and a certain number of Government members felt that the division of roles between the Committee of Experts and the Conference Committee was sufficiently clear and satisfactory and that the present working methods of the Conference Committee should be maintained.

Many speakers expressed concern regarding the statistics on the manner in which governments comply with their obligation to supply reports. These statistics show that a growing number of governments fail to supply the reports due, or supply them only with considerable delay with respect to the dead-line, or fail to provide the information requested. Various practical suggestions were made so as to remedy this situation. They are reflected in paragraphs 40 and 41 of the report.

The discussion also covered the role of employers' and workers' organisations. These organisations are taking an increasingly active part in the supervisory machinery and procedures, as can be seen from the number of cases where recourse was had to the com-

plaint and representation procedures provided for in articles 24 and following of the Constitution of the ILO and to the procedure of the Committee on Freedom of Association, as well as the number of observations received from these organisations by the Committee of Experts regarding the manner which governments comply with their standard-setting obligations.

Again, consensus was reached in favour of strengthening the activities of the Office aimed at helping governments to better comply with their obligations with respect to ILO standards and to promote a better knowledge of ILO standards and supervisory procedures, in view of their positive results. Many speakers emphasised the considerable and growing amount of work which the Office has to carry out.

Several Government members expressed the hope that, in spite of the present budgetary difficulties, sufficient resources, reflecting the fundamental importance of standards and of the supervisory system, would be made available to the department which is responsible.

The Committee expressed its support for the recent initiatives undertaken by the Office to strengthen the links between international labour standards and technical co-operation activities of the ILO, in view of the fact that these two types of action should go hand in hand.

This year again, the Committee gave particular attention to the application of the Employment Policy Convention, 1964 (No. 122), on which the Committee of Experts once again made general comments in a special section of its report. I refer to paragraphs 50 to 58 of the report of the Conference Committee. Many speakers congratulated the Committee of Experts on its observation and on the manner in which it carries out its evaluation of the application of the Convention. The dialogue achieved between the Committee of Experts and the Conference Committee concerning these issues was considered to be exemplary.

Emphasis was again laid on the magnitude and seriousness of employment problems, as well as the fact that in the future they will affect not only the developing countries and the developed market economy countries, but also those with a centralised economy, which face economic restructuring and the reform of their system of economic management. The Committee therefore felt that employment should be a major concern of the ILO and that the resources of the Organisation should be mobilised so as to assist all member States in this field. It expressed the conviction that in today's world, full, productive and freely chosen employment is not an outdated concept, but should remain, as provided for in Convention No. 122, a vital objective of the national policy of every country.

The Workers' members and several Government members referred to the conclusions of the High-Level Meeting on Employment and Structural Adjustment convened by the ILO at the end of 1987, and particularly expressed their support of the conclusions regarding the need for a better co-ordination at international level between economic, financial and monetary policies, and social policies, as well as those concerning the role that the ILO should play in this connection so as to ensure that structural adjustment policies should not run counter to the objec-

tives of our Organisation, in particular to that of full employment. They hoped that these conclusions would be applied. Several speakers invited the Committee of Experts to continue to deal with problems of indebtedness and international trade.

The Committee also gave attention to the irregular forms of employment which are becoming increasingly important in industrialised countries, such as part-time work, temporary work or fixed-term contracts. The discussion on this subject is summarised in paragraphs 56 and 57 of the report.

During the general discussion, the Committee also dealt with the application of the Labour Inspection, Convention, 1947 (No. 81), and on the Labour Inspection (Agriculture), Convention 1969 (No. 129), the application of Conventions dealing with industrial installations at sea, seafarers problems and the submission of certain instruments to the competent authorities in the European Community.

The Committee devoted the second part of the general discussion to the overall study by the Committee of Experts. You will find in paragraphs 64 to 86 of the report a summary of the discussion on this subject. The overall study this year dealt with the question of equality of opportunity and treatment in employment and occupation by examining the application by all member States of the Discrimination (Employment and Occupation) Convention and Recommendation, 1958 (No. 111). The Committee unanimously recognised the fundamental nature of these instruments which, by enshrining the principle of equality in employment and occupation without discrimination based on race, colour, sex, religion, public opinion, nationality, social origin or any other criteria determined by member States after consultation with their social partners, establish a link between human rights, or rather between the rights of individuals (right to equality) and overall industrial relations. It was therefore particularly welcome that the study on equality in employment and occupation should be presented to the Conference on the 40th anniversary of the Universal Declaration of Human Rights.

During the discussion, attention was drawn to the gap between the approval or recognition of the principle and its application or implementation. Without mentioning here all the breaches in application, which must be eliminated without delay, it appeared quite clearly that the achievement of the principle of equality should be part of a permanent and continuous action covering a large number of sectors, starting with training. Training is undoubtedly the key to equality but, to continue this metaphor, once the first door is opened there are other doors and other locks. Legislative measures or regulations prohibiting discrimination are important, but they must be accompanied by positive measures and a programme of education and information on these questions.

Convention No. 111 has been ratified by 109 member States, which makes it one of the most ratified instruments of the ILO. The satisfaction that can be justly felt has to be qualified, however: just under one-third of member States have not yet ratified it. In paragraph 86 of the report which is before you, the Committee proposes that the Conference, when adopting the present report, should make a solemn appeal to all member States to examine the possibility of ratifying this Convention if they have not yet

done so and ensure the full implementation of all its provisions.

The largest part of the work of the Committee consisted in examining individual cases of respect for ILO standards on the basis of observations in the report of the Committee of Experts. This task took up 11 meetings of the Committee. The discussion of these cases is summarised in the second part of the report before you. For the discussion of individual cases the Committee continued to apply the methods of work which it has followed up to now.

In selection D of the part entitled "General report", the Committee draws the attention of the Conference to a certain number of findings and conclusions drawn from its examination of individual cases. In paragraph 100 of the report, the Committee welcomes the fact that this year the Committee of Experts was, in paragraph 105 of its report, in a position to refer to a significant increase in the number of cases in which governments had made changes in their legislation and practice following comments made by the supervisory bodies. These results are tangible proof of the effectiveness of the supervisory system and the will of member States to take part in these supervisory procedures. The Committee wished to draw attention very particularly to a number of cases in which difficulties are encountered in complying with the obligation of providing reports and information in accordance with the Constitution. I refer you to paragraphs 90, 94, 95, 97 and 112 of the report. The Committee also draws attention to the special problems related to the application of ratified Conventions and I refer you in this connection to paragraphs 104 and 109 of the report. In paragraph 115 of its report, the Committee notes that certain countries that were not represented at the Conference, or the representatives of which had to leave before the end of the Conference, were unable to take part in the work.

This year, all the governments present at the Conference responded to the invitation extended by the Committee to participate in its work. The Committee welcomed this and thanked the 46 governments which did so. However, the Committee had to delay the discussion of individual cases by one meeting because the government representatives were not ready. On the initiative of the Employers' and Workers' members, it therefore held an informal discussion on the means that could be taken to improve the organisation of its work. It intends to take this matter up again next year.

As it does each year, the Committee discussed important questions related to international labour standards, the supervisory system and the way in which the different States are complying with their obligations in accordance with the Constitution and the Conventions they have ratified. I am happy to inform the Conference that, in spite of the importance of certain questions of principle and the complexity of certain cases that the Committee had to discuss this year, the discussion took place smoothly, in a spirit of mutual understanding and good will.

I would like to thank the Chairman of the Committee, Mr. El Assar, Government adviser of Egypt, who guided our work in a conscientious and objective manner. I would also like to pay tribute to the great experience and spirit of co-operation shown by the Employers' and Workers' Vice-Chairmen, Mr. Wisskirchen and Mr. Houthuys. May I also express

my sincere thanks to Mr. Sidibé, as well as to all the members of his team for their efficiency and their devotion.

I recommend to the Conference the adoption of the report that is before us.

Interpretation from German: The PRESIDENT – The discussion of the report of the Committee on the Application of Standards is now open.

Interpretation from German: Mr. WISSKIRCHEN (*Employers' adviser, Federal Republic of Germany; Vice-Chairman of the Committee on the Application of Standards*) – Our Committee is submitting the report before you, as required under article 7 of the Standing Orders. The basic contents of the report have just been presented to you in detail by Mr. Elmiger. I would only like to add a few points from the point of view of the employer.

The starting point and the necessary basis for the work of the Committee of Experts and of our own are the reports from member States, since the duty to report is laid down in the ILO Constitution. There are still many shortcomings in complying with this constitutional duty. I would only like to point to the fact, which concerns us very much, that less than half of the government reports on Conventions for which specific information was requested on practical application have been submitted. In these circumstances the Committee of Experts cannot make a realistic evaluation of the situation. This is why we consider it absolutely necessary that the member States should always report on the law and practice situation, otherwise it is impossible to evaluate the situation.

We know what heavy duties the governments have to deal with. Perhaps the frequency of the report for certain Conventions could be reduced, in which case the International Labour Office, and for the Committee of Experts, would have their task of revision reduced also. As it is, we have only had a selection of 50 to 60 member States to call on for the questions which concern them in the comments made by the Experts.

In the list of governments invited, Nicaragua is missing this year; we consider this regrettable because our Committee decided last year that this case, due to very serious discrepancies in the application of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), would be examined once again this year, and that the Government would be asked to make a full and detailed report to the Committee of Experts.

This report was not submitted by the Nicaraguan Government. The Committee of Experts therefore asked the Government of Nicaragua, in a footnote of its report, to supply all necessary information to the Conference. All member States who are mentioned in such a footnote are invited by the Committee to discuss their case. We consider it unfair that this constant practice of our Committee was not applied to Nicaragua, in view of the fact that over the last year Nicaragua has failed to submit itself to such a dialogue.

This is a serious situation and the acceptance of a mission of inquiry by Nicaragua was not sufficient reason to fail to discuss these questions here at the Conference.

The application of the Employment Policy Convention, 1964 (No. 122), is always considered with

great attention by the Committee of Experts and by our Committee. The essential factors for creating additional employment in our opinion are the battle against inflation, reduction in external debt and state action on enterprises. This helps more than job promotion programmes.

In addition, it is important for the competitiveness of enterprises to adjust quickly to structural changes. This vital question for many enterprises and jobs requires a great deal of flexibility and the ILO cannot be excluded from these factors. In this connection, we do not consider it justified that part-time work and short-term contracts should be condemned as being "irregular" work. The fact is that many people, for all sorts of reasons, are looking for this type of work; even for those who are looking for full-time, traditional employment, but cannot find it, part-time employment is better than unemployment.

Generally speaking, we do not think that it is a very daring prognosis to claim that in the future fewer and fewer people will be needed to do the same amount of work in the same time; differentiations will increase and therefore these new working methods should not remain without social protection. The necessary degree and type of protection must be found, which of course can be done best through collective agreements.

A very important item of our general discussion this year was the report of the Committee of Experts on the Application of Conventions and Recommendations on the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). These documents dealt with human rights, as do other instruments referred to here, both of which are now celebrating their 40th anniversary.

The excellent report on Convention No. 111 deserves a lengthier appreciation than I can give here. We would merely wish to repeat that it is a natural tenet of human dignity, in conformity with humanitarian beliefs, that no one should suffer prejudice due to race, creed, sex, political opinion, or national or social origin.

But the report shows that in practice, there is still a great deal to be done everywhere in the world. One problem which our Committee has dealt with concerns protection for women which by definition is not considered discriminatory. For example, together with the Experts we have concluded that the prohibition of night work for women may actually be a disadvantage to women. The growing discrepancy between reality and the fiction of the Convention that these protective measures are not actually discrimination has led to many denunciations of the Convention by member States and to the decision of the Governing Body to place the revision of this Convention on the agenda of the next session of the Conference.

This is only one example, but it shows that protective measures should to be studied in good time, before they prove to be disadvantageous to those who are meant to be protected. The requirement to prohibit night work for all is a flight from reality to illusion.

The prohibition of discriminatory treatment in jobs does not aim to equalise all human beings, but to extend an equal chance to everyone and thus give everybody the possibility of developing. The aim of Convention No. 111 is therefore the freedom and dignity of man.

Our Committee, as usual, has devoted its time to the examination of individual cases. I can only make general reference to the results; they are given in the second part of the report. A few important problems, such as the duty to report and the application of Conventions, are also covered in the first part of the report of the Committee.

We Employers believe that for all the significance of ratification and the supervisory system, practical application of standards is also important. We are therefore pleased with the most recent ratifications, by the United States and Malta, which are a sign of new efforts in the field of ratification.

Generally speaking, this year we have the feeling that there may be wider consensus concerning the fact that we need true dialogue in our Committee, with the duty to submit serious information and reports. Dialogue also requires tolerance, but this does not mean that everything should be accepted without any differentiation. Before the difficult, substantial work of our Conference is solved, the organisation of the work of our Committee must be improved. We consider it unacceptable that one afternoon the Committee could not meet at all because none of the member States were prepared for discussion.

The contents of the report and the reflection of the work of the Committee in the report is based on the excellent work that has been done and all that is due to the goodwill of our Chairman, the solid work of our Reporter and the excellent help provided by Mr. Sidibé and his remarkable staff. Good co-operation in the Committee is based upon a good understanding between the Employers' group and the Workers' group under the excellent leadership of Mr. Houthuys. I would like to express my special gratitude to all the members of my Employers' group and their constant support.

The Employers of the Committee on the Application of Standards recommend the adoption of this report, which they commend to the Conference.

Interpretation from French: Mr. HOUTHUYS (Workers' delegate, Belgium; Vice-Chairman of the Committee on the Application of Conventions and Recommendations) - The report of the Committee on the Application of Standards was adopted last Friday by the Committee itself, without difficulty and without protest; one could even say, without any fuss. Is that a good or a bad thing? Without wishing to sound complacent or trying to avoid confrontation where it is inevitable, I venture to say that we are able to submit to you a draft report which is positive and constructive.

Our aim cannot be impress or cause a sensation but rather to attain social progress in the member States. In the general discussion, we were aware that the great principles, the fundamental and essential values must underlie any action. How could it be otherwise in the International Labour Organisation, whose banner is the Philadelphia Declaration? How could it be otherwise in the year when we are commemorating the Universal Declaration of Human Rights, which inspired the Report of the Director-General and the discussions we had for two weeks in the Plenary? And how could we doubt the sacred foundations of social relations in a year in which we are celebrating the 40th anniversary of the Freedom of Association and Protection of the Right to Organise, Convention (No. 87). We only have to say Con-

vention No. 87 and everyone knows what we are talking about: freedom of association, the true and full freedom which workers have to establish, build up and to direct their movement to defend and promote their interests.

Furthermore, in 1988, we are also celebrating the 30th anniversary of the Discrimination (Employment and Occupation), Convention (No. 111) which, from a positive standpoint, calls for equal opportunity in employment and occupation; however, more often than not, it is unfortunately viewed as an instrument to protect against discrimination based on sex, race, religion, colour, social origin, national origin or political opinion. For indeed, workers have had to recognise a painful fact. Speeches and general statements may be fine, agreeable, encouraging and full of hope; but actual situations – and this applies more or less everywhere in the world – are often quite the opposite and extremely discouraging. What a discrepancy between theory and practice, between wishful thinking and real-life situations, and often also between laws and their application.

We must respond to all this in a number of ways. First, through ratification, and in particular through the ratification of key Conventions. Admittedly, two-thirds of the countries have ratified these Conventions; but still one-third of the member States, i.e. some 50 countries, have yet to ratify Convention No. 111, Conventions Nos. 87 and 98, Conventions Nos. 29 and 105, Convention No. 151 and so on. We therefore solemnly appeal to these countries to make a greater effort this year and in the forthcoming years to ratify these Conventions. The past year produced few results. Fortunately, in 1988, we have already had 62 ratifications. We particularly welcome the fact that Malta has now ratified 25 Conventions and that the Iron Curtain, which lasted for 35 years, has now been pulled down by the United States. We congratulate and thank that country. We hope that this country and others continue along the road of ratification; this is the great step that has to be taken towards ratification. However, ratification without a gradual and true application is a lie.

In the case of almost all the Conventions, particularly Convention No. 111 – as is clearly demonstrated in the impressive general survey – there is a need for continuing attention, interest and action and a need for regular adaptation to development and change; and as part of this ongoing and tireless activity, there must, above all else, be the recognition and respect for tripartism. This tripartism presupposes the autonomy of those involved, dialogue and negotiation between employers and workers and between social partners and governments. And in this context, much ground still needs to be covered as regards the ratification and application of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144). It is really remarkable, and we welcome this fact, that employers' and workers' organisations in many countries appeal to – indeed, dare to appeal to – the ILO could take cognisance of their difficulties, to submit their problems to the Organisation and to make claims and complaints. Each year, a growing number of countries act in this way, thereby testifying to their confidence in the Organisation and, I am sure, helping to make the supervisory system work effectively and ensuring that effective solutions are brought to bear on the shortcomings in law and practice.

We are deeply attached to the supervisory system and the workers must never allow it to be dismantled or truncated. The ILO would be deprived of its substance without the independence, objectivity and impartiality of the Committee of Experts. We should pay tribute to and encourage the Committee. What would we do without the administration of the ILO and, for our part, without the service of standards and freedom of association? We are rightly thankful to Mr. Sidibé and all his skilled and dedicated team. They are not only officials who have to earn their living; they are men and women inspired by the ideal of social progress in the world. It is most regrettable that for budgetary reasons they must be deprived of the necessary equipment and personnel to do their job, which is not solely administrative but also includes direct contacts, missions, assistance in training courses, seminars and other training and assistance activities.

Furthermore, we also pointed out in our discussions this year that the work in co-operation with the Committee of Experts and the Secretariat but that, as a Committee, we are in no way subject to or dependent upon them. It is only in shouldering our own responsibilities that we can carry on with our activities as we should.

Our working methods have been successful because all the countries invited to do so came forward, and we thank them for doing so. We believe that more of an effort needs to be made to improve our methods so that we do not lose half days because certain governments come forward belatedly. We must also avoid the kind of situation where year after year, certain governments do nothing but repeat the same promises without ever carrying them out. We cannot accept either that the discussion on various individual members of the Committee merely becomes a tribunal where accused governments are put in the dock, accused and condemned. But that does not mean that we must not express criticism and note discrepancies between Conventions and actual practice; we shall continue inciting, inviting helping and encouraging countries to make progress. We are very happy to note many cases in which progress has been made this year and many instances of good will and co-operation. Results have been positive rather than negative. Solidarity with the small and the weak has prevailed over egotism and corporatism. But we still note with regret a number of serious and worrying cases. They are reflected in the second part of the report and they may be read in the Conclusions. Observations are sometimes made in special paragraphs because there is an urgent need for action and application of key Conventions. This is particularly true as regards freedom of association in the Central African Republic, where the direct-contacts mission must take place as soon as possible, for the Dominican Republic, as concerns workers on sugar plantations, for Ecuador, where inadmissible restrictions are placed on freedom of association and for Pakistan, where we have long been urging the complete abolition of forced labour. Although it was not possible to draw up a special paragraph on Turkey concerning freedom of association and collective bargaining, we are still concerned about the latest legislation which needs urgently to be reviewed and if necessary amended. It is regrettable that in the case of the Islamic Republic of Iran, we were for a third time obliged to place it under the heading of

"continued failure to implement" because minorities are not respected on account of their religious persuasion.

Despite all that, we live in hope of change and the will to co-operate. We are optimistic, despite difficulties and even unacceptable situations.

When we think of the millions of unemployed in the industrialised countries, but particularly in the Third World, one is saddened and repelled at the same time. The High-Level Meeting on Employment and Structural Adjustment (1987) and the examination of the Employment Policy Convention, 1964 (No. 122), have demonstrated the effects of financial, monetary and commercial disarray throughout the world which the family of United Nations organisations has a duty to help put right. The most urgent problem is that of the foreign debt which is inflicting even greater austerity and poverty on the poorest. The ILO cannot stand aloof from this debate and from the quest for solutions. Otherwise, all employment-promotion programmes in agriculture as well as in industry and in commerce will remain ineffective.

Our Committee attaches great importance to the obligation under Article 19 of the ILO Constitution that all countries have to co-operate in general surveys. We expect a great deal from next year's general survey on the Merchant Shipping (Minimum Standards) Convention 1976 (No. 147). There are serious and worrying problems in merchant shipping and we trust that next year's study will help to overcome them.

I must end on this note. Everything of importance is, in any case, to be found in the Committee's report, as is also the question of denunciations and that of night work. It is particularly recommended that you should read the report, that you should re-read it and disseminate it among all the member States of the ILO. We believe that the ILO must do more to come down from its ivory tower. The worldwide extents for social progress are still to a great extent unknown among the grass-roots. We must therefore increase our efforts to publish articles in newspapers, the ILO must become familiar to militants and workers. In this way its influence can be greatly strengthened and extended.

I should like to thank our Chairman, Mr. El Assar for his hard work, Mr. Elmiger, our Reporter, for the excellent Report and Mr. Wisskirchen, my social partner, for his co-operation. I should also like to thank Mr. Sidibé and his Secretariat team for their work, as well as the whole Workers' group for their Participation. And if my friend George Kanaiev could say in the Committee that the road to hell is paved with good intentions, I, too, can say that there is greater rejoicing in heaven over one sinner who is converted than over 99 others who do not need to be converted.

Consequently, long live every small or great improvement thanks to the work undertaken by our Committee on the Application of Standards.

Interpretation from Spanish: Mr. CALLORDA SALVO (*Government adviser, Uruguay*) – We would like to express, on behalf of the Uruguayan Government, our satisfaction at the work done by the Committee on the Application of Standards (*Provisional Record No. 28*). We consider that the tasks assigned to it were fully accomplished under the skilful leader-

ship of Mr. El Assar, Chairman of the Committee, and of the Vice-Chairmen, Mr. Wisskirchen and Mr. Houthuys.

The statement made by Mr. Sidibé, Director of the Department of International Labour Standards, prior to the start of the work was, we considered, of special importance. In his statement he linked the question of human rights to international labour instruments, and explained the approach of the International Labour Organisation to its standard-setting and technical co-operation activities. He also summarised the status of the ratifications and fulfilment of constitutional obligations by member States so far as the Conventions and Recommendations are concerned.

Finally, he reviewed the procedures and work schedule of the Committee. All this gave us a useful frame of reference and was welcomed by the members of the Committee who subsequently made constructive contributions to the general debate and to the examination of specific cases.

I do not think it superfluous to reiterate that the high level attained by the exchange of views among the members of the Committee was undoubtedly the outcome of the excellent report of the Committee of Experts on the Application of Conventions and Recommendations.

In this respect, we would like to refer to the approach adopted under the present system of supervision which has not come about by chance or improvisation. On occasion, of course, we would like to see certain discrepancies between ratified standards and national legislation corrected more expeditiously, since it is on this that the progress of social justice and the consolidation of universal peace depend. This is, in any case, the responsibility of the member States to the international community, and any delays in achieving compatibility cannot be blamed on the present supervisory system.

Finally, I should say that the report of the Committee on the Application of Standards is an excellent document which reproduces the statements made by the members of the Committee in a concise, clear and systematic manner. It merely remains to express the hope that, in due course, the Committee of Experts and the Office will follow up all the proposals made, which are aimed at more effective compliance by States of their constitutional obligations under the Conventions and Recommendations. In this way we shall undoubtedly be helping to bring about, among other things, the more effective development of human rights which has been the central theme of this 75th Session of the Conference.

Interpretation from Spanish: Mr. GUIDOBONO (*Government adviser, Argentina*) – It is a great honour for me to address this distinguished assembly on behalf of the Government delegation of the Republic of Argentina. Since the Reporter of the Committee on the Application of Conventions and Recommendations has clearly described the work done by that Committee and we have heard statements by the Workers' and Employers' Vice-Chairmen, I will confine myself to making comments only.

During the discussions held in our Committee, concern has been expressed, as on previous occasions, at the increase in the cases of violation of the fundamental freedoms of human beings as well as of other provisions of the Conventions ratified, and a

decline has been noted in the rate of ratification of international instruments by the States.

Although this may be so, what is important when a detailed assessment has to be made of the operation of the supervisory machinery is, as in any human activity, to see whether the positive achievements add up to more than the mistakes made.

And here we can safely say that no one who has taken part in or followed the work of our Committee over the years can deny that the balance is positive. There is a clear trend towards an improvement in national social and political legislation and a closer alignment of this with international labour standards.

This is valid even though there are still certain cases which cause concern. The general trend, however, examined on a long-term basis, is positive, and this is what counts. And in this trend the supervisory machinery of the ILO has undoubtedly played an important part.

It is well to remember that these methods have evolved over the years, that major modifications have been introduced to improve them, and that this process of revision is certain to continue. We must not forget that any human act and or organisation can be improved. I believe, however, that in its essence the regular supervisory system should remain unchanged.

The existence of a technical, objective and impartial examination carried out every year by the Committee of Experts and the multisectoral and tripartite discussion held in the Committee on the Application of Conventions and Recommendations (without prejudice to the existence of constitutional machinery to deal with demands and complaints and the special procedure for examining cases of alleged violations of freedom of association, to mention only a few of them), are the true pillars on which the patient and persevering efforts of our Organisation to achieve greater dignity for humankind to protect human rights and to further peace through social justice are supported.

Our Organisation attaches prime importance to a system of mutual dialogue and understanding, and also extends aid and co-operation to countries in overcoming the difficulties they encounter from time to time.

I would like to say that I am pleasantly surprised, having participated for several years already in this Committee, by the notable spirit of co-operation displayed by the various social partners throughout the discussions.

Those who have come from countries that have suffered from the evils of political instability, who have been governed by regimes that were outside the legal and constitutional framework, can bear eloquent witness to the significance of the moral weight of the debates held in connection with our countries at each meeting of the Committee.

This is the reason why the delegation of the Republic of Argentina wishes to proclaim its formal and substantial support for the supervisory machinery now in force in our Organisation.

At the same time, I would like to express my gratitude to the representatives of the workers and employers of the world, who have added factors of cohesion and balance to the search for concerted solutions. Not only should we thank them for their participation but we should encourage it. It is a sound system. It is the characteristic which makes

our Organisation unique in the United Nations system.

In this context, I would like to support the appeal made by Mr. Francis Blanchard at the 70th Session of the International Labour Conference for all member States to ratify the Tripartite Consultation (International Labour Standards) Convention, 1946 (No. 144). This is a very important instrument, and I am glad to say that Argentina ratified it a few months ago and its ratification was recorded in the Office in March 1988.

I cannot conclude without stressing the special importance that the Government of Argentina attributes to the convergence between standard-setting activities and technical co-operation. On this question, I would like to state that at the same as the recent ratification by my country of the Collective Bargaining Convention, 1981 (No. 154), we asked the Office for technical co-operation to plan the measures necessary for the fullest possible application of this Convention both in law and in practice. This will certainly contribute to the more effective application of international labour standards which is, after all, the ultimate objective of co-operation activities.

FINAL RECORD VOTE ON THE CONVENTION CONCERNING SAFETY AND HEALTH IN CONSTRUCTION

Interpretation from German: The PRESIDENT – We shall now interrupt the discussion of the report of the Committee on the Application of Standards in order to proceed to the final record vote on the Convention concerning safety and health in construction.

(A record vote is taken.)

(The detailed results of the vote will be found at the end of the record of this sitting.)

Interpretation from German: The PRESIDENT – The result of the record vote on the Convention concerning safety and health in construction is as follows: 421 in favour, none against, with 1 abstention. Since the quorum is 259 and since the required two-thirds majority has been attained, the Convention is adopted.

(The Convention is adopted.)

Interpretation from German: The PRESIDENT – I would like to announce that Mr. Knack, Employers' adviser, United States, has asked for the floor in order to explain his vote.

Mr. KNACK (*Employers' adviser, United States*) – You may well have noted the results of the vote. There was one abstention, and you are looking at that abstention. I will be very brief and try to clarify the position I have taken.

I believe that everyone who supports a Convention has a duty to work towards its adoption in his home country. As I considered support of this Convention, I asked myself five questions: Will it serve the needs of my country? Will my country ratify it? Will my country implement it? Does it help those I am here to represent? And does it have global value?

If I had answered "no" to all five questions, I would have opposed this Convention. If I had been able to answer "yes" to all five questions, I would have supported the Convention. But since I found that the answer was "yes" to some of the questions and "no" to others, I abstained. My conscience rests peacefully with this formula.

FINAL RECORD VOTE ON THE RECOMMENDATION CONCERNING SAFETY AND HEALTH IN CONSTRUCTION

Interpretation from German: The PRESIDENT – We shall now proceed to the final record vote on the Recommendation concerning safety and health in construction.

(A record vote is taken.)

(The detailed results of the vote will be found at the end of the record of this sitting.)

Interpretation from German: The PRESIDENT – The result of the record vote on the Recommendation concerning safety and health in construction is as follows: 394 in favour, none against, with no abstentions. Since the quorum is 259 and since the required

two-thirds majority has been attained, the Recommendation is adopted.

(The Recommendation is adopted.)

Interpretation from German: The PRESIDENT – I would like to take this opportunity to express my gratitude to the members of the Committee and its Officers for having prepared these documents in such a constructive way, thus having led to the unanimous adoption of the instrument.

My pleasure at this result is unfortunately somewhat lessened, tempered by a piece of information that I have to give you. The Chairman of the Committee on Safety and Health in Construction, Mr. Mirza, Government member, Pakistan, had to be taken to a hospital in Geneva to undergo a serious operation. Mr. Mirza's health is as satisfactory as may be expected after such a major operation. I am sure that we all agree to send Mr. Mirza from our Conference our warmest wishes for a speedy recovery. And I am sure that the results of the votes on the work of his Committee will contribute to speed his recovery and improve his state of health.

(The sitting adjourned at 1.15 p.m.)

Final record vote on the Convention concerning safety and health in construction

Pour/For/En pro 421

*Afghanistan/Afghanistan/
Afganistán:*

NAZAR, Mr. (G)
SHOOGUFAN, Mr. (G)
POYA, Mr. (T/W)

Algérie/Algeria/Argelia:

LAHIANI, M. (G)
ASSALA, M. (G)
LOUNIS KHODJA, M. (E)
BENLAKHDAR, M. (T/W)

*Allemagne, République fédérale
d'Germany, Federal Republic
of/Alemania, República
Federal de:*

CLEVER, Mr. (G)
WEBER, Mr. (G)
LINDNER, Mr. (E)
MUHR, Mr. (T/W)

Angola:

MPOLO, M. (G)
COELHO, M. (E)
LUVUALU, M. (T/W)

*Arabie saoudite/Saudi
Arabia/Arabia Saudita:*

AL-YAHYA, Mr. (G)
AL-KHALIDI, Mr. (G)
DAHLAN, Mr. (E)
SINAN, Mr. (T/W)

Argentine/Argentina/Argentina:

GALER, Sr. (G)
TETTAMANTI, Sr. (G)
FAVELEVIC, Sr. (E)

Australie/Australia/Australia:

POULTER, Mr. (G)
FOTHERINGHAM, Mr. (G)
NOAKES, Mr. (E)
MacBEAN, Mr. (T/W)

Autriche/Austria/Austria:

MARTINEK, Mr. (G)
MELAS, Mr. (G)
ARBESSER-RASTBURG, Mr. (E)
VERZETNITSCH, Mr. (T/W)

Bahreïn/Bahrain/Bahrain:

AL-MADANI, Mr. (G)
AL-SAMAK, Mr. (T/W)

Bangladesh:

UR-RASHID, Mr. (G)

Barbade/Barbados/Barbados:

HARRIS, Mr. (G)
WILLIAMS, Mr. (E)
WALCOTT, Mr. (T/W)

Belgique/Belgium/Bélgica:

CALIFICE, M. (G)
SOENEN, M. (G)
ARETS, M. (E)
PEIRENS, M. (T/W)

Bénin/Benin/Benin:

MENSAH, M. (G)
ZANOUE, M. (G)
ADETONAH, M. (T/W)

*République socialiste soviétique
de Biélorussie/Byelorussian
Soviet Socialist
Republic/República Socialista
Soviética de Bielorrusia:*

FOMICH, Mr. (G)
PESHKOV, Mr. (G)
KOVALEVICH, Mr. (E)
BULGAK, Mr. (T/W)

Birmanie/Burma/Birmania:

THANG, U (G)
TUN, U (G)
WIN, K. U (E)
WIN, A. U (T/W)

Botswana:

VENSON, Miss (G)
LEBANG, Mr. (G)
SALESHANDO, Mr. (T/W)

Brésil/Brazil/Brasil:

MACIEL NEVES, M. (G)
MARTINS, M. (G)
ROSSI, M. (E)
FERREIRA DO PRADO, M. (T/W)

Bulgarie/Bulgaria/Bulgaria:

HARALAMPIEV, M. (G)
ANDREEV, M. (G)
BOZHINOV, M. (E)
ANDREEV, M. (T/W)

Burkina Faso:

DIALLO, M. (G)

Burundi:

NAHIMANA, M. (G)
NTAWANKA, M. (G)
MUYUMBU, M. (E)
KUBWIMANA, M. (T/W)

Cameroun/Cameroon/Camerún:

NYANGANG, M^{me} (G)
EYAMBE, M. (G)
NGAHA, M. (E)
FOUDA SIMA, M. (T/W)

Canada/Canada/Canadá:

CARON, M^{me} (G)
HAMMOND, Mr. (G)
DAWSON, Mr. (E)
MERCIER, M. (T/W)

*République
centrafricaine/Central African
Republic/República
Centroafricana:*

AZIBOLO, M. (G)
MOUSSA LABE, M. (G)

Chili/Chile/Chile:

ARTHUR ERRAZURIZ, Sr. (G)
ESCOBAR CERDA, Sr. (G)
MONTT BALMACEDA, Sr. (E)
PEREZ NAVARRO, Sr. (T/W)

Chine/China/China:

LI, Mr. (G)
QIAN, Mr. (G)
SHA, Mr. (E)
FANG, Mr. (T/W)

Chypre/Cyprus/Chipre:

CHRISTODOULOU, Mr. (G)
CALLIMACHOS, Mr. (G)
KITTENIS, Mr. (T/W)

Colombie/Colombia/Colombia:

RIOS MUÑOZ, Sr. (G)
CHARRY SAMPER, Sr. (G)

Congo:

KAYA, M. (G)
LERGES, M. (E)

Côte d'Ivoire:

ESSIGAN, M. (G)
COULIBALY, Dr (G)
DIAKITE, M. (E)
ADIKO NIAMKEY, M. (T/W)

Cuba:

MARTINEZ BRITO, Sr. (G)
LECHUGA HEVIA, Sr. (G)
FRANCIS de los REYES, Sr. (E)
ESCANDELL ROMERO, Sr. (T/W)

*Danemark/Denmark/
Dinamarca:*

ANDERSEN, Mr. (G)
FRANDSEN, Mr. (G)
JOHANSEN, Mrs. (E)
SVENNINGSSEN, Mr. (T/W)

Egypte/Egypt/Egipto:

ELARABY, Mr. (G)
TAHER, Mr. (G)
GAZARIN, Mr. (E)
ELAMAWY, Mr. (T/W)

*Emirats arabes unis/United Arab
Emirates/Emiratos Arabes
Unidos:*

AL-MUHAIRY, Mr. (G)
AL-AJALAH, Mr. (G)
MATTAR, Mr. (E)
BILAL, Mr. (T/W)

Espagne/Spain/España:

ARTACHO CASTELLANO, Sr. (G)
CRESPO VALERA, Sr. (G)
FERRER DUFOLL, Sr. (E)
GUTIERREZ VEGARA, Sr. (T/W)

*Etats-Unis/United States/Estados
Unidos:*

LAWSON, Mr. (G)
FREEMAN, Mr. (G)
BAKER, Mr. (T/W)

Ethiopie/Ethiopia/Etiopía:

GUTEMA, Mrs. (G)
GEBRE-MEDHIN, Mr. (G)
TAMERAT, Mr. (T/W)

Finlande/Finland/Finlandia:

RIIKONEN, Mr. (G)
VEIJALAINEN, Mr. (G)
MELIN, Mr. (E)
JAASKELAINEN, Mr. (T/W)

France/France/Francia:

CHOTARD, M. (G)
RAMOND, M. (G)
OECHSLIN, M. (E)
BRIESCH, M. (T/W)

Gabon/Gabon/Gabón:

NGOUBY-MBOUGA, M. (G)
IBINGA-MOMBO, M. (G)
FLAVIEN MANGA, M. (E)
ALLINI, M. (T/W)

Ghana:

YAHAYA, Mr. (G)
QUARM, Mr. (G)
BANNERMAN-MENSON, Mr. (E)
YANKEY, Mr. (T/W)

Grèce/Greece/Grecia:

KERKINOS, M. (G)
KOUKIADIS, M. (G)
MITSOS, M. (E)
RAFTOPOULOS, M. (T/W)

Grenade/Grenada/Granada:

NEWTON, Mr. (G)
SMITH, Mrs. (E)

Guatemala:

RODRIGUEZ
FANKHAUSER, Sra. (G)
PIVARAL GUZMAN, Sr. (E)
CASTANEDA de GOMEZ, Sra. (T/W)

Guinée/Guinea/Guinea:

CAMARA, M. (G)
CAMARA, M^{me} (G)
KOUYATE, M. (E)

Haïti/Haiti/Haití:

CHARLES, M. (G)
GUERRIER, M. (G)

Honduras:

DISCUA RODRIGUEZ, Sr. (G)
MARTINEZ, Sr. (E)

Hongrie/Hungary/Hungria:

MEISZTER, M. (G)
MARTON, M. (G)
MARTOS, M. (E)
TIMMER, M. (T/W)

Inde/India/India:

KAR, Mr. (G)
SHARMA, Mr. (G)
KHURANA, Mr. (E)
RAMAMURTHY, Mr. (T/W)

Indonésie/Indonesia/Indonesia:

DARWANTO, Mr. (G)
SIMANJUNTAK, Mr. (G)
BOEDJOSASTRO, Mr. (E)
PASARIBU, Mr. (T/W)

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

NASSERI, Mr. (G)
TIZMAAGHZ, Mr. (G)
YAZDAN PANAH, Mr. (E)
SALIMIAN, Mr. (T/W)

Iraq:

GHALI, Mr. (G)
AL-ZAIDI, Mr. (G)
HUSSAIN, Mr. (E)
GHARIB, Mr. (T/W)

Irlande/Ireland/Irlanda:

O'RIORDAN, Mr. (G)
LILLIS, Mr. (G)
FLYNN, Mr. (T/W)

Islande/Iceland/Islandia:

GUNNLAUGSSON, Mr. (G)
KRISTINSSON, Mr. (G)
MAGNUSSON, Mr. (E)

Israël/Israel/Israel:

BARAU, Mr. (G)
ELIAV, Mr. (G)
HILB, Mr. (E)
KARA, Mr. (T/W)

Italie/Italy/Italia:

CAVAGLIERI, M. (G)
ARISTODEMO, M. (G)
SASSO-MAZZUFFERI, M^{me}
(E)
VANNI, M. (T/W)

Jamaïque/Jamaica/Jamaica:

AITKEN, Mr. (G)
ROBINSON, Mr. (E)

Japon/Japan/Japón:

HATANO, Mr. (G)
NAKAMURA, Mr. (G)
TSUJINO, Mr. (E)
TANAKA, Mr. (T/W)

Jordanie/Jordan/Jordania:

KHASAWNEH, Mr. (G)
AL-AKEL, Mr. (G)
HABAIBEH, Mr. (E)

Kenya:

BIRIR, Mr. (G)
NGARE, Mr. (G)
OWUOR, Mr. (E)
MUGALLA, Mr. (T/W)

Koweït/Kuwait/Kuwait:

VASEEN, Mr. (G)
AL-SABAH, Mr. (G)
AL-JASSEM, Mr. (E)
AL-HOJAILAN, Mr. (T/W)

Lesotho:

MOPHETHE, Mr. (G)
FANANA, Mr. (G)

Liban/Lebanon/Líbano:

KHOURY, M. (G)
HAMDAN, M. (G)
NASR, M. (E)

Libéria/Liberia/Liberia:

AYOMANOR, Mr. (G)
DOE, Mr. (G)
LEWIS, Mr. (E)
KIEH, Mr. (T/W)

*Jamahiriya arabe
libyenne/Libyan Arab
Jamahiriya/Jamahiriya Arabe
Libia:*

ALFAQI HASAN, Mr. (G)
OMAR, Mr. (G)
ELMUKHERBI, Mr. (E)
HOWAYDI, Mr. (T/W)

*Luxembourg/Luxembourg/
Luxemburgo:*

SCHINTGEN, M. (G)
SCHUSTER, M. (G)
JUNG, M. (E)
PIZZAFERRI, M. (T/W)

Madagascar:

RAZAFIMANDRANTO, M.
(G)
RAFENOMANANTSOA, M.
(G)
ADRIANTSITOHAINA, M.
(E)
RANAIVOJAONA, M. (T/W)

Malaisie/Malaysia/Malasia:

NIK MOHAMED AMIN, Mr.
(G)
ABDUL RAHMAN HARON,
Mr. (G)
MOKZHANI ABDUL
RAHIM, Mr. (E)
RAGUNATHAN, Mr. (T/W)

Malawi:

MPATA, Mr. (G)
MAWINDO, Mr. (G)
MUYENZA, Mr. (E)
MVULA, Mr. (T/W)

Malte/Malta/Malta:

BORG CARDONA, Mr. (G)
CILIA, Mr. (G)
MALLIA MILANES, Mr. (E)
CALAMATTA, Mr. (T/W)

Maroc/Morocco/Marruecos:

BENHIMA, M. (G)
KHALES, M. (G)
ABOU LAHCEN, M. (E)
BEN SEDDIK, M. (T/W)

Maurice/Mauritius/Mauricio:

REY, Mr. (E)

Mexique/Mexico/México:

TELLO, Sr. (G)
NOVELO von GLUMER, Sr.
(G)
ARROYO SAN MARTIN, Sr.
(E)
SANCHEZ MADARIAGA,
Sr. (T/W)

Mongolie/Mongolia/Mongolia:

DAGVADORJ, Mr. (G)
BALJINNYAM, Mrs. (G)
TSEMBEL, Mr. (E)
TSAGAAN, Mr. (T/W)

Mozambique:

REAL MAZULA, M. (G)
JUSTINO, M. (G)

Namibie/Namibia/Namibia:

BARRERO-STAHN, Mr. (G)
YA OTTO, Mr. (T/W)

Népal/Nepal/Nepal:

KIRAN, Mrs. (G)
SHAH, Mr. (E)

Nicaragua:

VARGAS ESCOBAR, Sr. (G)
MEZA SOZA, Sr. (G)
GONZALES PASTORA, Sr.
(E)
TORREZ GAMEZ, Sr. (T/W)

Niger/Niger/Niger:

YAHAYA, M. (G)
DIJKA, M. (G)
GEORGET, M. (E)
MAIYAKI, M. (T/W)

Nigéria/Nigeria/Nigeria:

OLUMIDE, Mr. (G)
WILLIAMS, Mr. (G)
UBEKU, Mr. (E)
SANYAOLU, Mr. (T/W)

Norvège/Norway/Noruega:

RUGE, Ms. (G)
BRUAAS, Mr. (G)
HOFF, Mr. (E)
PEDERSEN, Ms. (T/W)

*Nouvelle-Zélande/New
Zealand/Nueva Zelandia:*

WILLIAMS, Mr. (G)
BUCHANAN, Mr. (G)
JESSUP, Mr. (E)
DOUGLAS, Mr. (T/W)

Ouganda/Uganda/Uganda:

OLWENY, Mr. (G)
BINDEEBA, Mr. (T/W)

Pakistan/Pakistan/Pakistán:

MIRZA, Mr. (G)
AHMAD, Mr. (G)
TABBANI, Mr. (E)
AHMED, Mr. (T/W)

Panama/Panama/Panamá:

CALDERON, Sra. (G)

*Papouasie-Nouvelle-Guinée/
Papua New Guinea/Papua
Nueva Guinea:*

KEKEDO, Mrs. (G)
ARUA, Mr. (G)
SALE, Mr. (E)
TITIMUR, Mr. (T/W)

*Pays-Bas/Netherlands/Países
Bajos:*

ROOD, Mr. (G)
HAGEN, Mr. (G)
HAK, Miss (E)
HORDIJK, Mr. (T/W)

Pérou/Peru/Perú:

FERREYRA GARCIA, Sr.
(G)
ALCABES VOTO
BERNALES, Sra. (G)

Philippines/Philippines/Filipinas:

VILLARROEL, Mr. (G)
DE LA SERNA, Mr. (G)
PERIQUET, Mr. (E)
HERRERA, Mr. (T/W)

Pologne/Poland/Polonia:

BORAWSKI, Mr. (G)
TOWPIK, Mr. (G)
NOWAK, Mr. (E)
MIODOWICZ, Mr. (T/W)

Portugal:

DIAS, M. (G)
VIEIRA BRANCO, M. (G)
PINTO CARDOSO, M. (E)
SEQUEIRA, M. (T/W)

Qatar:

AL-MAHMOOD, Mr. (G)
MUBARAK, Mr. (G)
BU-AINAIN, Mr. (T/W)

*République démocratique
allemande/German
Democratic
Republic/República
Democrática Alemana:*

NOACK, Mr. (G)
HERTEL, Mr. (G)
MARX, Mr. (E)
BOCHOW, Mr. (T/W)

*Royaume-Uni/United
Kingdom/Reino Unido:*

ROBINSON, Mr. (G)
ALEXANDER, Mr. (G)
MACKIE, Miss (E)
MORTON, Mr. (T/W)

Rwanda:

HABIYAMBERE, M. (G)
RUSHINGABIGWI, M. (G)
KANYARWANDA, M. (E)
RUHIGIRA, M. (T/W)

*Saint-Marin/San Marino/San
Marino:*

CECHETTI, M. (G)
THOMAS, M. (G)
MORRI, M. (E)
CHIARUZZI, M. (T/W)

Sénégal/Senegal/Senegal:

SENE, M. (G)
THIAM, M. (G)
SOW, M. (E)
DIOP, M. (T/W)

Singapour/Singapore/Singapur:

MAH, Mr. (E)

Somalie/Somalia/Somalia:

AHMED, Mr. (G)
BIHI, Ms. (G)
ABDI, Mr. (T/W)

Soudan/Sudan/Sudán:

SHUMMENA, Mr. (G)
EL HASSAN, Mr. (G)
GAMAA, Mr. (T/W)

Sri Lanka:

DASANAYAKE, Mr. (G)
WEERAKOON, Mr. (G)
DE SILVA, Mr. (E)
SUNDERAM, Mr. (T/W)

Suède/Sweden/Suecia:

ETTARP, Mr. (G)
WIKLUND, Ms. (G)
VON HOLTEN, Mr. (E)
KARLSSON, Mr. (T/W)

Suisse/Switzerland/Suiza :

HUG, M. (G)
ELMIGER, M. (G)
DECOSTERD, M. (E)
DREIFUSS, M^{me} (T/W)

Suriname :

McLEOD, Mr. (G)
BYNOE, Mr. (E)
KROSS, Mr. (T/W)

*Swaziland/Swaziland/
Swazilandia :*

BEMBA, Mr. (G)
SHABANGU, Mr. (G)
DODDS, Mr. (E)
SITHOLE, Mr. (T/W)

*République arabe
syrienne/Syrian Arab
Republic/República Árabe
Siria :*

GHALIL, M. (G)
AL-SABBAGH, M. (G)
KOUSA, M. (E)

*Tanzanie, République-Unie
de/Tanzania, United Republic
of/Tanzania, República Unida
de :*

MULOKOZI, Mr. (G)
JAMAL, Mr. (G)
NAMATA, Mr. (E)
MASHASI, Mr. (T/W)

*Tchécoslovaquie/Czechoslovakia/
Checoslovaquia :*

MOLKOVA, Mrs. (G)
VEJVODA, Mr. (G)
CIGANIK, Mr. (E)
KOZIK, Mr. (T/W)

Thaïlande/Thailand/Tailandia :

KALAYANAMIT, Mr. (G)
KEIWALINSRIT, Mr. (G)
NAKORNSRI, Mr. (E)
IEUMBUMROONG, Mr.
(T/W)

Togo :

BLEDJE, M. (G)
ASSIH, M. (E)
BARNABO, M. (T/W)

*Trinité-et-Tobago/Trinidad and
Tobago/Trinidad y Tabago :*

ALLEYNE, Mrs. (G)
HENRY, Mr. (G)
HILTON-CLARKE, Mr. (E)
GLEAN, Mr. (T/W)

Tunisie/Tunisia/Túnez :

HAMZAOUI, M. (G)
MABROUK, M. (G)
BEL HADJ AMMAR, M. (E)

Turquie/Turkey/Turquía :

YAVUZALP, Mr. (G)
INAL, Mr. (G)
ATASAYAR, Mr. (E)
YILMAZ, Mr. (T/W)

*République socialiste soviétique
d'Ukraine/Ukrainian Soviet
Socialist Republic/República
Socialista Soviética de
Ucrania :*

LIPATOV, Mr. (G)
OZADOVSKI, Mr. (G)
CHILO, Mr. (E)
KOVALEVSKI, Mr. (T/W)

URSS/USSR/URSS :

KOSTINE, M. (G)
BORCHTCHEVSKY, M. (G)
GAIDAIENKO, M. (E)
YANAIEV, M. (T/W)

Uruguay :

LABAT, Sr. (G)
LERENA, Sr. (G)
BARRENECHEA, Sr. (E)
PEREYRA, Sr. (T/W)

Venezuela :

ANTONI PAVAN, Sr. (G)
ROJAS, Sr. (G)
DELPINO, Sr. (T/W)

Yémen/Yemen/Yemen :

JAGHMAN, Mr. (G)
OBAD, Mr. (G)
AL-AHLASI, Mr. (E)
AL-NA'AMI, Mr. (T/W)

*Yémen démocratique/Democratic
Yemen/Yemen Democrático :*

SAEED, Mr. (G)
HAZZA'A, Mr. (G)
BAMASMOOS, Mr. (E)
ABDULLAH, Mr. (T/W)

*Yugoslavie/Yugoslavia/
Yugoslavia :*

KOSIN, Mr. (G)
TOMASEVIC, Mr. (G)
JESIC, Mr. (E)
TODOROVIC, Mrs. (T/W)

Zaire/Zaire/Zaire :

KUMBU-KI-LUTETE, M. (G)
LONGANGE, M. (G)
KOMBO, M. (T/W)

Zambie/Zambia/Zambia :

PHIRI, Mr. (G)
SIWALE, Mr. (G)
MAMBWE, Mr. (E)
CHILUBA, Mr. (T/W)

Zimbabwe :

NKOMO, Mr. (G)
MAWANDE, Mr. (G)
CHADZAMIRA, Mr. (E)
MUTANDARE, Mr. (T/W)

Contre/Against/En contra 0

Abstentions/Abstentions/Abstenciones 1

*Etats-Unis/United States/Estados
Unidos :*

SMITH Jr., Mr. (E)

Final record vote on the Recommendation concerning safety and health in construction

Pour/For/En pro 394

<i>Afghanistan/Afghanistan/ Afganistán:</i> NAZAR, Mr. (G) SHOOGUFAN, Mr. (G) POYA, Mr. (T/W)	<i>République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia:</i> FOMICHI, Mr. (G) PESHKOV, Mr. (G) KOVALEVICH, Mr. (E) BULGAK, Mr. (T/W)	<i>Chine/China/China:</i> LI, Mr. (G) QIAN, Mr. (G) SHA, Mr. (E) FANG, Mr. (T/W)	<i>Finlande/Finland/Finlandia:</i> RIIKONEN, Mr. (G) VEIJALAINEN, Mr. (G) MELIN, Mr. (E) JAASKELAINEN, Mr. (T/W)
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Contre/Against/En contra 0

Abstentions/Abstentions/Abstenciones 0

Thirty-third sitting

Monday, 20 June 1988, 3 p.m.

President: Mr. Beyreuther

REPORT OF THE COMMITTEE ON THE APPLICATION OF STANDARDS: DISCUSSION (*cont.*) AND ADOPTION

Interpretation from German: The PRESIDENT – We resume the discussion of the report of the Committee on the Application of Standards.

Interpretation from Russian: Mr. CHEREMET (*Government adviser, USSR*) – We have before us the report of the Committee on the Application of Standards. This report has been adopted by consensus, which was a manifestation of the good will of members of the Committee, of dialogue and co-operation, the strengthening of mutual understanding and of the endeavour to comply with obligations incumbent on the Committee under the Constitution of the ILO.

In discussing the questions on the agenda of the Committee, many of us who are members of the Committee quite naturally felt the special atmosphere that prevails at the present time in the ILO. This is, of course, the same atmosphere that is being felt by all the organisations in the United Nations family, and by all those organisations that are striving towards peace, social justice and co-operation. I am thinking of the 40th anniversary of the adoption by the United Nations of the Universal Declaration of Human Rights and the anniversary of the ILO's adoption of the Freedom of Association and Protection of the Right to Organise Convention (No. 87) and also the Discrimination (Employment and Occupation), Convention (No. 111). This is not just a matter for celebration but also a basis for taking stock of what has been achieved and for considering the future.

The instruments I have already mentioned provide a basis on which co-operation among States that have completely different political and social systems at different levels of development is founded, and we have managed to develop a dialogue among States on this basis. This fact and its significance for our Organisation must be fully recognised. It is in this very connection that I would like to emphasise the fact that the unanimous realisation of the significance of the international instruments I have already mentioned, is, unfortunately, not always accompanied by the equally unanimous ratification of those instruments, since, as far as the ILO is concerned, the Conventions most directly linked with human rights, particularly those of working people, that is Conventions Nos. 87, 98, 29, 105, 100, 111 and 112 have only been ratified on average by two-thirds of the ILO member States. This question arose in the course of the discussions in our Committee when we discussed

the general part of the report of the Committee of Experts.

Mutual understanding, dialogue and co-operation in the framework of this Organisation will develop successfully if all States have equal obligations both with regard to their own relationships with the ILO and with regard to their application of international standards in the area of labour in their respective national contexts. Ratification would be made easier if we had a more equal situation as regards the system of supervisory machinery and the observance of labour standards and human rights. This would also promote trust among States in the implementation of the supervisory machinery and would hold good for the Conference Committee as well.

I would like to draw attention to the following points: in the course of the meetings of the Conference Committee, we touched on a number of questions that concern the working methods of the Committee in its relationships with the Committee of Experts. In particular, the question was raised that it would be desirable for the report of the Committee of Experts to be received significantly earlier in time so that governments could familiarise themselves with it and prepare their own reports. At the present time, the situation is such that very often the governments receive the report of the Committee of Experts literally on the eve of the Labour Conference. Questions were also raised regarding the possibility of having a member of the Committee of Experts present at the session of the Conference Committee; the possibility for the Conference Committee to give instructions to the Committee of Experts, including instructions to take up particular cases again on more than one occasion and to give additional attention to particular material, in particular new legislation which may have been passed by individual countries, and to give their conclusions on this.

In the course of their discussions, questions arose as to whether the Conference Committee itself could come to an opinion on new material presented by governments in their reports to the Conference Committee, as, for example, giving an appraisal of new forms of legislation and whether they are in accordance with the Convention, or whether the Conference Committee is obliged to ask for the Committee of Experts' conclusions in all cases. If so, this means that the Conference Committee will have to wait for a whole year, since the next session of the Committee of Experts only takes place in a year's time, after the Conference Committee.

Some criticism was expressed of the presentation of reports on certain Conventions and of the frequency of these reports.

Finally, a proposal was put forward on the elimination of the "special paragraph", or the introduction of a moratorium before such a special paragraph is introduced for a certain period of time. This is connected with the need to strengthen dialogue and mutual understanding and trust, and also to do away with this process of condemning States. During the further work of the Conference Committee, arguments were put forward in favour of this proposal. It would appear that the situation of the report of the Committee referred to in paragraph 114 should draw the attention of the ILO secretariat and we hope that in the near future there will be an opportunity to discuss the specific proposals that have been made concerning the whole range of questions which arose in connection with improving the work of the Conference Committee, as reflected in paragraph 114.

The report put before you by the Conference Committee emphasises in its last paragraph the fact that this year the Committee was the scene of discussions where a spirit of mutual understanding and good will prevailed in an effort to reach solutions that were acceptable to everyone. This is quite right, and I think we have to take note of the important contribution that was made in this respect by Mr. El Assar, the Chairman of the Committee; the Vice-Chairmen, Mr. Houthuys and Mr. Wisskirchen; and the Reporter, Mr. Elmiger, and also the representative of the Director-General in our Committee, Mr. Sidibé, the Director of the International Labour Standards Department.

The report of the Conference Committee thus deserves to be adopted. On behalf of the socialist countries, I propose that you adopt it unanimously.

It is very important to recall that this report expresses the tripartite endeavours of the Committee. The report is the result of an agreement reached by more than 90 Government representatives and also by the representatives of the Workers and Employers in this same Committee. The report is thus an authoritative one, and in general, we must take note of the fact that the authority of the report of the Conference Committee as, to a certain extent, a final stage in the supervisory machinery, deserves special attention and study. We will hope that, each time we are able to adopt this report annually, understanding for its authority will grow, and also understanding for its special role in the supervisory machinery. This is the reflection of our feeling that we are all aiming at good will, mutual understanding and co-operation.

Mr. NABIAN (*Government adviser, Islamic Republic of Iran*) – In the name of God, the Merciful, the Compassionate! While express our sincere appreciation for all the efforts taken through your good offices, Mr. President, for the proper conduct of this 75th Session of the International Labour Conference, and thanks to the good offices of the Chairman of the Conference Committee on the Application of Conventions and Recommendations, as well as to all his colleagues from the Office, whose great expertise and experience is invaluable for the promotion of the very fundamental aspirations of our Organisation, the delegation of the Islamic Republic of Iran wishes to express its deep regret that it has been obliged, once again, not to be able to vote for the conclusions of the Conference Committee on the Application of Conventions and Recommendations, with respect to the Discrimination (Employment and Occupation)

Convention, 1958 (No. 111); furthermore, it wishes to express its serious objections to those conclusions, as well as the manner in which they were drawn up. I am making the following comments and proposals here in plenary, both for the record and in the hope that they will be given further consideration through appropriate means.

Unfortunately, the work of the Committee of Experts seems to have been strongly influenced by political pressures, which added unnecessary complications to the proper functioning of the Committee. The Committee has seemingly exceeded its main functions with regards to the conformity or non-conformity of national laws and regulations and the provisions contained in a ratified Conventions.

The Committee should not rely solely on the information submitted by complainants without taking note of the comments made by member States in that relation.

In this manner, it would be able to avoid further complexities which might eventually lead to the slowing down of the work of the Committee, thereby further lowering the effectiveness and level of ratifications of international labour standards.

The Committee will also be able, in this way, to submit more pragmatic reports to the Conference Committee.

The opinions and observations expressed by the Committee of Experts should remain objective, impartial and properly substantiated, both at the time complaints are submitted and in formulating its reports to the Conference Committee; which form the basis for the discussions and conclusions of the Committee and are later adopted by the General Conference.

This should not overshadow the sovereignty and independence of member States.

The Committee of Experts is under the Governing Body and, as such, its powers can naturally not exceed those of the constitutional organs of the International Labour Organisation.

It would seem that the mandate of the Committee should be reconsidered, with a view to precisely defining its scope which should necessarily be confined to purely technical functions within the framework of the provisions of the Constitution and the decisions of the Conference.

The strengthening of the work of the Committee of Experts to enable the philosophical, cultural and social views of all the member States to be taken into consideration, as reiterated also by the Conference Committee on the Application of Standards, is a prerequisite for real progress.

The delegation of the Islamic Republic of Iran, in pursuance of its repeated calls at previous sessions of the Conference, strongly proposes that with a view to the proper consideration of the views and opinion of more than 1,000 million Moslems throughout the world, the membership of the Committee of Experts should be strengthened through the appointment of an appropriate number of qualified Islamic legal experts.

The distinguished Vice-Chairman of the Committee on the Application of Standards made a reference this morning to the Islamic Republic of Iran, to the effect that discrimination was practised against minorities on religious grounds.

I should like to draw the attention of the Conference to the fact that the Committee's report refers

only to discrepancies with regard to some instances, about which the Islamic Republic of Iran has already extended several fundamental questions to the Conference Committee, in the hope that proper replies would be provided to them, however, they are still outstanding.

Nevertheless, there is no reference, either in the report itself or in the discussions of the Committee, to a religious minority.

Without intending to reopen a dialogue here, it would have been preferable if what was said could have been more properly justified.

Mrs. GUTEMA (*Government delegate, Ethiopia*) – My delegation has always attached special importance to the work of the Committee on the Application of Standards. We have been encouraged by the successful completion of the Committee's deliberations and by the spirit of dialogue and understanding which characterised the Committee's work during the present session of the Conference.

My delegation is therefore pleased to join the consensus in support of the report under consideration.

The debate on the general questions relating to international labour standards concentrated on the present functioning of the supervision of standards and on the ways and means of improving them by taking into account objective realities.

The discussion on the general survey of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), was fruitful in that it reminded member States that the Convention was one of the five most important human rights Conventions of the ILO and member States were able to exchange information on existing laws and practices in different countries.

I would like to pay tribute to the efforts being exerted by the secretariat of the ILO, in particular Mr. Sidibé, for their excellent work on standards. The spirit of dialogue which prevailed in examining individual cases was widely welcomed by the members of the Committee and is encouraging. We hope that this same spirit of goodwill and realism will prevail in the future.

To conclude these brief remarks, my delegation congratulates the officers of the Committee – the Chairman, the two Vice-Chairmen and the Reporter – and support the adoption of the report by the Conference.

Interpretation from Spanish: Mrs. BATISTA LORENZO (*Government adviser, Venezuela*) – Once again, we are here to consider the report of the Committee on the Application of Conventions and Recommendations of an ILO Conference. We congratulate the members of the Committee on the spirit of consensus achieved throughout their deliberations.

Once again, I should like to recall the importance that the Government of Venezuela has always attached to the subject of human rights and, in particular, to the treatment of this subject by this Committee in connection with the Employment Policy Convention, 1964 (No. 122). We believe that our organisation faces a permanent challenge in evaluating the impact of the international economic situation on the regrettable and progressive deterioration

of social and political conditions in most member States.

Many of the cases which were considered in the Committee involved the violation of Conventions on the fundamental rights, which cannot be blamed entirely on their responsibility or negligence of the governments involved. This was brilliantly and clearly stated by the Director-General in his Report and confirmed several times by the Committee of Experts and the Committee on the Application of Conventions and Recommendations.

We should not forget the international economic context of the developing countries. International trade has its own standards which are not exactly set by us. The value of raw materials which generate foreign currency are declining and, in general, the economic resources of the developing countries and the burden of foreign debt does not help either. All of this places the developing countries in a stranglehold which limits their ability to improve the working conditions of their workers.

We are by no means attempting to justify the violation of human rights. Everyone well knows Venezuela's commitment to, and constant defence of, these human rights, but we are aware that we must bear in mind the international context in which we operate in terms of the economy and its decisive impact on the full exercise of human rights.

The High-Level Meeting on Employment and Structural Adjustment explicitly referred to in the Committee on the Application of Conventions and Recommendations, which was held in Geneva last November, for the idea of which we are indebted to the reports of the Committee of Experts, should be seen as a fundamental milestone in the ILO's history. This Committee should be proud of having thus opened the door to a discussion that guarantees the political relevance of the ILO, in view of the importance of this issue, to which we, as member States, are committed. We should not forget that the Committee on the Application of Standards is the backbone of the supervisory system of the ILO.

To conclude our comments on this session, we should like to express our deepest congratulations to the Committee of Experts for their excellent general survey on the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which gave us an excellent opportunity to deal extensively with a topic of such vital interest to us, opposed as we are to discrimination in any form.

Interpretation from Arabic: Mr. AL-KHALIDI (*Government delegate, Saudi Arabia*) – In the name of God, the Merciful the Compassionate! Before giving the impressions of the delegation of Saudi Arabia on the conclusions reached by the Committee on the Application of Conventions and Recommendations, may I express an idea suggested to me by the two sides of a shaving mirror; sometimes I use the magnifying side and sometimes I use the ordinary side of the mirror. In my view, the supervisory machinery of the ILO, a very important system, of which we whole-heartedly approve and which we depend on, might be called the two-sided mirror of the labour world. It is two-sided because there are in fact two aspects. The first aspect is reflected in the report of the Committee of Experts, which mentions the extent to which the constitutional obligations of member States have been carried out in the form of

reports on ratified or non-ratified Conventions. But the other side of this mirror consists in enlarging the situation. Here we have documents produced by the Conference Committee dealing with Conventions and respect for standards; these reports go into detail on the whole situation, so that the position is perfectly clear for countries as regards applying certain of these Conventions.

I would like to congratulate the Chairman of the Committee, Mr. El Assar, and express the pride of the Arab group at the way in which he directed its work. I would also like to congratulate Mr. Wisskirchen, the Employers' Vice-Chairman and Mr. Houthuys, the Workers' Vice-Chairman who, thanks to their co-operation and spirit of understanding, constructive and objective dialogue, especially between the Employers' and Workers' groups, have engendered a happy atmosphere in the Committee, especially among the members of the Government group. The Committee reviewed the economic, social and political conditions in the world, especially in the developing countries. This has a positive influence on the report which I recommend that you adopt.

In conclusion, on behalf of the Arab group I should like to express my appreciation to the standards division of the ILO, especially to Mr. Sidibé and to all the members of the secretariat who work day and night to contribute to helping the Arab group; because all these conclusions have been translated into Arabic, enabling the Arab group to respect their constitutional obligations. We hope that translation will also be made of, for example, the annual report of the Committee of Experts. We hope that report too will be translated into Arabic so that we can honour our obligations.

Interpretation from Spanish: Mr. MEZA SOZA (Government delegate, Nicaragua) – The Government of Nicaragua wishes first of all to associate itself with the views expressed regarding the very fruitful results of the work of the Committee on the Application of Standards. We therefore support fully the consensus which approved this report. However – and we would ask that this be put on record – we are obliged, much to our regret, to clarify the remarks made by a distinguished Vice-Chairman of the Committee, who referred to my country in his statement.

This is not the time for a full discussion, but I should like to point out that Nicaragua's deletion from the number of cases to be examined this year was not unfair, as the speaker maintained. He knows very well that there was no consensus in the Committee in respect of the inclusion of my country, both because of the obvious progress which has been made in the law and practice of my country and because of the fact that my Government has invited a study mission of the ILO in order to check the appropriate application of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and others on the spot.

The more than 1,600 organised trade unions and more than 1,400 collective agreements concluded during the eight years of the revolution alone testify to the freedom of association in Nicaragua. We therefore deeply regret that we have to note once again the prejudice that exists against Nicaragua amongst those who make repeated appeals for constructive dialogue, but themselves approach it

weighed down with subjective and unfounded opinions.

In conclusion, therefore, we express the sincere hope that at the next Conference there will be more open minds amongst those who have been generally intransigent when discussing the realities in Nicaragua.

Interpretation from German: The PRESIDENT – Since there are no further requests for the floor, and if there are no objections, I shall take it that the report of the Committee on the Application of Standards is adopted by the Conference.

(The report is adopted.)

Interpretation from German: The PRESIDENT – May I thank most warmly the officers of the Committee for the excellent work they have done: the Chairman of the Committee, Mr. El Assar, Government adviser, Egypt; the Employers' Vice-Chairman, Mr. Wisskirchen, Employers' adviser, Federal Republic of Germany; the Workers' Vice-Chairman, Mr. Houthuys, Workers' adviser, Belgium; and of course the Reporter of the Committee, Mr. Elmiger, Government delegate, Switzerland.

The report has shown that a constructive and thorough discussion took place in the Committee on many difficult questions, which led to the submission of a report which was adopted unanimously. We thank the whole Committee for its work.

REPORT OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY: SUBMISSION, DISCUSSION AND ADOPTION

Interpretation from German: The PRESIDENT – This brings us to the second item on our agenda this afternoon, the report of the Committee on Employment and Social Security.

I should like to invite the officers of the Committee – the Chairman, Mr. van den Berg, Government adviser, Netherlands, the Employers' Vice-Chairman, Mr. Rey, Employers' delegate, Mauritius, the Workers' Vice-Chairman, Mr. Seidman, Workers' adviser, United States, and the Reporter, Mr. Schneuwly, Government adviser, Switzerland – to come to the rostrum.

However, before proceeding to the report I should like to call on the Clerk of the Conference to draw attention to a number of errors in the text of the report.

Interpretation from French: The CLERK OF THE CONFERENCE – I should like to point out a number of errors in the English text of the report of the Committee on Employment and Social Security in *Provisional Record* No. 27.

(The speaker continues in English)

On page 27/1, paragraph (g) of the footnote should read "154 members" instead of "174 members". On page 27/18, second column, the third and fourth lines should read "was transmitted to the Committee by the Selection Committee. During its last sitting the Committee". The seventh line of paragraph 210, on the same page, should refer to "Paragraphs 10 and 30" instead of "Paragraph 10 and 13". On page

27/19, the first version of paragraph 219, which is repeated, should be deleted. Finally, on page 27/25, the whole paragraph 2 of Article 23 is missing. It should read as follows: "Where a declaration made in virtue of Article 5 is in force, the implementation of paragraph 1 above may be deferred."

Interpretation from German: The PRESIDENT – I call on Mr. van den Berg, Government adviser, Netherlands. Chairman of the Committee, to submit the report.

Mr. VAN DEN BERG (*Government adviser, Netherlands; Chairman of the Committee on Employment and Social Security*) – Our Reporter should normally have been introducing the report, but I am very glad to do so myself on behalf of my Committee. The report is contained in *Provisional Record* No. 27.

In the fourth preambular paragraph of the proposal Convention concerning employment promotion and protection against unemployment, one of the most threatening problems of today's world is considered: the widespread unemployment and underemployment affecting various countries throughout the world at all stages of development and in particular the problems of young people.

I am proud, as the Chairman of the Committee on Employment and Social Security, to present to this Conference a Convention and a Recommendation which contain standards in this field unanimously accepted by this Committee.

It is a real landmark in dealing with such a complicated subject. It was not only the very co-operative atmosphere in which the Committee worked or the willingness of all parties to compromise and to present standards which meet the needs of jobseekers and the disadvantaged who are either not employed or underemployed, it is far more a result of input from so many highly skilled members of the Committee in the discussions.

I have to express my thanks to all of them, in particular to the Vice-Chairman of the Committee, Mr. Seidman, the leader of the Workers' group, and Mr. Rey, the first-in-command of the Employers' group. The support of these two old hands, experienced for many years in the work of the ILO, was an extraordinary help to me. Also my thanks to Mr. Schneuwly, the Swiss Government adviser, who is responsible for the outstanding report which expresses clearly the intentions of the Committee concerning the contents of the two instruments and which will be of great help for implementing the instruments. And not least, of course, I have to extend my thanks to the Office for its excellent work in preparing the discussions in the Committee as well as in assisting the Committee in this year's debates.

I have the feeling that our Committee has expressed in these two instruments the topics of this year's Conference, human rights which the Director-General in his Report labelled as being a common responsibility. The Director-General stated in his Report: "The gravity of the world economic situation makes it necessary to examine its implications for the enjoyment of human rights and to see how human rights standards and principles may contribute to decisions aimed at overcoming existing instability and tensions."

In the framework of this Committee, that means a way of visualising human rights which could be prescribed as the right to a decent living. We try to set standards for incentives for the maintenance of employment and the creation of new employment, taking into account that these objectives are the most important to tackle the problem we are confronted with. In the meantime, we cannot forget that adequate safeguards are necessary for the daily needs of the unfortunate and disadvantaged who are out of work and seek for new employment. The proposed instruments are completely within the scope of the statement of the Director-General. The instruments contain contributions and guide-lines for an approach to dealing with the problems of the eighties and the nineties. They are a tripartite vision for the current situation in the labour market throughout the world. At the very last moment at last year's first reading, the Government delegate of India made a plea to the Committee that it should take into account, when concluding instruments setting standards for employment promotion and compensation against unemployment, the economical realities, the social realities and different levels of development. It is my conviction that the Committee meets this plea as well as reflecting in the standards the social progress that has been made in the 54 years since the adoption of the Convention ensuring benefits or allowances to the involuntarily unemployed, the Unemployment Provision Convention, 1934 (No. 44). This new Convention contains more details, a more shaded approach, reflecting the development of unemployment schemes all over the world, achievements but also aims for those who are developing or starting to develop. These are aims to pursue. Conventions and Recommendations are adequate and realistic challenges in the best tradition of the ILO.

Of course, there are compromises between the three parties, compromises that are compatible with all other standards laid down in different standard-setting instruments, compatible in their wording as well as in their spirit.

These instruments are a tripartite answer and guidance for employment promotion and unemployment protection both separately and independently; instruments deserving a great number of ratifications to underline the social progress in this world since 1934, despite economic difficulties, but stressing the importance of work and productive employment so as to secure the realisation of human rights, in particular the right to a decent level of existence for workers and their dependants in line with the spirit of the ILO Constitution.

Interpretation from German: the PRESIDENT – The discussion of the report of the Committee on Employment and Social Security is now open.

Mr. REY (*Employers' delegate, Mauritius; Vice-Chairman of the Committee on Employment and Social Security*) – Allow me to congratulate the President on his election to the Chair of this Conference.

Last year, after the first discussion, we had arrived at a proposed text for a Convention, supplemented by a Recommendation which was unacceptable to employers in many aspects. In particular, we had pointed out that if we had a Convention with a rigid text we would only support a Recommendation. We were also concerned about the use of double stan-

dards for developed and developing countries respectively. As regards the persons to be protected, we specifically criticised Article 11 of the proposed text as it introduced the concept of including in the labour force persons who had never been employed and did not wish to be employed. There was also great difficulty for employers in accepting the special provisions for new applicants for employment. However, on the Committee's suggestion, the Director-General agreed to convene a small tripartite meeting of experts to try to reduce the differences remaining after the first discussion between the points of view expressed and, without actually giving an opinion on the details of the proposed text, to give some general office guidelines for drafting the instruments that are now in front of us for discussion.

We are convinced that the work done by that Working Party has permitted a much better text to be submitted to our Committee this year. After having spent so many days on the text of the Convention and that of the Recommendation, let us now consider the results we have now achieved. In a general way, the text of the Convention has been made much more flexible by including only questions of principle, leaving all the details to be included in the Recommendation. Instead of having double standards as we had last year, one for developed countries and the other for developing countries, against which we strongly protested, we have now a single standard applying to all countries, with exemptions provided in Article 5 to cater for countries where such exemptions are justified by the extent of protection of its social security system.

As it is also provided that members availing themselves of the temporary exemptions provided for would endeavour to improve their system of social security so as to be able to ratify the whole Convention, we think that the necessary flexibility has been provided for in Article 5 and that we have reached a satisfactory solution.

As regards the persons protected under Article 11, we are of the opinion that the coverage is adequate, since it is based on all employees, including public employees and apprentices. It further provides that public employees whose employment up to normal retirement age is guaranteed by national laws or regulations may be excluded from protection.

We have also come to a satisfactory conclusion concerning the withdrawal, suspension or reduction of the benefit to be paid to the protected persons as specified in Article 20 of the Convention. This has been achieved after a long discussion and it is gratifying to note that the Committee has approved a reasonable text in that respect.

Right from the start of our discussions, employers had placed great stress on the importance that employment promotion should be given in the instruments envisaged. We are gratified to note that in Part II of the Convention, on the promotion of productive employment, it is stated that each member shall declare, as a priority objective, a policy designed to promote full, productive and freely chosen employment by all appropriate means, including social security. The priority has therefore been correctly placed on the promotion of protective employment.

As regards the Recommendation, we are of the opinion that its provisions may serve as a guideline to all countries. It sometimes goes into more details

than are required, but as a recommendation is not a binding instrument, member States may choose the most suitable parts for application. We therefore commend the provisions for gradual implementation, specially governing Part IV on the development and improvement of systems of protection, which gives useful guidelines to countries which want to develop the social security system.

In the Employers' group, one reservation has been made concerning Paragraph 10 of the Recommendation, and a reservation has also been made on Paragraph 30 by the Latin American Employers. But as a whole, the group approves the text of the Recommendation.

It follows from my declaration that I am recommending the Employers' group to vote in favour of the text of the Convention, as supplemented by the Recommendation, as I now propose to the Conference.

Before concluding, I wish to place on record the Employers' deep appreciation of the excellent report produced by our Reporter, Mr. Schneuwly, Government adviser, Switzerland. I strongly recommend all Employers to adopt the report.

I am also pleased to thank the members of the Drafting Committee, who did a very good job and in record time.

Lastly, I wish to express my deep appreciation to the Chairman of the Committee, Mr. van den Berg of the Netherlands, who led us with great determination and fairness, sometimes in some troubled waters.

I wish also to pay tribute to the Workers' Vice-Chairman, Mr. Bert Seidman of the United States, who showed so much goodwill and co-operation and a determination to arrive at a satisfactory ending throughout the Committee's work.

Finally I would congratulate Mr. Tamburi and his staff for their excellent work during the Committee's work.

Mr. SEIDMAN (*Workers' adviser, United States; Workers' Vice-Chairman of the Committee on Employment and Social Security*) – At the outset, I wish to express my appreciation to our Chairman, Mr. van den Berg, who both last year and this year presided over our Committee with dignity combined with good humour and no small measure of patience. Without his efforts, the Committee could not have achieved its purposes. I also wish to thank Mr. Schneuwly for the excellent report for which he was responsible. It has been a pleasure to work again with Mr. Rey, the Employers' Vice-Chairman, though, of course, there were some issues on which we could not agree. The Workers' members are also grateful for the valuable assistance the Committee received from the members of the ILO Social Security Branch, especially Mr. Tamburi and his colleagues, Mr. Perrin and Mr. Voirin. We also pay tribute to the excellent service provided to us as Workers' members by Mr. Damen of the ILO Workers' Relations Branch and Ms. Stewart of the ICFTU. Finally, I wish to thank all the members of the Committee but, especially, want to express my deep appreciation to my colleagues in the Workers' group for their dedication, steadfastness, co-operation and solidarity.

I want to mention briefly what I believe is an innovation which proved to be useful for our Com-

mittee. It has already been referred to. As the result of a suggestion made at the final session of the Committee last year, the Office set up a small tripartite working party which met in November 1987 to advise it on the preparation of the draft instruments which were submitted for consideration this year for final action. This small group, in which I was privileged to participate, was able to suggest a number of basic principles for major features of the instruments which, in modified form, are now included in the proposed Convention and Recommendation you have before you. I would suggest to the Director-General that from time to time he consider setting up at the half-way mark a similar tripartite group when draft Conventions are being considered under the double discussion procedure.

Both last year and this year, there was a recognition on the part of members of all three groups that our aim should be to develop instruments which, in as many countries as possible, would provide protection for unemployed workers and employment promotion measures while having relevance to the great diversity of nations which exists in this world. We in the Workers' group believe that this double objective has been achieved through Article 5 of the Convention which provides for limited exceptions for countries that do not have full-fledged social security systems. There are also other provisions in the Convention which afford flexibility to Members to make it easier for them to ratify it.

In fact, the Workers felt that, if anything, the Convention provides too much flexibility for countries that already have extensive social security systems not to implement some of the protections which are set forth in the Convention.

Despite this weakness, the Convention contains many positive features, although we in the Workers' group believed and advocated that some of them should be strengthened. Let me briefly mention some of these important protections. Throughout both instruments there is a welcome emphasis on measures to promote employment. We said over and over in the Committee that first and foremost, unemployed workers want jobs. Yes, benefits are needed – and they are absolutely essential – until workers can obtain suitable employment. That term, by the way, is defined in the Convention and further elaborated on in the Recommendation, so that workers are not forced to take unsuitable jobs on pain of losing benefits.

There are other positive elements in the instrument, but I will not try to list all of them. Among the most important are standards in the Convention ratifying countries must assure with respect to benefit levels, duration of benefits, qualifying requirements and groups for disqualification, as well as extent of coverage. There are also provisions for health services for the unemployed and a guarantee that the unemployed will be protected by other benefits when they are unable to work.

We are also glad that in Article 24 member countries are expected to recognise the special problems faced by youth, the disabled, migrants and other groups who are faced with particularly difficult problems when they seek jobs, many of them for the first time or after being out of the labour force for a long time. However, we regret that the protection to be offered to these persons is set forth in only vague

terms and, even then, Article 4 permits ratifying countries to derogate this obligation altogether.

The Workers' group is also pleased with the inclusion in the Convention of requirements for consultation with employers' and workers' organisations. Article 6 assures equality of treatment without discrimination but also without hampering special measures for the disadvantaged. However, as I shall mention, one completely unjustified form of discrimination is permitted.

In fact, that subject took up an inordinate proportion of the Committee's time although, in the view of the Worker members, it never should have been considered at all. I refer to Article 20(d) which permits ratifying countries to deny benefits to unemployed workers in situations involving labour disputes. We in the Workers group are pleased that the paragraph as finally adopted is in the least harmful form that was acceptable to employers and governments. Nevertheless, we think this is an unjust, discriminatory provision which is contrary to time-honored principles of the ILO and especially to the basic precepts of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

As we know, this year's Report of the Director-General is entitled *Human rights – A common responsibility*. In it there is a section on freedom of association in which the Director-General calls attention to the International Covenant on Economic, Social and Cultural Rights. The Director-General reminds us that that Covenant "today accepted by 91 States – provides that the right to strike shall be ensured, provided that it is exercised in conformity with the laws of the particular country". The Director-General goes on to state: "ILO supervisory bodies have recognised that strike action is one of the essential means available to workers and their organisations for promoting and protecting their economic and social interests; it constitutes an exercise of the right of organisations freely to organise their activities and to formulate their programmes, provided for in Convention No. 87."

The right to strike is virtually nullified when workers do not have the wherewithal to provide the basic necessities of life for themselves and their families. When that happens, the collective bargaining balance – and most strikes in countries where there are free trade unions are settled in collective bargaining negotiations – that balance is tilted far over on the employer's side. So let us see what Article 20(d) does and what its impact will be.

In addition to its weakening of the right to strike, it is highly discriminatory. First, it discriminates against strikers as well as workers who are locked out by their employers and even certain categories of workers who are not on strike and who may not even belong to the same union. Bear in mind that, without this provision, these workers could obtain unemployment benefits only if they met all the legal requirements, including seeking work as well as the qualifying period for entitlement to benefits.

Second, the denial of benefits in labour dispute situations discriminates against the lowest-paid workers and their unions. Large powerful unions of well-paid workers often have strike funds to tide over their members who are on strike or locked out, many of whom may have built up a small financial reserve. But low-paid workers in small, weak or fledgling

unions – farm-workers, service workers, garbage collectors and the like, especially in developing countries – these workers have no savings and their unions have no strike funds, and their employers can easily starve them into submission to even the most unjust demands. Should such workers and their children be discriminatorily denied all benefits when they are involved in a labour dispute?

Third, Article 21 of the Convention states: “In assessing the suitability of employment, account shall be taken [among other factors] of whether the employment is vacant as a direct result of a stoppage of work due to an on-going labour dispute.” If work is unsuitable for other workers, why does it suddenly become suitable for the workers who are most concerned?

Fourth, as I have said, it is not just workers on strike or locked out who are hurt by this provision but their children, spouses and other dependants. The hardships they are unjustly forced to bear may bring them to put pressure on the bread-winner to return to work – a pressure he or she may not be able to resist. It is not easy for workers to stand up for their rights when day after day they see the suffering their families must bear.

Fifth, since the discrimination extends to workers not on strike or locked out, they are likely to put pressure on the workers who are involved in the labour dispute to return to work.

I have said all this because we in the Workers' group feel very strongly that this form of discrimination against workers who exercise one of the most fundamental rights is morally wrong and is contrary to the fundamental ILO principle of freedom of association.

Having said that, and without detracting from our strong opposition to this particular provision in the proposed Convention, the Worker members of the Committee are unanimous in the conviction that the two instruments before you, if they are widely ratified and followed, will significantly contribute toward improving the lives of workers and their families all over the world. We therefore strongly urge all delegates to vote for the Convention and the Recommendation as well as the Committee's Report.

Interpretation from French: Mr. SCHNEUWLY (Government adviser, Switzerland; Reporter of the Committee on Employment and Social Security) – As this is the first time that I have spoken in plenary, I should like to take this opportunity to congratulate the President on his election to the presidency of this Session of the Conference.

The need to find solutions to the serious problem of unemployment has always been one of the major concerns of our Organisation. The Preamble of the Constitution of the ILO in 1919 expressly mentions the prevention of unemployment. That year, the Conference adopted two international instruments that dealt with the promotion of employment and compensation for unemployment: Unemployment Convention (No. 2) and Unemployment Recommendation No. 1.

However, since that time, unemployment compensation and employment policy have systematically been the subject of different standards. Thus, in 1934, the Conference adopted the Unemployment Provision Convention (No. 44) ensuring benefit or

allowances to the involuntarily unemployed. As a result of the reform of national systems of unemployment compensation in numerous countries in recent years, Convention No. 44 has now become out of date. Long-term unemployment, the unemployment of young people, unemployment connected with the reintegration of women, changes in the structure of the labour market, new ways of organising working time, are all factors that have encouraged the member States of the ILO to tackle, in their national legislation, the problem of protection against unemployment by not only reacting to it but also by preventing it. And so, as part of its standard-setting activity, the Organisation decided to lay the foundations for new international instruments to revise the Convention of 1934, placing the problem of protection against unemployment in a context that highlights the economic element and the promotional role of the insurance scheme.

The Committee on Employment and Social Security, which was in charge of revising Convention No. 44, was concerned both last year during the initial discussion and this year, to draft international standards that, while directed towards the promotion and development of employment, would ensure unemployed people a decent standard of living. The report before you today for adoption therefore contains a Convention entitled “Convention concerning Employment Promotion and Protection against Unemployment”, supplemented by a Recommendation. The proposed resolution on the promotion of employment and social security, submitted by the Government delegation of Italy, which was examined by our Committee, was withdrawn by that delegation, because the Committee realised that it did not have the necessary time for a proper and detailed examination of that resolution.

What can I say after Mr. van den Berg, the Chairman of the Committee, Mr. Rey and Mr. Seidman have spoken? They have said nearly all there is to say on this Convention. Nevertheless, may I comment briefly on the high points of the debates contained in the Committee's report submitted to you today.

The Committee constantly tried to strike a balance between improving the level of protection of and the flexibility of the instruments to be adopted. How to draw up flexible provisions that would attract the greatest number of ratifications possible without, however, emasculating the international instruments, was the challenge that the Committee tried to meet.

The delegates on the Committee unanimously agreed to introduce into the Convention a chapter on the promotion of productive employment. The real solution to unemployment does not consist only in financial compensation for unemployment, but also in the promotion of both additional job opportunities and employment assistance.

The Convention and the Recommendation under discussion are without doubt international instruments adapted to the situations on the labour market of our times. These instruments should protect not less than 85 per cent of all employees against the risks of full or partial unemployment and unemployment for technical reasons. The rate and duration of compensation, the waiting time, the definition of suitable employment, the list of situations in which employment benefit may be suspended or reduced are all aspects which make the Convention and the

Recommendation modern instruments assuring unemployed people of reasonable protection. At this stage, I cannot keep silent about the lively discussions on the possibility – which was finally included in the Convention – of refusing or suspending payment of unemployment benefit during a labour dispute. Mr. Seidman has just spoken of this at length.

Drawing up modern instruments is one thing; drawing up modern instruments that will be ratified by the greatest possible number of States is quite another matter. Thus, during their discussion, the members of the Committee never lost sight of the need to establish flexible provisions. The opportunities for member States of the ILO to apply temporary waivers and to exclude from the commitment resulting from ratification the provisions on new applicants for employment were the result of the efforts made by the Committee to achieve this flexibility.

I would finally draw your attention to Part IV of the Recommendation dealing with development and improvement of systems of protection. When revising the Convention of 1934, the Committee wanted to examine the problem of unemployment protection from a modern and dynamic point of view. However, it always bore in mind the fact that States that did not provide any protection against unemployment or which only had incipient social security systems, would feel that the level had been placed very high. This prompted the Committee to provide in the Recommendation for temporary waivers and in the Convention for provisions which States could use in order to develop or improve their systems of protection for unemployed people.

In conclusion, I should like to pay tribute to the high calibre of the work done by the Chairman of our Committee, Mr. van den Berg, and by the Vice-Chairmen, Mr. Rey and Mr. Seidman. Their knowledge of the subject and their experience contributed greatly to the smooth running of the Committee. We must not forget that Mr. Rey and Mr. Seidman were already at the helm last year. My warm thanks are also addressed to the Secretariat of the ILO – and in particular to Mr. Tamburi, Mr. Perrin and Mr. Voirin – who, by their availability and their advice, enabled the Committee to carry out the task entrusted to it.

The report of the Committee was adopted by its members on 17 June; before submitting it to you I wanted to make a few corrections to draft Convention but the Clerk of the Conference has done this for me. It merely remains therefore for me to commend the adoption of the report to the Conference.

Interpretation from German: Mr. ADAMY (*Workers' adviser, Federal Republic of Germany*) – The question of unemployment and the provision of a guaranteed minimum income for the unemployed is certainly not a new problem for the International Labour Organisation. At its very first session, the International Labour Conference adopted a Recommendation to the effect that: “each Member of the International Labour Organisation establish an effective system of unemployment insurance for the provision of social security for the unemployed.”

If we ask ourselves today whether we have achieved this objective, then we have to observe the fact that, quite on the contrary, we are still very far from this objective. In large areas of the world mass

unemployment and underemployment are increasing and they are accompanied by poverty and misery.

According to the Report of the Director-General, there are roughly 900 million people in the developing countries today who are living in extreme poverty, in the Western industrialised countries, more than 30 million people are unemployed.

Certainly it is not possible to compare the grinding poverty of people living in developing countries with that of those living in industrialised countries; we must nevertheless greatly stress the fact that unemployment and employment below the level of the workers' qualifications are an unacceptable social burden for every affected worker, wherever he lives in the world.

Unfortunately, we are obliged to point out that, while we were revising this Convention, in rich industrialised countries such as the Federal Republic of Germany it is being considered how state benefits can be further reduced and how programmes concerning the labour market can be cut.

At the same time, we are seeing an increase in precarious employment conditions which cannot easily be covered by the social security system.

However, we must make sure that we do not allow a situation whereby the benefits for unemployment are reduced to a fair-weather institution, and benefits in cases of need are once more refused.

As in the past, the main question is how we can provide everyone with decent employment which enables them to live in dignity and in just and truly humane conditions. The struggle for jobs and guaranteed minimum income must be given an absolute priority because this fundamental human right has still not yet been implemented.

I would like to urge all the delegates to adopt this proposed Convention which is important to the unemployed throughout the world. We have had to wait for more than 50 years before we could revise the Unemployment Provision Convention 1934 (No. 44), which was drafted originally in the world economic crisis; since then important economic and social changes have taken place. The level of social development achieved at that time is far from being adequate for us today.

We worked very hard in the Conference Committee to try and prepare a Convention which would considerably improve the guaranteed minimum income of the unemployed. Despite all the progress made it is not possible, however, to overlook the serious weaknesses of this Convention.

We very much regret that essential standards – at least as regards the industrialised countries – do not even surpass those levels which had already become standard practice at the end of the 1920s, that is directly before the outbreak of the world economic crisis, in Germany, the Netherlands and other comparable countries. This applies not only to the duration of the benefits but also the level of the benefits and the length of the qualifying period.

We also consider it to be a problem that rich industrialised countries are allowed to offer even less than these minimum standards, sometimes by having recourse to exemptions. Although all member countries of the ILO committed themselves “to the extension of social security” measures to provide for social security under the Declaration of Philadelphia, two of the standards which arise from the Social Security (Minimum Standards) Convention 1952 (No. 102),

can be temporarily suspended, even by the industrialised countries. The waiting period in the Convention which we have to adopt today can be extended beyond the waiting period laid down in Convention No. 102, and so the Convention in this respect is even retrograde if you compare it with the ruling of 1952.

We feel it is completely wrong that industrialised countries can lay claim to the degree of flexibility intended for the developing countries. But the purpose of this exemption rule is being stood completely on its head and the universal nature of the Convention is called into question, if the industrialised countries are also allowed to have recourse to these exemptions.

Such exemption clauses for economically comparable industrialised countries conjure up the danger that individual countries are trying to disengage themselves from other countries as regards their social policies. If this became widespread, we would find in the very heart of Europe countries with background social policies, who would then try to obtain competitive advantages at the expense of their neighbouring countries.

We would like to urge all the industrialised countries not to allow such a distorted situation to arise. The minimum standards of the ILO must be equally binding for all industrialised countries belonging to the ILO.

The world economic crisis at the end of the 1920s already showed us once before how catastrophic the consequences of a crisis strategy can be, which believes it can overcome employment problems by reducing wages and social security benefits.

In the past few years as well, workers and the unemployed in many areas of the world have had to make enormous sacrifices. However, unemployment has not been reduced, it has even increased. Very often the labour market and employment policies are still only seen as a mere by-product of general economic policy. However, the workers' impatience at the lack of government action to create jobs is increasing.

Although we are obliged by the Declaration of Philadelphia to implement a policy of full employment and to provide for social security based on solidarity, we have to note with regret the lack of political will to achieve these aims.

Although this revised Convention is essential, 40 years after the adoption of the Universal Declaration of Human Rights, it still does not guarantee every individual the right to work or protection against basic poverty.

As in the past, we must make sure that the struggle against unemployment is the fulcrum of our economic and social policy. We must, at the same time, constantly be aware that without a comprehensive strategy to combat unemployment, the minimum guaranteed income will be under constant threat.

We must therefore make every effort to ensure that there is no repetition of the tragic and frightening events which were connected with the world economic depression and the subsequent destruction of Europe.

We must join forces to make sure that life can be breathed into this new Convention, in contrast to the preceding standard so that we can have a solution based on solidarity for employment problems.

The Workers feel that the subject of unemployment cannot in any way be regarded as having been solved by this new Convention.

We hope rather that our work in the Committee is the beginning of an effective employment policy which is committed to meeting the needs of millions of people throughout the world and which gives the highest priority to combating unemployment.

Therefore, I would like to ask you to adopt this Convention.

Interpretation from German: Mrs. ENGELN-KEFER (representative of the International Social Security Association) – In the name of the International Social Security Association, in which the Federal Employment Institution co-operates actively, I welcome the proposed Convention and Recommendation concerning Employment Promotion and Protection against Unemployment.

In view of high and increasing unemployment, not only in developing but also in industrialised countries, it is essential to review and, if necessary, to develop further, international standards aimed at protecting the unemployed and combating and preventing unemployment.

As is noted in the Preamble to the proposed instruments, in past years, we have seen the adoption of important Conventions and Recommendations for the improvement of employment opportunities, training, education and retraining, as well as the role of labour administration.

Ever since the inception of this Organisation, there have been standards on financial protection in the event of unemployment. However, for many years now the need for revision of these standards has been recognised. In addition, the Unemployment Provision Convention, 1934 (No. 44), which was adopted in 1934 at the height of the world depression, has since been ratified by only 14 countries.

The standards laid down in the Social Security (Minimum Standards) Convention, 1952 (No. 102), have already been overtaken in most industrialised countries.

Thus, there is an undisputed need, particularly from the point of view of existing unemployment insurance systems and labour administrations, for the elaboration of new instruments to adapt standards on protection of the unemployed to the current situation.

In our studies and technical meetings in ISSA we continue to realise how different the development of unemployment insurance systems has been not only between industrialised and developing countries, but also among industrialised countries themselves. Here, new international standards, which would contribute to world-wide harmonisation and improvement of unemployment protection, could be particularly helpful.

We welcome in particular the link drawn in the proposed instruments between regulations for financial protection in the event of unemployment and measures to combat and prevent unemployment through training, further training, assistance towards job integration, job creation schemes and vocational rehabilitation.

ISSA itself has extended the purview of its permanent committee on unemployment insurance to cover employment promotion. The recent ISSA meeting focused mainly on links between financial unemploy-

ment benefits and measures for further occupational training and job creation to combat unemployment.

Particularly from the viewpoint of the unemployment insurance systems and labour administrations concerned, the link between financial protection and labour market policy becomes increasingly clear.

An effective labour market policy can reduce unemployment and thus the costs of its financing. In my country, the Federal Republic of Germany, unemployment entails a total cost of approximately DM60 thousand million each year. There is a direct relationship between unemployment benefit and employment policy: the more effective the labour market policy, the less the cost required to finance unemployment.

In addition, the systems for the financing of unemployment insurance should be set up in such a way as to ensure that both workers and employers are provided with an incentive to go on actively seeking employment.

This, however, should not mean that unemployed persons would be forced to accept any job, even those for which they may be overqualified, simply in order to ensure their livelihood.

We therefore greatly welcome the fact that Article 21 of the proposed Convention contains provisions concerning the suitability of the job which is offered.

We must also stress the fact that financial protection should apply not only in the event of full unemployment but also in the case of partial unemployment. In view of the increasing number of lower-paid and more precarious part-time jobs, this is particularly important.

We in ISSA take a positive view of the agreement reached on concrete standards regarding the persons to be covered by financial protection, the minimum amount and duration of benefits, the calculation and amount of benefits and the conditions for entitlement, as well as the grounds for exclusion from benefits.

According to our investigations, these standards represent realistic levels which should make it possible for more of the ILO's member States to ratify the instruments and to give them effect.

In view of the continuing difficult situation in developing countries, it is entirely appropriate to provide for gradual application of these standards by exemptions laid down in the standards. In many developing countries, ratification will be made easier, thus helping each country to gradually improve unemployment protection according to its own level of development.

Ratification of the proposed Convention will also in some industrialised countries be made easier by the fact that exceptions could initially be made for two of the proposed standards in the event of ratification. Convention No. 102 provides for the possibility of social security systems gradually assuming obligations, as well as exemptions within individual social security systems, such exemptions being restricted to economic and medical developments.

Such exemptions for industrialised countries as proposed in the present text are a particularly critical balancing act for the ILO. The decisive significance of the Convention lies in the fact that it lays down minimum standards which should be binding on the largest possible number of member States. The relevant deliberations and results of the International Labour Conference lose their significance if increas-

ing provision is made in international standards for exemptions, especially when these are not restricted to developing countries, but are also extended to industrialised countries. It may well be that it is just such difficult standards concerning financial protection in the event of unemployment, which call for more flexible application. This, however, should not become a general precedent for future ILO standards. Even in the future, we must insist on the fact that exemptions from international standards in Conventions must be kept to a minimum.

The magic word "flexibility" which one increasingly hears at both national and international levels should not be evoked or applied in a biased way to the detriment or advantage of certain social groups. Otherwise the central function of the ILO – international standards – would become meaningless. This would be highly regrettable from the viewpoint of international social insurance institutions, both at the national and the international level.

That being said, on behalf of ISSA, I propose that the report and the instruments contained in it be adopted.

Mr. MAH (*Employers' delegate, Singapore*) – I thank you for the opportunity to say a few words, not sure whether, from a small country like Singapore, it is worth while for all the delegates and members of the Conference to listen to me. However, I shall try to do my best.

Having listened to all the statements from the Chairman of the Committee on Employment and Social Security, from the Employers' Vice-Chairman Mr. Rey, and from the Workers' Vice-Chairman, Mr. Seidman, I thought I should make a few observations. After all, Singapore is a newly developed, or should I say, new developing country and I feel that one or two observations might be useful.

To begin with, let me say Singapore employers support the Convention and the Recommendation proposed by the Committee on Employment and Social Security. The Convention sets up standards for developing countries to aspire to and to achieve. It also provides a great deal of flexibility under the Recommendation for us to be able to commence practical action in achieving a better society, a better world, for all of us in the developing countries.

Perhaps one thing is missing in the whole debate. There is insufficient reference to the necessity to create wealth before there can be any creation of productive employment.

I said in the deliberations of the Committee during the past two weeks that I feel that the objectives are very desirable but there have been insufficient reference to the need to create wealth before there can be any creation of employment and of social security.

In Singapore, we support the creation of employment and a higher standard of living. This we have achieved through the emphasis on the necessity for the creation of wealth in the first place.

May I inform my fellow delegates and participants to this Conference that in 1985 and 1986 Singapore went through a period of severe recession. We lost 120,000 jobs and unemployment reached 6.5 per cent. But through the united efforts of the workers, the Government and employers in looking after the common interest of Singapore, we were able to create sufficient recovery, and the economy has now recovered to the extent that in the first quarter of

1988, the GDP (gross domestic product) has grown by 10.9 per cent, and overall recovery in 1988 was 8.8 per cent as against 1.8 per cent negative growth in 1986. This we have done because of the necessity to create wealth, and I may tell you that unemployment today in Singapore is only 2.5 per cent, which is very marginal unemployment. We are now in a situation of gross shortage of labour and the problem is how to find sufficient people to do the job, to meet the requirements of the new demand for labour in our economy.

So, the only point I want to make is this: while we must protect the unfortunate, the disadvantaged members of our community, there must be first a determined effort to create wealth. If we do not do that, then we cannot create productive employment.

Interpretation from German: The PRESIDENT – We shall now move on to the adoption of the report of the Committee on Employment and Social Security, paragraphs 1 to 219. If there are no objections, I shall take it that the report is adopted.

(The report, paragraphs 1 to 219, is adopted.)

PROPOSED CONVENTION CONCERNING EMPLOYMENT PROMOTION AND PROTECTION AGAINST UNEMPLOYMENT, SUBMITTED BY THE COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY: ADOPTION

Interpretation from German: The PRESIDENT – We shall now proceed to the adoption of the proposed Convention concerning employment promotion and protection against unemployment, beginning with the Preamble.

(The Preamble is adopted.)

Interpretation from German: The PRESIDENT – We now move on to the operative part of the proposed Convention, which we shall adopt Article by Article.

(Articles 1 to 31 are adopted seriatim.)

Interpretation from German: The PRESIDENT – May I take it that the proposed Convention is adopted as a whole?

(The proposed Convention is adopted as a whole.)

Interpretation from German: The PRESIDENT – I have a request for the floor from Mr. Leoro Franco, Government delegate, Ecuador, who wishes to explain the vote of his delegation.

Interpretation from Spanish: Mr. LEORO FRANCO (*Government delegate, Ecuador*) – In the laudable process of providing social protection for all members of society, measures which attempt to improve or promote such protection, particularly for workers, are bound to meet with general acceptance. Nevertheless, not all member States of the ILO, and particularly Ecuador, are in a position to enter into such commitments, which it could not fulfil in its present financial and economic situation, as well as in view of its countless social needs.

Unfortunately, the compensation envisaged for protected persons in the proposed Convention on employment promotion and protection against unemployment, which has been submitted by the Committee on Employment Promotion and Social Security to the Conference, cannot be accepted at the present time by the Government of Ecuador or by the Ecuadorian Social Security Institute which, despite tremendous financial difficulties, has been extending its coverage to rural workers.

I should like to state therefore that Ecuador will have to abstain in respect of the proposed Convention, and that this is due solely to the compelling reasons given.

It is hoped that in the future once the present crisis has been overcome and the concept of true international economic co-operation has been restored, the proposed commitments can be not only accepted, but also implemented which is what matters.

The Government of Ecuador is aware of the need to assure social protection little by little, even for unemployment. No country could desire full employment more than mine, but the proposed Convention is not within its possibilities as a developing country at the present time.

Interpretation from German: The PRESIDENT – In accordance with article 40, paragraph 6, of the Standing Orders of the Conference, the provisions of the proposed Convention concerning employment promotion and protection against unemployment, as adopted by the Conference, will be referred to the Drafting Committee of the Conference for the preparation of the final text.

PROPOSED RECOMMENDATION CONCERNING EMPLOYMENT PROMOTION AND PROTECTION AGAINST UNEMPLOYMENT, SUBMITTED BY THE COMMITTEE ON EMPLOYMENT AND SOCIAL SECURITY: ADOPTION

Interpretation from German: The PRESIDENT – We now move on to the adoption of the proposed Recommendation concerning employment promotion and protection against unemployment, beginning with the Preamble.

(The Preamble is adopted.)

Interpretation from German: The PRESIDENT – We shall now proceed to the adoption of the operative part of the Recommendation, Paragraph by Paragraph.

(Paragraphs 1 to 30 are adopted seriatim.)

Interpretation from German: The PRESIDENT – May I take it that the proposed Recommendation is adopted as a whole?

(The proposed Recommendation is adopted as a whole.)

Interpretation from German: The PRESIDENT – In accordance with article 40, paragraph 6, of the Standing Orders of the Conference, the provisions of the proposed Recommendation concerning employment promotion and protection against unemployment

ment as adopted by the Conference, will be referred to the Drafting Committee of the Conference for the preparation of the final text.

Now that we have adopted the instruments, I would like to thank the members of the Committee for the work they have done. I would particularly like to thank the Chairman of the Committee, Mr. van den Berg, the Employers' and Workers' Vice-Chairmen, Mr. Rey and Mr. Seidman, and the Reporter, Mr. Schneuwly. Their excellent work has enabled our Conference to adopt a fine document.

(The Conference adjourned at 5 p.m.)

CORRIGENDA

Provisional Record No. 27

On page 27/25, Article 23, insert a second paragraph, as follows: "2. Where a declaration made in virtue of Article 5 is in force, the implementation of paragraph 1 above may be deferred."

Provisional Record No. 28

Page 28/37, first column: delete the section headed "Work of the Committee".

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Thirty-fourth sitting

Tuesday, 21 June 1988, 10.15 a.m.

President: Mr. Beyreuther

RATIFICATION OF A CONVENTION BY FINLAND

Interpretation from German: The PRESIDENT – I have pleasure in announcing to the Conference that the Director-General of the ILO has registered the ratification by Finland of the Asbestos Convention, 1986 (No. 162).

This brings the total number of ratifications of international labour Conventions to 5,380.

FOURTH REPORT OF THE CREDENTIALS COMMITTEE: SUBMISSION AND NOTING

Interpretation from German: The PRESIDENT – The first item on our agenda is the fourth report of the Credentials Committee.

I call on Mr. Nakamura, Government delegate, Japan, Chairman of the Committee, to present the report.

Mr. NAKAMURA (*Government delegate, Japan; Chairman of the Credentials Committee*) – I have the honour to submit to the Conference the fourth report of the Credentials Committee contained in *Provisional Record* No. 29. In this report you will find the Committee's decisions on the objections concerning the Employers' delegate of Nicaragua and the Workers' delegation of Poland; it also contains two communications, one concerning the Employers' delegation of the Libyan Arab Jamahiriya and the other from the Chairman of the Employers' group and three Employers' delegates.

As regards the objection concerning the Employers' delegate of Nicaragua, the Committee took note of the fact that the suggestion to set up an impartial body to examine the conflicting data on the representative character of the employers' organisation in Nicaragua, which had been made by the Credentials Committee last year, was not carried out. At the same time, the Committee took note of the willingness expressed by the Government to respect any agreement reached between the employers' organisations concerned. In this respect, the Committee considered that as a prerequisite to such an agreement, it would be essential for there to exist a means agreed by the organisations for evaluating their representative character. I therefore suggested that the International Labour Office, given its experience, might be able to offer assistance to the parties concerned in relation to the question.

With respect to the objections concerning the Workers' delegation of Poland, the Committee noted with interest this year that the Government has con-

sulted trade union groups outside of the All-Poland Trade Union Alliance (OPZZ), which itself represented a substantial portion of Polish workers. In this regard, it asks the Government to continue to take measures in the spirit of dialogue with which its participation in the activities of the ILO had been marked so that the Workers' delegation of Poland would be fully representative of all the workers of Poland.

The Committee also noted that one country had failed to respond to its request for information so that it was not possible for it to carry out in this case the mandate entrusted to it under article 26 of the Standing Orders of the Conference.

Since the decisions contained in this report were reached unanimously by the Credentials Committee, the Conference is requested only to take note of it.

Following the signing of this report by the Committee, which marked the conclusion of its work, it received a communication from the Government of the Democratic Republic of Afghanistan stating that, with reference to paragraph 8 of the second report of the Credentials Committee containing the reservations made by Pakistan, the delegation of the Democratic Republic of Afghanistan reaffirmed its Government's position in the matter which it had already expressed at the last session of the United Nations General Assembly.

This brings us to the end of the work of the Credentials Committee which this year had before it nine objections and five communications. I would like to take this opportunity to express my warm thanks to my two colleagues, the Employers' member, Mr. Hoff, and the Workers' member, Mr. Svenningsen, and the Secretariat for their efficient and friendly co-operation. Because of this excellent spirit which prevailed throughout our discussions, the Committee was able to reach unanimous decisions on all the cases before it.

Interpretation from German: The PRESIDENT – I have received a letter concerning this report from Mr. Meza Soza, Government member, Nicaragua. With his agreement I would like to ask the Clerk of the Conference to read the letter to the Conference.

Interpretation from Spanish: The CLERK OF THE CONFERENCE – This letter is written in Spanish and I will therefore read it in that language. It is dated Geneva, 21 June 1988.

The Government delegation of Nicaragua has taken note of the decision of the Credentials Committee on the challenge to the credentials of the UNAG delegate and other Employers' delegates attending this Conference.

who were appointed by the Government of Nicaragua following the failure of the employers' organisations in the country to reach agreement among themselves.

We regret that once again this Committee has chosen not to believe the figures relating to representativeness advanced by the Government and has failed to recognise that the delegates concerned were appointed in accordance with the wishes of the great majority of the employers attending the Conference, who represent all sectors of the economy.

The Government of Nicaragua has made numerous efforts to resolve the disputes over the representativeness of UNAG fomented by COSEP and the International Organisation of Employers. To solve the problem, we have proposed a system of alternation but even this has been rejected by COSEP – which incidentally has lost much of its representativity over the past few years, contrary to the asseveration of the Committee. This claim to absolute representativeness excludes the possibility of other employers' organisations attending the Conference as advisers if the COSEP representative is the titular delegate. In these circumstances, we nevertheless wish to reiterate the Nicaraguan Government's readiness to accept willingly any solution that the Nicaraguan employers' organisation may agree upon in this connection.

Yours faithfully,

(Signed) Adrian MEZA SOZA,
Government delegation, Nicaragua,
75th Session of the
International Labour
Conference

Interpretation from French: Mr. OECHSLIN (Employers' delegate, France) – My group has asked me to make a brief statement on paragraphs 32 and 33 of the report and it was not my intention to comment on the various cases relating to challenges to credentials submitted by the Committee.

Having heard the letter from the Nicaraguan Minister I would simply note in passing that, as far as I know, COSEP has never refused the idea that representatives of other organisations form part, as technical advisers, of the Employers' delegation of their country. But that is not why I am speaking.

I would like to draw your attention to the fact that the list of accredited delegates and advisers that you find in *Provisional Record* No. 6 and that of the registered delegates in *Provisional Record* No. 9 give only a partial and distorted picture as regards the composition of the Conference, and therefore makes the calculation of the quorum wrong. I will give you a few figures. On 13 June, that is to say, two weeks after the beginning of the Conference, in our group we had at least ten Employers' delegates who were accredited but who had not come to Geneva. These included our colleagues from Burkina Faso, Cape Verde, Dominican Republic, El Salvador, Guatemala, the Solomon Islands, Papua New Guinea, Zaire, Sierra Leone and Lesotho. Some of these colleagues had been registered in their absence, which of course is most irregular and produced an incorrect quorum calculation. For 11 countries there was no accredited delegation: Belize, Costa Rica, Djibouti, Dominica, Fiji, Democratic Kampuchea, the People's Democratic Republic of Laos, Paraguay, St. Lucia, Sao Tome and Principe and the Seychelles. In the great majority of cases we are assured that the reason for the absence of these delegates was that the governments had not been able to finance the travel, either of the delegation as a whole, or of the Employers' delegate, even when he had been nominated.

We carried out an inquiry in our group and we found that at least 13 governments – Bahrain, Brazil, Colombia, Gabon, the Islamic Republic of Iran, Lebanon, Yemen and six other countries – have not respected their constitutional obligation of paying the travel and living expenses of their non-governmental delegates and the figure would be 25 were you to count cases in which the travel costs or living expenses of the Employers' technical advisers have not been paid by the governments.

For years now we have been drawing the attention of the Credentials Committee to a situation which is tending to worsen in this Conference and also in regional conferences. We hope that in Harare, for the African Regional Conference, we will be faced with a better situation.

We are very happy that the Credentials Committee this year should have agreed to name three countries concerned. This is progress and we hope that this will lead the governments better to respect their constitutional obligations and we hope that this will encourage the Office to draw more precisely the attention of governments to their constitutional obligations.

Is the fact of not paying delegations within the terms of reference of the Credentials Committee? Views differ on this subject, but it appears to me that not paying, or not giving a delegate the means to be able to come to Geneva, amounts to the same as not appointing him, and this can have extremely detrimental consequences on the problems of the quorum and we know how important problems of quorum are at this Conference. We therefore think that this is an important problem, a constitutional problem, and if we continue down this road there will be many Employers' organisations that will not designate representatives and the result of this, according to our Constitution, will be that they will also deprive the Workers' delegates of their right to vote. Therefore I urge the Director-General whose good offices have been asked for in order to help the Working Party of the Governing Body that is examining these questions to think about this situation in which about 20 per cent of our group are totally or partially absent from our work.

Interpretation from German: The PRESIDENT – Since the fourth report of the Credentials Committee was adopted unanimously by the Credentials Committee, I invite the Conference to take note of it.

(The report is noted.)

REPORT OF THE COMMITTEE ON CONVENTION No. 107: SUBMISSION

Interpretation from German: The PRESIDENT – We now proceed to the report of the Committee on Convention No. 107 which is in *Provisional Record* No. 32.

I should like to ask the officers of the Committee to come to the rostrum. Mr. España-Smith, Government delegate, Bolivia, Chairman of the Committee; Mr. Díaz Garaycoa, Employers' adviser, Ecuador, the Employers' Vice-Chairman; Mr. Svenningsen, Workers' delegate, Denmark, the Workers' Vice-Chairman; and Mr. Helms, Government member, Denmark, the Reporter.

I call on Mr. España-Smith, Chairman of the Committee, to present the report.

Interpretation from Spanish: Mr. ESPAÑA-SMITH (*Government delegate, Bolivia; Chairman of the Committee on Convention No. 107*) – I have had the great honour of chairing the Committee entrusted with the partial revision of Convention No. 107 which, as you all know, was adopted in 1957 and deals with indigenous and tribal populations. The revision, which has been carried out in the course of this year, was the first reading, that is the first discussion of this issue.

I was able to enjoy in the Committee the valuable co-operation of Mr. Díaz Garaycoa, Employers' Vice-Chairman of the Committee, and that of Mr. Svenningsen, Vice-Chairman of the Committee representing the Workers' members. The support of both, the support of their groups and the support of the governments that participated in the proceedings of this Committee was decisive in ensuring that our work came to a successful conclusion.

For my country, Bolivia, to chair this Committee was of particular significance, since we are a country with a large number of indigenous populations, and one whose characteristics are essentially pluricultural. I think it is worth mentioning in this context that Convention No. 107 and the accompanying Recommendation were adopted at the time when the ILO was administering the Andean Programme and Bolivia was then one of the principal countries where this well-known indigenous programme of technical co-operation was being implemented.

Convention No. 107 is the only international instrument specifically conceived to protect these important groups of human beings.

The indigenous and tribal populations represent a total of nearly 300 million people in the world. As the report of the ILO indicates, these peoples are among the least protected, they are in fact the poorest of the rural poor.

Perhaps the main reason why it was felt necessary to revise this Convention was the fact that, after 30 years of existence, it was becoming clear that the indigenous populations were anxious for its integrationist approach – with all this term's connotations of assimilation – to be reconsidered.

Indeed, if there is something we should remember in the light of the new concepts, the new sociological and anthropological insights, and on the basis of experience, it is that the indigenous and tribal populations have never ceased to affirm their own cultural identity.

We can now see that this same process of integration into a national society is only possible if there is recognition of equality and of the specific cultural, social and economic characteristics of these populations.

I would like to highlight the positive and constructive results of the Committee's deliberations. In addition to the important presence of the various Government delegations and representatives of the Employers and Workers, the Committee also had the dynamic support of the Office through Mr. Ali, as representative of the Director-General, and Mr. Swebston.

I would like to draw special attention to the fact, which I consider to have been highly important, that the Committee, in revising the Convention, had the

opportunity of personally hearing the subject of the Convention, namely the indigenous populations themselves, who were represented in various ways.

First of all, there were various indigenous representatives on the government delegations and also on the Employers' and Workers' delegations. The indigenous populations were also represented by various non-governmental organisations accredited as the direct representatives of the indigenous and tribal populations.

These organisations were given an opportunity of expressing their views through a general presentation and also in relation to each of the main chapters of the Convention.

A number of other governmental organisations were also present, and gave support and assistance to the indigenous populations. In view of all this, I would like to say that the presence of representatives of the indigenous populations, as well as of the organisations acting for them, greatly facilitated the work of the Committee, in particular by enabling us to hear their aspirations, their concerns and their points of view at first hand.

It is important to stress the fact that the Committee drafted a number of conclusions with a view to a revised Convention that would have a new philosophical approach based on recognition of the specific identity of the indigenous populations and their right to participate in the decision-making process in all questions and programmes that directly affect them, that is to say, to participate in the taking of decisions and the determination of their own destiny.

The conclusions reached by the Committee propose that the measures to protect the integrity of the indigenous populations should be considerably strengthened, and also clearly set out both the rights and the obligations of the indigenous populations.

For the purposes of this Convention, measures should be taken, firstly to enable members of the indigenous populations to benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population; secondly, to promote the full realisation of the social, economic and cultural rights of these sectors of the populations; and, thirdly, to assist the members of the indigenous populations to raise their standard of living at least to that enjoyed by other members of the national community in a manner compatible with the aspirations and ways of life of these populations.

As can be expected, in view of the fact that this was a first round of discussions and that there were very diverse and heterogeneous opinions on various issues, some subjects undoubtedly caused particular difficulties. There was, for instance, the question of the use of the word "peoples" or "populations". Various points of view were expressed in the Committee. It was felt that the term "populations" is, according to a deeply felt opinion of the indigenous populations, merely a cold statistical expression, whereas the word "peoples" represents an identity, with a social and cultural content.

On this delicate subject, the Committee, in seeking to reach agreement, explored ways and means of maintaining the use of the word "peoples" without giving it in any way the connotation it bears in international law or in certain international instruments.

Another subject on which there were differing views was that of land. This is a thorny question

because it relates to the use of natural resources and implies that a wise and equitable balance has to be found between the interests of the State and the national society as a whole and the interests and survival of the tribal and indigenous populations.

In any event, it is a subject which, in my view, should be guided by the respective national laws of the different countries which reflect the many different situations in the various regions of the world.

Despite the differences of opinion and variety of views expressed in the Committee, I have the feeling that, on those two subjects – which remain pending for decision next year – the Committee succeeded in indicating certain paths, which could well converge in a harmonious solution, which would, at the same time, embody the interests of the indigenous populations and the aspirations of their social counterpart groups and safeguard the interests of the ILO member States.

To this end, we should take advantage of what remains of this year, and also of the coming year, until there is a second discussion of the Convention, to mature ideas and to hold the appropriate consultations.

Bearing in mind, too, that the indigenous and tribal populations are obviously the most interested parties and will actively participate in such consultations, we hope that governments will strengthen their procedures for consultation of and the exchange of information with the organisations representing these populations.

I also have the hope that the ILO will make its technical services available in order to further strengthen the possibilities of consultation with a view to a successful partial revision of the Convention at the next session of the International Labour Conference.

In conclusion, I would like to make one comment: I merely wish to recall that the adoption of this Convention – because I hope it will be adopted in 1989 – will coincide symbolically with the 70th anniversary of the creation of the International Labour Organisation.

FINAL RECORD VOTE ON THE CONVENTION CONCERNING EMPLOYMENT PROMOTION AND PROTECTION AGAINST UNEMPLOYMENT

Interpretation from German: The PRESIDENT – We are obliged to interrupt the discussion of the report of the Committee on Convention No. 107 to take a final record vote on the Convention concerning employment promotion and protection against unemployment.

(A record vote is taken.)

(The detailed results of the vote will be found at the end of the record of this sitting.)

Interpretation from German: The PRESIDENT – The results of the final record vote on the Convention concerning employment promotion and protection against unemployment is as follows: 366 votes in favour, none against, with 26 abstentions. As the quorum is 259, I have the pleasure of informing you that the Convention is adopted.

(The Convention is adopted.)

FINAL RECORD VOTE ON THE RECOMMENDATION CONCERNING EMPLOYMENT PROMOTION AND PROTECTION AGAINST UNEMPLOYMENT

Interpretation from German: The PRESIDENT – We now move on to the final record vote on the Recommendation concerning employment promotion and protection against unemployment.

(A record vote is taken.)

(The detailed results of the vote will be found at the end of the record of this sitting.)

Interpretation from German: The PRESIDENT – The result of the final record vote on the Recommendation concerning employment promotion and protection against unemployment is as follows: 375 in favour, none against, with 17 abstentions. As the quorum is 259, the Recommendation is adopted.

(The Recommendation is adopted.)

Interpretation from German: The PRESIDENT – I give the floor to Mrs. Rocca, Government adviser, Italy, to explain the vote of her delegation.

Interpretation from French: Mrs. ROCCA (Government adviser, Italy) – The Italian Government wishes to express its satisfaction at the conclusion of the work on the Convention concerning employment promotion and protection against unemployment and its accompanying Recommendation.

The fact that we were able, after having worked so hard and in depth, to attain valid and innovative legal solutions in such a delicate and complex field, represents a real success on the part of our Organisation. We are familiar with the considerable difficulties existing at present between the various national legislations. The system of standards which has been defined concentrates on the interaction between the social security systems and employment promotion; it is characterised by a qualitative difference because of its scope which goes beyond the general assistance granted by States.

Nevertheless my Government could not refrain from underlining the fact that by introducing greater flexibility in this instrument as we proposed – flexibility based on a principle of equivalence of legal protection – it would have made it easier for the member States to ratify the Convention.

Let us not forget the concern expressed by the Director-General of the ILO, as well as by our Minister of Labour, on the very low level of ratification of the most recent ILO Conventions. It would have undoubtedly helped if the resolution on the same subject, submitted by the Italian Government, had been adopted. Unfortunately, this resolution was not adequately discussed, because of the lack of time allotted to it. The resolution in question, which sets out to rationalise public funds for assistance in the framework of an active employment promotion policy, would no doubt have made a significant contribution through the appropriate planning of studies and research, and would doubtless also have encouraged a more positive attitude on the part of the member States to this Convention. We would like to express our thanks to the Government of Sweden and to the other many member States who gave their support to

our resolution. We hope that the objectives proposed may be achieved at the next Conference.

In the light of these considerations, the Italian Government, whilst reaffirming its attitude – which on the whole is positive – towards the legal instruments that the Conference has just adopted, cannot but express its concern as regards the present possibility for ratification of the Convention; and this is despite the well-known willingness of Italy to ratify Conventions. Indeed, Italy has ratified a large number of international labour Conventions which have been incorporated into its national legislation.

Interpretation from Spanish: Mr. ARBELOA (Employers' adviser, Venezuela) – We abstained in the vote on both of these instruments because unfortunately paragraph 211 of the report distorts the statement made in the Committee by the Employers' members of the Latin American countries. I should like to read the full text of this statement with a view to its being included in the record of this session: "Although we agree in principle with the objectives of the proposed Convention and Recommendation, we can accept them only with certain reservations inasmuch as our developing countries, heavily burdened by external debts are committed to the establishment of national priorities aimed at ensuring the best investment of our very scarce resources; these must be used to promote and create productive employment, avoiding unemployment, underemployment and the further expansion of the informal economy. Consequently, it is extremely difficult for our countries to accept new burdens or obligations which, even though well-intentioned, would endanger the priorities I have mentioned and the efforts being made to stimulate badly needed investments. We are convinced that only in this way will we fully abide by one of the fundamental aspects of human rights, namely ensuring more and better productive and decent jobs for the people of our region. For these reasons we agree with the resolution in its revised version, presented by the Government of Italy, and we hope that its objectives will be taken into consideration by the ILO in the near future, in the light of the situation in the developing countries. Furthermore, it should be borne in mind that the Latin American position is consistent with the contents of the conclusions concerning the promotion of small and medium-sized enterprises adopted by the Conference in 1986 and the conclusions of the High-Level Meeting on Employment and Structural Adjustment held last November in Geneva. We also endorse the conclusions reached unanimously by the meeting of Latin American Employers (Quito, March 1988), which rejected the creation of compulsory funds of the type provided for in Paragraph 30 of the proposed Recommendation."

This much said, we repeat that our vote would otherwise have been cast in favour of the instruments adopted by the Committee, albeit with certain reservations.

REPLY OF THE DIRECTOR-GENERAL TO THE DISCUSSION OF HIS REPORT

Interpretation from German: The PRESIDENT – I now have the honour to invite Mr. Francis Blan-

chard, Director-General of the ILO, to give his reply to the discussion of his Report.

Interpretation from French: The SECRETARY-GENERAL – Once again I have the honour of responding to the general debate in which 285 speakers, including 117 Ministers, took part. Allow me to thank them for their speeches in which all, without exception, welcomed the fact that the theme of human rights, the subject of my Report to this 75th Session, served as the basis for your discussion.

It goes without saying that I was particularly interested in the views expressed by Mr. Felipe Gonzáles, the President of the Government of Spain, and by Mrs. Corazón C. Aquino, the President of the Republic of the Philippines. Their visits were two great moments during this 75th Session. Before leaving Geneva, they assured me that they had been touched by the warmth of your welcome. In their remarkably broad-minded and thought-provoking speeches, both expressed their unconditional support for our Organisation's activities. In welcoming these eminent persons, the Conference illustrated the esteem in which it holds these two nations which have fought to restore democracy.

Am I right in thinking that after so many years during which the theme of human rights has given rise to acrimonious exchanges, this Conference perhaps has shown that it is possible, as I had hoped, for countries too long divided by excessive zeal in the defence of this or that ideology, to use the same language? This Conference has shown that the problem of human rights can now be discussed and studied in depth, certainly without naivety, but also without scepticism. Without being naive because each of us is conscious of the limitations of an international organisation in this field. Without scepticism because, as this debate has shown, considerable work has been done, particularly by the International Labour Organisation. Let us note with satisfaction that some countries, often inclined in the past to overlook their problems or to hide them, this year have chosen to speak of them. This is significant, for is it not true that in order to make headway in this difficult field we have to give dialogue a chance, to exchange views and experiences? We should remember that it is not wise to make value judgements before we are familiar with the facts and the situations, and that we should not apply to the others a moral standard that we are not ready to apply to ourselves. The dialogue we have undertaken at this Conference is essential, particularly between countries that for too long have been divided on this issue. We must keep this dialogue alive.

The Conference did not confine itself to discussing the subject of human rights in the plenary. It undertook again this year to strengthen the ILO's action by approving the conclusions reached by the Committee entrusted with so-called technical questions, but which, as you well know, entailed political judgements and choices, in the best sense of the term.

This was the case for the Committee on the Application of Standards, whose work, once again highly appreciated, reflects the zeal and care of its members. Might I publicly express our admiration to Mr. Houthuys, Workers' Vice-Chairman; although his retirement is announced every year, I know everyone here hopes it will take place only when he is truly ready. The Committee on the Application of Stan-

dards, like any other supervisory body of our Organisation, however elaborate, does not have the sort of instruments that States can establish by virtue of their sovereignty. In the present state of the international community, it is through the persuasion, conciliation, direct contacts and hearings of the Committee that we make progress, as again was the case this year. Its report demonstrates this. But at the same time, the Committee observed that a great deal still remains to be done, in particular to guarantee the application of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The Committee on the Application of Standards expressed satisfaction with the remarkable general survey carried out by the Committee of Experts last March on problems of discrimination in employment and occupation. I hope that governments, employers and workers, that all of you – once you return to your respective countries – will publicise this study and the discussion that took place in the Committee. Unfortunately there still remains a considerable gap between the realities in the different member countries and the principles of dignity, liberty and equality proclaimed by these two fundamental Conventions – Nos. 87 and 111 – and other related standards.

In this respect I am pleased that you, Mr. President, have set the tone by affirming in your opening speech that by ratifying international Conventions, “States (...) assume the responsibility for implementing the appropriate standards.” The delegations were clearly sensitive to your comments, because no delegation invited to provide information to the Committee on the Application of Standards failed this year to fulfil that obligation.

The partial revision of Indigenous and Tribal Populations Convention, 1957 (No. 107), was a challenge for the Conference, and no one who spoke on this subject or participated in the corresponding Committee failed to recognise this. Mr. Tytler, Minister of State for Labour of India, declared that this issue was the most crucial for his country. It is true that it is a problem that affects 300 million people from every continent. For a long time the ILO had hoped to improve their lot. Convention No. 107, adopted in 1957, tried to do this. But more than 30 years have passed and the situation has changed. The objective now to be sought is to help these populations through appropriate standards and action, to retain their identities and to live according to their traditions and their culture. This is the direction in which the Committee has moved; its work will be concluded next year, culminating, I hope, in the unanimous adoption of a text which will meet their needs. Many non-governmental organisations concerned with the fate of indigenous and tribal populations attended this session of the Conference. They were legitimately interested in expressing their views. I am pleased that governments were sensitive to that interest and that some of them invited eminent persons from these populations to form part of their delegations. During the coming year the Office will fulfil its obligation to pursue the necessary consultations and will put before the Conference proposals to serve as the basis for the instrument which will be considered by the 76th Session of the Conference next year. Along the way, the Office will maintain the close contacts it has established with the United Nations and the

specialised agencies, in particular the WHO, FAO and UNESCO, and also with the High Commissioner for Refugees. I would like to take this opportunity to thank their representatives for their active participation in the work of this Committee.

The Governing Body had decided to propose to the Conference that it consider the problem of rural development within the context of a general discussion by a Committee of the Conference. The outcome of a general discussion is always uncertain. However, the Committee on Rural Employment has removed any doubts we might have had by proposing a set of conclusions which is particularly rich in substance, based on a policy of “ruralisation”, as one delegate put it, by analogy with the policy of industrialisation which is so often evoked or invoked, in support of development policies. The Committee warned against the excesses of unbridled price and market forces. It proposed concrete ways of stimulating rural employment including growth, modernisation of the rural sector, agrarian reform accompanied by adequate support measures, and the opening up of the markets of developed countries to exports from developing countries. The Office will draw inspiration from these conclusions when it is asked to provide additional assistance. I had the opportunity during this session to speak with many Ministers and government employers’ and workers’ delegates; they shared with me their objectives and their hopes, but also their fears in the face of a too low rate of growth, persistent unemployment and poverty and the often dramatic drop in the prices of commodities. And here I would particularly like to highlight something which struck me perhaps more than in previous years: the serious preoccupations expressed by the representatives of African countries which have been struck not only by natural disasters, but also by stagnation or negative growth. They have been unable to find sufficient economic stimulus either internally or in their trading and other relations with developed countries. The appeals for greater assistance which my staff and I have heard and carefully noted are a great challenge to our institution. I will come back to this question in a few minutes.

But first, might I briefly recall the results of the other Conference Committees which have also enriched the discussions in plenary on the theme of the common responsibility of all the member States to guarantee the respect of human rights. The Committee on Employment and Social Security deserves special mention. I think that its work will constitute a milestone. It has proposed new standards on unemployment, contained in a Convention and a Recommendation, that ought to be broadly accepted because they propose sound objectives and are drawn up in terms that are sufficiently flexible to make them acceptable by the largest possible number of member States. With these instruments, the Conference has concluded its programme which it started 25 years ago, to revise all the social security Conventions adopted between the two world wars. I would like to add that this is the first time that international standards have given so much importance to the necessary relationship between prevention and redress. The instruments drawn up this year to revise the Safety Provisions (Building) Convention, 1937 (No. 62) is also of considerable significance. This is a very wide field of activities and I think that we should

be pleased by the wish demonstrated by employers and workers to draw up texts that will contribute to guaranteeing more effectively the safety and health of workers in construction. By adopting them unanimously they have to some degree morally committed themselves with governments to apply them in daily practice.

Thus, this session will have marked an important stage in adapting the Labour Code to the problems of society today. That is a good thing, because I believe that the task of our Organisation in the years to come should be to develop international standards which serve the interests of the largest possible number of countries.

It is with good reason that the Committee that examined the Report it was my honour to submit once again to the Conference on Apartheid, should now be entitled the Committee on Action against Apartheid, and not simply the Committee on Apartheid. This change is not fortuitous. It is in response to a good intention and the updating of the 1981 Declaration demonstrates this. This year, 1988, through which we are passing, is marked for the International Labour Organisation by some very important stages in this battle against apartheid. I will recall them briefly. A tripartite conference was held in Harare from 3 to 6 May and everybody agrees that it did a remarkable job. In many respects we owe to it the elements that we have used for updating the Declaration. It emphasised the usefulness of the assistance provided by the Office to the front-line States. It allowed the trade union organisations in South Africa, COSATU and NACTU, to strengthen their links with our Organisation at a time when the new legislation that South Africa is preparing is threatening trade union rights. I would like to thank the Government of Zimbabwe and, first and foremost, Mr. Nkomo, Minister of Labour, not only for the hospitality shown to that conference, but for the masterly way in which he directed its work. I would remind you that Mr. Nkomo chaired with equal skill the Committee on Action against Apartheid at this 75th Session. I would add that in accordance with tradition he will be the President of the African Regional Conference that will be held in Harare next November, again thanks to the great generosity of the Zimbabwe Government. That Conference will have on its agenda the problem of the fight against apartheid, amongst many other important problems. Our Organisation will not relax its efforts to help the workers of South Africa to obtain equality of rights and opportunity and to roll back the policies and practices of apartheid. In the same way, it will continue to help Namibia so that country will finally be able to know independence not solely in texts or decisions by international bodies, including the International Labour Conference, but reality; that is, in the daily lives of the men and women of that country who will have had their freedom restored. Here I am echoing the eloquent appeal from this rostrum to the international community by Mr. Nujoma, the President of SWAPO.

A remarkable feature of this debate has been that it has supported in the most categorical terms the proposals made last November by the High-Level Meeting, which was held at the headquarters of our Organisation and under its auspices, on the problems of structural adjustment and employment. What, briefly, was the message of this meeting? First of all,

it proposed that adjustment policies should be formulated and applied in such a way that the most underprivileged or poorest groups, who have suffered greatly from the harshness of these policies, should cease to bear the brunt of their effects. Secondly the meeting defined objectives and measures covering both the economic and the social dimension of development. The presence at the High-Level Meeting of the heads or representatives of the International Monetary Fund, the World Bank, the OECD, GATT and other organisations alongside the ILO, is perhaps – in fact I believe it is – the first step down a path which in the years to come is likely to lead these organisations to adopt the same premises, which, indeed, no longer differ as they did, and to use the same language and advocate the same policies, which are intended in the final analysis to bring about an improvement in the lot of the greatest number. The proposals of the High-Level Meeting, endorsed by the Governing Body, answer the concern of many Government, Employer and Worker delegates, who have expressed from this rostrum their anxiety at the persistence of unemployment and poverty, the permanence of indebtedness and the dangers of protectionism. But it is to be noted that at the very time this debate has been taking place, a few signs have emerged which give grounds for hope that the world economy may be able once again to find the path towards growth. Figures have been published showing that in the industrialised countries this growth is higher than all the experts had predicted. In some of these countries, I am thinking of Spain in particular, it exceeds 5 per cent. In most of them it is around 3 per cent or slightly higher. In the developing countries, although still too low, it is unquestionably growing. Note should also be taken of the initiatives taken, I am thinking of the appeal launched by the French Government, the measures taken by the Governments of the Federal Republic of Germany and Japan, to attempt to lighten the burden of debt through far-reaching measures, going beyond the technical arrangements for rescheduling of the kind put into effect over the past few years, with some success I might say.

Has not the time come to create a dynamic confidence so as to accelerate growth, the indispensable prerequisite of progress? But, is growth possible without the full involvement of the industrialised countries of East and West – and I mean East and West together, not separately – because these are the countries which enjoy economic power, which enjoy a high standard of living and which can show their readiness to co-operate with the rest of the world. In the industrialised countries there exist reserves allowing for considerable growth. What about the reserves that should be created, deployed and developed in the developing countries? The resumption of active growth is an imperative necessity. Legitimate though it may be, the fear of inflation cannot be allowed to overshadow the obligation, more pressing than ever, to reduce unemployment and underemployment. I put the question to you: what chances would democracy and human rights have in a world where the poverty of the vast majority went hand in hand with abundance for a tiny few? Let us bear in mind in this connection the fact that a percentage increase of one point in the gross domestic product in the Americas and Asia and two points in Africa would raise more than 250 million poor people above

the poverty threshold. We have to acknowledge that this is a target not only to be reached but to be exceeded substantially in the course of the years to come.

In the wake of stimulated growth leading to progress in a spirit of solidarity, greater possibilities of meeting the need to protect the environment will be opened up. I shall take careful note of all remarks made from this rostrum in this connection before going to Oslo next month to take part in a discussion on this topic at the invitation of the Prime Minister of Norway, Mrs. Brundtland, who, as you know, is not only the co-author of a monumental report on the question of the environment but also chaired the committee which produced it.

Since no resolution on the subject could be adopted by the Conference, for reasons of which you are aware, the remarks made from this rostrum are all the more encouraging for our Organisation in pursuing its activities, both in a field which is familiar to us, that of the working environment, and in another field which I feel holds out a wealth of possibilities, that of employment. As action to protect the environment is developed, new sectors of activity will open up, which, in my opinion, are likely to generate employment.

Employment. This is one of the keynotes of the International Labour Conference. Year after year it is mentioned by every speaker without exception. Employment is one of the conditions of success in the battle of our Organisation for the full exercise of human rights. Many of you have insisted that there must be no lowering of international labour standards under the pretext of adapting the labour market to the demands of competitiveness. Referring, for instance, to the problem of flexibility, the Prime Minister of Spain observed that innovation, or rather innovations, in the field of employment, achieved through the use of new arrangements in respect of employment contracts, remuneration and the organisation of working time, should not lead to laxity or deregulation in industrial relations or the loss of legal guarantees of job security. According to Mr. Muhr, Chairman of the Workers' group of this Conference, it is more than ever the duty of the ILO to propose a system of values binding on all States. Mr. Marin, Vice-Chairman of the Commission of the European Communities, referring to the great unified market due to come into existence in 1992, stated that the European Community should address itself to the social dimension of this tremendous endeavour. The objective for the European Communities is the same as the ILO is pursuing on a world-wide scale, to achieve social justice through economic progress. While the objective is clear, it is not so easy to achieve. All relevant comments made here must be taken into account and in this connection both Mr. Lindner, Employers' delegate of the Federal Republic of Germany, and Mr. Puhakka, Minister of Labour of Finland, quite rightly uttered words of warning about the risks, which I referred to in my Report to the Conference, of a fragmentation of the working population, leading to the gradual emergence of a dual society. In short, it is necessary to combat all forms of social exclusion, as recalled from this rostrum by, among many other speakers, Mr. Delebarre, Minister of Employment and Social Affairs of France.

Several speakers during this debate expressed satisfaction that I referred in my Report to the problem of the links between labour matters and international trade. In this connection, it has been suggested in various quarters that respect for certain minimum labour standards should be made a factor in international trade relations. For instance, Mr. Vanderveken, on behalf of the International Confederation of Free Trade Unions, stated that a social clause making trade relationships dependent on respect for certain fundamental ILO standards, would help to discourage unfair competition in trade. Far from constituting a protectionist measure, such a clause, in his opinion, would favour a more open system of world trade. The Minister of Labour and the Workers' delegates of India challenged this viewpoint, as did other representatives of the Third World. I think that in the light of this situation, it is necessary, first and foremost, to take note of the fact that this problem is constantly being brought up both here and elsewhere; I am thinking in particular of GATT. This, in my opinion, cannot do other than encourage these two organisations – the ILO and GATT – to concert their efforts as soon as possible, in order to attempt to analyse exactly what is involved in the concepts of comparative advantage, unfair competition, minimum standards – and to do this on the basis of as accurate an assessment as possible of the situation. The ILO, for its part, possesses facilities in the field, together with those it can derive from its supervisory machinery. So it should assess the additional facilities which could be provided either by the ILO or in co-ordination with GATT, in order to pursue two objectives: first, the expansion of international trade, and second, the improvement of the working conditions of populations whose means of subsistence or sometimes even survival depend very largely on international trade. But, having said this, I cannot deny that the solution must, above all, be sought in a much more balanced and much fairer relationship between the industrialised countries which believe in high levels of social protection and the developing countries which are grappling with inextricable problems of indebtedness and markets. In short, the more progress Third World countries can make the better international labour standards will be applied and obviously they need help in this connection. The ILO, as the custodian of international labour standards, must give itself the means of increasing its technical co-operation resources. This brings us back to the link so strongly affirmed by this Conference last year between international labour standards and technical co-operation. Action in this connection will have to take place at several levels: in Geneva, where the Parliament that this Conference represents should endeavour to frame standards responding to the needs of a world which is changing and which may be growing and progressing; and also in the member countries where the ILO must proffer advice and aid in a variety of forms according to needs in so far as it possesses the technical and financial means of responding to the requests which, as I said a few moments ago, are ever increasing and ever more diversified.

Faced with these prospects and the tasks incumbent upon us, how can I fail to express the serious concern I feel about our financial situation? Of course, I have noted with satisfaction the vote by the Conference in favour of additional appropriations to

offset, in part only, the deficit caused during this biennium by the fall in the value of the dollar. I have also noted with satisfaction the decisions taken to pay back into the Working Capital Fund part, and part only, of the sums that had to be withdrawn at the end of 1987. But, at the same time, I am not unaware that these decisions, however essential they may have been were taken at the end of a long debate in the Financial Committee of the Governing Body, then in the Governing Body itself, and finally in the Finance Committee of the Conference. I am not unaware either that this debate was marked by reservations, often expressed in very strong terms by a certain number of countries which pointed to their own financial difficulties and stressed the need for this Organisation – or I should rather say for the Office – to yield to collective discipline. Do I need to reassure the Conference that I share its concern? At the risk of repeating myself, I affirm that we have not ceased over the years, thanks to stringent financial management, to strive for both efficiency and savings. These efforts will be continued, if necessary entailing internal structural reforms which I have already been considering. But the risks remain, which force the Governing Body certainly from next November and myself to make difficult choices if the resources available to the Office during the biennium turn out to be substantially below those which would be available to it if all member States without exception paid their contributions punctually and in full. In fact, as you know, this has not been the case in the past few years. This is perhaps the most critical risk facing us during this biennium, because we have lost the safeguards which protected the budget during previous financial periods, and bearing in mind the fact that we shall have no new safeguards until 1990-91 with the establishment, next November I hope, by the Governing Body of a system which I have proposed to it of guarantees against fluctuations in exchange rates. That is why I am launching an urgent appeal to all member States and in particular the major contributors – I would say contributors in the singular and the plural, and I am sure everyone will understand me – urging them immediately after this Conference to reconsider in their capitals the problem of their contributions to our Organisation. It is my duty to state that the problems challenging our Organisation are problems which, due to their increasing complexity, necessitate an increase in the technical capacity of the Office. There is a limit it would be unwise to overstep without jeopardising the vitality of the Organisation and its usefulness to member States, and we have almost reached this limit. Having said this, I wish to add that the time has perhaps come for systematic reflection on a series of questions and in particular on the system of meetings. I know that in many respects meetings are the lifeblood of the Organisation, I am not necessarily proposing that they should be reduced in number, but but they do need to be streamlined with the aim of saving time and resources. The improvements sought should not be simply improvements of detail or ad hoc improvements. If reforms have to take place they will have to be structural. They should take into account all factors, starting with the highly desired, in my opinion, entry into force of the instrument for the amendment of the Constitution adopted in 1986. If these constitutional amendments are ratified, the enlarged Governing Body will be more

representative and consequently be able to play a bigger role in certain fields.

As concerns the Conference, there is nothing in the Constitution or in the Standing Orders, requiring a first discussion of international instruments to take place within the context of the International Labour Conference. The preparation of some, if not all of these instruments, could take place at preparatory technical conferences. I hope you will understand me: I am not proposing at this stage to change the frequency of the Conference itself, I am simply proposing that we hasten our consideration of all the ways of making it possible to streamline the way meetings work, as well as ensuring a fairer balance of participation by member States through the assumption, at least in part, of the expenses of delegations. I would remind you in this connection that I have been asked to carry out a mission of “good offices” precisely for this purpose.

The balance sheet of the Conference, which I have not attempted through these remarks to draw up, appears to be positive, for all those members of governments, entrepreneurs, trade union leaders, but also Members of Parliament, whose task it is at the national level to promote employment, to ensure social protection, to reduce the risks of accidents and illnesses, and protect the weakest categories, or those who are the victims of discrimination. I will leave it to you to imagine what the balance sheet might have been, it would have been a very substantial if not an excellent balance sheet, if the Conference had been able to adopt the proposed resolutions, wise in their principles, happily worded, presented on the eve of this Conference by a number of delegates on human rights, the environment, the role of enterprises in the creation of employment, the combating of child labour and others. However, this was not the case. The Resolutions Committee was not able to complete its work. The means at its disposal, perhaps its rules of procedure, the atmosphere surrounding it, all prevented it from achieving its ambitions. It is to be regretted. Personally, I would have hoped that this Committee would have been able to express itself on the Report I submitted to the Conference on the situation of workers in the occupied Arab territories. I would have hoped for a resolution, the principles of which had been proposed, that could have been formulated on the basis of my Report to the Conference, which has been said to have provided substantial information. That was not the case. Since, in contrast to the case of South Africa, the Office has had access to the occupied Arab territories every year for more than ten years, I shall nevertheless, with or without a mandate, continue the efforts I have been making for several years and have intensified this year to collect information on the situation of these workers and ensure the implementation of the recommendations made in this Report and addressed to the Government of Israel. I have no doubt that the Government will respond to my approaches as it has done up until now and in particular last April when I was on the spot.

The Conference is drawing to a close. The failure of the Resolutions Committee should not detract from the success of the work accomplished in the technical and other Committees of the Conference. These Committees have lived up to tradition. There have been a thousand details at this Conference – in the plenary, in the Committees, at the solemn sit-

tings reserved for Heads of State, at the informal meetings which have enabled such a rich exchange of views and at the hospitable receptions which brought us together every day – which have shown, at least this is my impression, that an international community of labour does exist. I have always thought that if the Organisation is to function properly, there must be a synergy between States and the Office. I have had the great privilege for many long years to observe this synergy, this readiness to work together. As long as this readiness exists, in a fruitful relationship between the ILO's constituents and the Office, our institution, endowed with its unique components in the United Nations system, will be able to cope with the tasks to come, however arduous they may be. This is the key. I would even go so far as to say the most important key, along with the three others – and I am referring here, as I am sure many of you know, to the three golden keys of which the Directors-General are the custodian. This is the key, with

the three others, which symbolises tripartism, to which we must remain unswervingly attached because it is the sign of freedom.

Interpretation from German: The PRESIDENT – Mr. Director-General, thank you very much. The applause makes it clear that all those attending the 75th Session of the International Labour Conference have listened to your comments with great interest and with approval. Your reply to the 285 speakers who participated in the general discussion on your Report – as well as the speeches themselves – has been an important contribution to the International Labour Conference and has laid the foundations for our future work to promote the welfare and well-being of mankind. I congratulate you on your speech and once again extend to you, on behalf of the Conference and myself, our warmest thanks.

(The Conference adjourned at 1 p.m.)

*Final record vote on the Convention concerning employment promotion
and protection against unemployment*

Pour/For/En pro 366

<i>Afghanistan/Afghanistan/ Afganistán:</i> NAZAR, Mr. (G) SHOOGUFAN, Mr. (G)	<i>République socialiste soviétique de Biélorussie/Byelorussian Soviet Socialist Republic/República Socialista Soviética de Bielorrusia:</i> FOMICH, Mr. (G) PESHKOV, Mr. (G) KOVALEVICH, Mr. (E) BULGAK, Mr. (T/W)	<i>Congo:</i> KAYA, M. (G)	<i>Gabon/Gabon/Gabón:</i> ALLINI, M. (T/W)
<i>Algérie/Algeria/Argelia:</i> LAHIANI, M. (G) ASSALA, M. (G) LOUNIS KHODJA, M. (E)	<i>Birmanie/Burma/Birmania:</i> THANG, U (G) TUN, U (G) WIN, K. U (E) WIN, A. U (T/W)	<i>Côte d'Ivoire:</i> ESSIGAN, M. (G) COULIBALY, D ^r (G) DIAKITE, M. (E) ADIKO NIAMKEY, M. (T/W)	<i>Ghana:</i> YAHAYA, Mr. (G) QUARM, Mr. (G) BANNERMAN-MENSON, Mr. (E) YANKEY, Mr. (T/W)
<i>Allemagne, République fédérale d'Allemagne, Federal Republic of/Alemania, República Federal de:</i> CLEVER, Mr. (G) WEBER, Mr. (G) LINDNER, Mr. (E) MUHR, Mr. (T/W)	<i>Botswana:</i> VENSON, Miss (G) LEBANG, Mr. (G) SALESHANDO, Mr. (T/W)	<i>Cuba:</i> MARTINEZ BRITO, Sr. (G) LECHUGA HEVIA, Sr. (G) FRANCIS de los REYES, Sr. (E) ESCANDELL ROMERO, Sr. (T/W)	<i>Grèce/Greece/Grecia:</i> KERKINOS, M. (G) KOUKIADIS, M. (G) MITSOS, M. (E) RAFTOPOULOS, M. (T/W)
<i>Angola:</i> MPOLO, M. (G) COELHO, M. (E) LUVUALU, M. (T/W)	<i>Brésil/Brazil/Brasil:</i> MACIEL NEVES, M. (G) MARTINS, M. (G) ROSSI, M. (E) FERREIRA DO PRADO, M. (T/W)	<i>Danemark/Denmark/ Dinamarca:</i> ANDERSEN, Mr. (G) FRANDSEN, Mr. (G) JOHANSEN, Mrs. (E) SVENNINGSEN, Mr. (T/W)	<i>Grenade/Grenada/Granada:</i> NOEL, Mr. (G) NEWTON, Mr. (G) SMITH, Mrs. (E)
<i>Arabie saoudite/Saudi Arabia/Arabia Saudita:</i> AL-YAHYA, Mr. (G) AL-KHALIDI, Mr. (G) DAHLAN, Mr. (E) SINAN, Mr. (T/W)	<i>Bulgarie/Bulgaria/Bulgaria:</i> HARALAMPIEV, M. (G) ANDREEV, M. (G) BOZHINOV, M. (E) ANDREEV, M. (T/W)	<i>Egypte/Egypt/Egipto:</i> ELARABY, Mr. (G) TAHER, Mr. (G) GAZARIN, Mr. (E) EL-AMAWY, Mr. (T/W)	<i>Guinée/Guinea/Guinea:</i> CAMARA, M. (G)
<i>Argentine/Argentina/Argentina:</i> UBALDINI, Sr. (T/W)	<i>Burkina Faso:</i> DIALLO, M. (G) KAMBIRE, M. (G)	<i>Emirats arabes unis/United Arab Emirates/Emiratos Arabes Unidos:</i> AL-MUHAIRY, Mr. (G) AL-AJALAH, Mr. (G) MATTAR, Mr. (E) BILAL, Mr. (T/W)	<i>Haïti/Haiti/Haití:</i> CHARLES, M. (G) GUERRIER, M. (G)
<i>Australie/Australia/Australia:</i> POULTER, Mr. (G) FOTHERINGHAM, Mr. (G) NOAKES, Mr. (E) MacBEAN, Mr. (T/W)	<i>Burundi:</i> MUYUMBU, M. (E)	<i>Espagne/Spain/España:</i> ARTACHO CASTELLANO, Sr. (G) CRESCO VALERA, Sr. (G) FERRER DUFOLL, Sr. (E) GUTIERREZ VEGARA, Sr. (T/W)	<i>Honduras:</i> DISCUA RODRIGUEZ, Sr. (G) MEJIA UCLES, Sr. (G) MARTINEZ, Sr. (E) MURILLO, Sr. (T/W)
<i>Autriche/Austria/Austria:</i> MARTINEK, Mr. (G) MELAS, Mr. (G) ARBESSER-RASTBURG, Mr. (E) VERZETNITSCH, Mr. (T/W)	<i>Cameroon/Cameroon/Camerún:</i> NYANGANG, M ^{me} (G) EYAMBE, M. (G) NGAHA, M. (E) FOUDA SIMA, M. (T/W)	<i>Etats-Unis/United States/Estados Unidos:</i> LAWSON, Mr. (G) FREEMAN, Mr. (G) SMITH Jr., Mr. (E) BAKER, Mr. (T/W)	<i>Hongrie/Hungary/Hungría:</i> MEISZTER, M. (G) MARTON, M. (G) MARTOS, M. (E) TIMMER, M. (T/W)
<i>Bangladesh:</i> UR-RASHID, Mr. (G)	<i>Canada/Canada/Canadá:</i> CARON, M ^{me} (G) HAMMOND, Mr. (G) DAWSON, Mr. (E) MERCIER, M. (T/W)	<i>Ethiopie/Ethiopia/Etiopía:</i> GUTEMA, Mrs. (G) GEBRE-MEDHIN, Mr. (G) TAMERAT, Mr. (T/W)	<i>Inde/India/India:</i> KAR, Mr. (G) SHARMA, Mr. (G) KHURANA, Mr. (E) RAMAMURTHY, Mr. (T/W)
<i>Barbade/Barbados/Barbados:</i> HARRIS, Mr. (G) WILLIAMS, Mr. (E) WALCOTT, Mr. (T/W)	<i>Chili/Chile/Chile:</i> PEREZ NAVARRO, Sr. (T/W)	<i>Finlande/Finland/Finlandia:</i> RIIKONEN, Mr. (G) VEIJALAINEN, Mr. (G) MELIN, Mr. (E) JAASKELAINEN, Mr. (T/W)	<i>Indonésie/Indonesia/Indonesia:</i> DARWANTO, Mr. (G) SIMANJUNTAK, Mr. (G) BOEDJOSTRO, Mr. (E) PASARIBU, Mr. (T/W)
<i>Belgique/Belgium/Bélgica:</i> CALIFICE, M. (G) SOENEN, M. (G) ARETS, M. (E) PEIRENS, M. (T/W)	<i>Chine/China/China:</i> LI, Mr. (G) QIAN, Mr. (G) SHA, Mr. (E) FANG, Mr. (T/W)	<i>France/France/Francia:</i> CHOTARD, M. (G) RAMOND, M. (G) OECHSLIN, M. (E) BRIESCH, M. (T/W)	<i>République islamique d'Iran/Islamic Republic of Iran/República Islámica del Irán:</i> NASSERI, Mr. (G)
<i>Bénin/Benin/Benin:</i> MENSAH, M. (G) ZANOU, M. (G) ADETONAH, M. (T/W)	<i>Chypre/Cyprus/Chipre:</i> CHRISTODOULOU, Mr. (G) CALLIMACHOS, Mr. (G) KITTEIS, Mr. (T/W)	<i>Iraq:</i> GHALI, Mr. (G) AL-ZAIDI, Mr. (G) HUSSAIN, Mr. (E) GHARIB, Mr. (T/W)	<i>Irlande/Ireland/Irlanda:</i> O'RIORDAN, Mr. (G) LILLIS, Mr. (G) FLYNN, Mr. (T/W)

Islande/Iceland/Islandia :

KRISTINSSON, Mr. (G)
MAGNUSSON, Mr. (E)
GUDMUNDSSON, Mr. (T/W)

Israël/Israel/Israël :

BARAK, Mr. (G)
ELIAV, Mr. (G)
KARA, Mr. (T/W)

Italie/Italy/Italia :

CAVAGLIERI, M. (G)
ARISTODEMO, M. (G)
SASSO-MAZZUFFERI, M^{me}
(E)
VANNI, M. (T/W)

Jamaïque/Jamaica/Jamaica :

AITKEN, Mr. (G)

Japon/Japan/Japón :

HATANO, Mr. (G)
NAKAMURA, Mr. (G)
TSUJINO, Mr. (E)
TANAKA, Mr. (T/W)

Jordanie/Jordan/Jordania :

KHASAWNEH, Mr. (G)
AL-AKEL, Mr. (G)
KARDAN, Mr. (T/W)

Kenya :

BIRIR, Mr. (G)
NGARE, Mr. (G)
OWUOR, Mr. (E)
MUGALLA, Mr. (T/W)

Koweït/Kuwait/Kuwait :

YASEEN, Mr. (G)
AL-SABAH, Mr. (G)
AL-JASSEM, Mr. (E)
AL-HOJAILAN, Mr. (T/W)

Lesotho :

MOPHETHE, Mr. (G)
FANANA, Mr. (G)

Liban/Lebanon/Líbano :

KHOURY, M. (G)
NASR, M. (E)

Libéria/Liberia/Liberia :

AYOMANOR, Mr. (G)
DOE, Mr. (G)
KIEH, Mr. (T/W)

*Jamahiriya arabe
libyenne/Libyan Arab
Jamahiriya/Jamahiriya Arabe
Libia :*

ALFAQI HASAN, Mr. (G)
OMAR, Mr. (G)

*Luxembourg/Luxembourg/
Luxemburgo :*

SCHINTGEN, M. (G)
SCHUSTER, M. (G)
JUNG, M. (E)
PIZZAFERRI, M. (T/W)

Madagascar :

RAZAFIMANDRANTO, M.
(G)
RAFENOMANANTSOA, M.
(G)
ADRIANTSITOHAINA, M.
(E)
RANAIVOJAONA, M. (T/W)

Malaisie/Malaysia/Malasia :

NIK MOHAMED AMIN, Mr.
(G)
ABDUL RAHMAN HARON,
Mr. (G)
MOKZHANI ABDUL
RAHIM, Mr. (E)
RAGUNATHAN, Mr. (T/W)

Malawi :

MPATA, Mr. (G)
MAWINDO, Mr. (G)
MVULA, Mr. (T/W)

Mali/Mali/Mali :

TOURE, M. (E)

Malte/Malta/Malta :

BORG CARDONA, Mr. (G)
CILIA, Mr. (G)
MALLIA MILANES, Mr. (E)
CALAMATTA, Mr. (T/W)

Maroc/Moroccò/Marruecos :

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KHALES, M. (G)
ABOU LAHCEN, M. (E)
BEN SEDDIK, M. (T/W)

Maurice/Mauritius/Mauricio :

REY, Mr. (E)

Mexique/Mexico/México :

SANCHEZ MADARIAGA,
Sr. (T/W)

Mongolie/Mongolia/Mongolia :

DAGVADORJ, Mr. (G)
BALJINNYAM, Mrs. (G)
TSEMBEL, Mr. (E)
TSAGAAN, Mr. (T/W)

Namibie/Namibia/Namibia :

BARRERO-STAHN, Mr. (G)

Népal/Nepal/Nepal :

KIRAN, Mrs. (G)

Nicaragua :

VARGAS ESCOBAR, Sr. (G)
MEZA SOZA, Sr. (G)
TORREZ GAMEZ, Sr. (T/W)

Niger/Niger/Niger :

GEORGET, M. (E)
MAIYAKI, M. (T/W)

Nigéria/Nigeria/Nigeria :

OLUMIDE, Mr. (G)
WILLIAMS, Mr. (G)
UBEKU, Mr. (E)
SANYAOLU, Mr. (T/W)

Norvège/Norway/Noruega :

RUGE, Ms. (G)
BRUAAS, Mr. (G)
HOFF, Mr. (E)
PEDERSEN, Ms. (T/W)

*Nouvelle-Zélande/New
Zealand/Nueva Zelandia :*

WILLIAMS, Mr. (G)
BUCHANAN, Mr. (G)
JESSUP, Mr. (E)
DOUGLAS, Mr. (T/W)

Ouganda/Uganda/Uganda :

OLWENY, Mr. (G)

Pakistan/Pakistan/Pakistán :

MIRZA, Mr. (G)
AHMAD, Mr. (G)
TABBANI, Mr. (E)
AHMED, Mr. (T/W)

Panama/Panama/Panamá :

CALDERON, Sra. (G)

*Papouasie-Nouvelle-Guinée/
Papua New Guinea/Papua
Nueva Guinea :*

KEKEDO, Mrs. (G)
ARUA, Mr. (G)
SALE, Mr. (E)
TITIMUR, Mr. (T/W)

*Pays-Bas/Netherlands/Países
Bajos :*

ROOD, Mr. (G)
HAGEN, Mr. (G)
HAK, Miss (E)
HORDIJK, Mr. (T/W)

Philippines/Philippines/Filipinas :

VILLARROEL, Mr. (G)
DE LA SERNA, Mr. (G)
PERIQUET, Mr. (E)
HERRERA, Mr. (T/W)

Pologne/Poland/Polonia :

BORAWSKI, Mr. (G)
TOWPIK, Mr. (G)
NOWAK, Mr. (E)
MIODOWICZ, Mr. (T/W)

Portugal :

DIAS, M. (G)
VIEIRA BRANCO, M. (G)
PINTO CARDOSO, M. (E)
SEQUEIRA, M. (T/W)

Qatar :

AL-MAHMOOD, Mr. (G)
MUBARAK, Mr. (G)
BU-AINAIN, Mr. (T/W)

*République démocratique
allemande/German
Democratic
Republic/República
Democrática Alemana :*

NOACK, Mr. (G)
HERTEL, Mr. (G)
MARX, Mr. (E)
BOCHOW, Mr. (T/W)

*Royaume-Uni/United
Kingdom/Reino Unido :*

ROBINSON, Mr. (G)
ALEXANDER, Mr. (G)
MACKIE, Miss (E)
MORTON, Mr. (T/W)

Rwanda :

RUSHINGABIGWI, M. (G)
KANYARWANDA, M. (E)

*Saint-Marin/San Marino/San
Marino :*

CECHETTI, M. (G)
THOMAS, M. (G)
MORRI, M. (E)
CHIARUZZI, M. (T/W)

Sénégal/Senegal/Senegal :

SENE, M. (G)
THIAM, M. (G)
SOW, M. (E)
DIOP, M. (T/W)

Singapour/Singapore/Singapur :

MAH, Mr. (E)

Somalie/Somalia/Somalia :

AHMED, Mr. (G)
ABDI, Mr. (T/W)

Soudan/Sudan/Sudán :

SHUMMENA, Mr. (G)
EL HASSAN, Mr. (G)
GAMAA, Mr. (T/W)

Sri Lanka :

DASANAYAKE, Mr. (G)
WEERAKOON, Mr. (G)
DE SILVA, Mr. (E)

Suède/Sweden/Suecia :

ETTARP, Mr. (G)
WIKLUND, Ms. (G)
VON HOLTEN, Mr. (E)
KARLSSON, Mr. (T/W)

Suisse/Switzerland/Suiza :

HUG, M. (G)
ELMIGER, M. (G)
DECOSTERD, M. (E)
DREIFUSS, M^{me} (T/W)

Suriname :

BYNOE, Mr. (E)
KROSS, Mr. (T/W)

*Swaziland/Swaziland/
Swazilandia :*

BEMBA, Mr. (G)
SHABANGU, Mr. (G)
DODDS, Mr. (E)
SITHOLE, Mr. (T/W)

*République arabe
syrienne/Syrian Arab
Republic/República Árabe
Siria :*

GHALIL, M. (G)

*Tanzanie, République-Unie
de/Tanzania, United Republic
of/Tanzania, República Unida
de :*

MULOKOZI, Mr. (G)
JAMAL, Mr. (G)
NAMATA, Mr. (E)
MASHASI, Mr. (T/W)

*Tchécoslovaquie/Czechoslovakia
Czechoslovakia :*

MOLKOVA, Mrs. (G)
VEJVODA, Mr. (G)
CIGANIK, Mr. (E)
KOZIK, Mr. (T/W)

Thaïlande/Thailand/Tailandia :

KALAYANAMIT, Mr. (G)
KEIWALINSRIT, Mr. (G)
NAKORNSRI, Mr. (E)
IEUMBUMROONG, Mr.
(T/W)

<i>Togo :</i> YAGNINIM, M. (G) BLEDJE, M. (G) ASSIH, M. (E) BARNABO, M. (T/W)	<i>République socialiste soviétique d'Ukraine/Ukrainian Soviet Socialist Republic/República Socialista Soviética de Ucrania :</i> LIPATOV, Mr. (G) OZADOVSKI, Mr. (G) CHILO, Mr. (E) KOVALEVSKI, Mr. (T/W)	<i>Venezuela :</i> ANTONI PAVAN, Sr. (G) ROJAS, Sr. (G) DELPINO, Sr. (T/W)	<i>Zaïre/Zaire/Zaire :</i> KUMBU-KI-LUTETE, M. (G) LONGANGE, M. (G) KOMBO, M. (T/W)
<i>Trinité-et-Tobago/Trinidad and Tobago/Trinidad y Tabago :</i> HENRY, Mr. (G)	<i>URSS/USSR/URSS :</i> KOSTINE, M. (G) BORCHTCHEVSKY, M. (G) GAIDAIENKO, M. (E) YANAIEV, M. (T/W)	<i>Yémen/Yemen/Yemen :</i> JAGHMAN, Mr. (G) OBAD, Mr. (G) AL-NA'AMI, Mr. (T/W)	<i>Zambie/Zambia/Zambia :</i> PHIRI, Mr. (G) SIWALE, Mr. (G) MAMBWE, Mr. (E) CHILUBA, Mr. (T/W)
<i>Tunisie/Tunisia/Túnez :</i> HAMZAOUI, M. (G) MABROUK, M. (G)	<i>Yémen démocratique/Democratic Yemen/Yemen Democrático :</i> SAEED, Mr. (G) BAMASMOOS, Mr. (E) ABDULLAH, Mr. (T/W)	<i>Yugoslavie/Yugoslavia/ Yugoslavia :</i> KOSIN, Mr. (G) TOMASEVIC, Mr. (G) JESIC, Mr. (E) TODOROVIC, Mrs. (T/W)	<i>Zimbabwe :</i> NKOMO, Mr. (G) MAWANDE, Mr. (G) CHADZAMIRA, Mr. (E) MUTANDARE, Mr. (T/W)
<i>Turquie/Turkey/Turquía :</i> YAVUZALP, Mr. (G) INAL, Mr. (G) ATASAYAR, Mr. (E) YILMAZ, Mr. (T/W)	<i>Uruguay :</i> LABAT, Sr. (G) LERENA, Sr. (G) PEREYRA, Sr. (T/W)		

Contre/Against/En contra 0

Abstentions/Abstentions/Abstenciones 26

<i>Argentine/Argentina/Argentina :</i> GALER, Sr. (G) TETTAMANTI, Sr. (G) FAVELEVIC, Sr. (E)	<i>Colombie/Colombia/Colombia :</i> RIOS MUÑOZ, Sr. (G) CHARRY SAMPER, Sr. (G)	<i>Guatemala :</i> RODRIGUEZ FANKHAUSER, Sra. (G) PIVARAL GUZMAN, Sr. (E)	<i>Pérou/Peru/Perú :</i> FERREYRA GARCIA, Sr. (G) ALCABES VOTO BERNALES, Sra. (G)
<i>Bolivie/Bolivia/Bolivia :</i> FRANCO GUACHALLA, Sr. (G) ESPAÑA-SMITH, Sr. (G)	<i>Costa Rica :</i> OBREGON, Sr. (G)	<i>Malawi :</i> MUYENZA, Mr. (E)	<i>Suriname :</i> McLEOD, Mr. (G)
<i>Chili/Chile/Chile :</i> ESCOBAR CERDA, Sr. (G) MONTT BALMACEDA, Sr. (E)	<i>Equateur/Ecuador/Ecuador :</i> LEORO FRANCO, Sr. (G) BORJA ILLESCAS, Sr. (G)	<i>Mexique/Mexico/México :</i> TELLO, Sr. (G) NOVELO von GLUMER, Sr. (G) ARROYO SAN MARTIN, Sr. (E)	<i>Uruguay :</i> BARRENECHEA, Sr. (E)
	<i>Gabon/Gabon/Gabón :</i> NGOUBY-MBOUGA, M. (G) IBINGA-MOMBO, M. (G) FLAVIEN MANGA, M. (E)		<i>Venezuela :</i> VILLALOBOS, Sr. (E)

*Final record vote on the Recommendation concerning employment promotion
and protection against unemployment*

Pour/For/En pro 375

*Afghanistan/Afghanistan/
Afganistán:*

NAZAR, Mr. (G)
SHOOGUFAN, Mr. (G)

Algérie/Algeria/Argelia:

LAHIANI, M. (G)
ASSALA, M. (G)
BENLAKHDAR, M. (T/W)

*Allemagne, République fédérale
d'Germany, Federal Republic
of/Alemania, República
Federal de:*

CLEVER, Mr. (G)
WEBER, Mr. (G)
LINDNER, Mr. (E)
MUHR, Mr. (T/W)

Angola:

MPOLO, M. (G)
COELHO, M. (E)
LUVUALU, M. (T/W)

*Arabie saoudite/Saudi
Arabia/Arabia Saudita:*

AL-YAHYA, Mr. (G)
AL-KHALIDI, Mr. (G)
DAHLAN, Mr. (E)
SINAN, Mr. (T/W)

Argentine/Argentina/Argentina:

UBALDINI, Sr. (T/W)

Australie/Australia/Australia:

POULTER, Mr. (G)
FOTHERINGHAM, Mr. (G)
NOAKES, Mr. (E)
MacBEAN, Mr. (T/W)

Autriche/Austria/Austria:

MARTINEK, Mr. (G)
MELAS, Mr. (G)
ARBESSER-RASTBURG, Mr.
(E)
VERZETNITSCH, Mr. (T/W)

Barbade/Barbados/Barbados:

HARRIS, Mr. (G)
WILLIAMS, Mr. (E)
WALCOTT, Mr. (T/W)

Belgique/Belgium/Bélgica:

CALIFICE, M. (G)
SOENEN, M. (G)
ARETS, M. (E)
PEIRENS, M. (T/W)

Bénin/Benin/Benin:

MENSAH, M. (G)
ZANOU, M. (G)
ADETONAH, M. (T/W)

*République socialiste soviétique
de Biélorussie/Byelorussian
Soviet Socialist
Republic/República Socialista
Soviética de Bielorrusia:*

FOMICHI, Mr. (G)
PESHKOV, Mr. (G)
KOVALEVICH, Mr. (E)
BULGAK, Mr. (T/W)

Birmanie/Burma/Birmania:

THANG, U (G)
TUN, U (G)
WIN, K. U (E)
WIN, A. U (T/W)

Botswana:

VENSON, Miss (G)
LEBANG, Mr. (G)
SALESHANDO, Mr. (T/W)

Brésil/Brazil/Brasil:

MACIEL NEVES, M. (G)
MARTINS, M. (G)
ROSSI, M. (E)
FERREIRA DO PRADO, M.
(T/W)

Bulgarie/Bulgaria/Bulgaria:

HARALAMPIEV, M. (G)
ANDREEV, M. (G)
BOZHINOV, M. (E)
ANDREEV, M. (T/W)

Burkina Faso:

DIALLO, M. (G)
KAMBIRE, M. (G)

Burundi:

MUYUMBU, M. (E)

Cameroun/Cameroon/Camerún:

NYANGANG, M^{me} (G)
EYAMBE, M. (G)
NGAHA, M. (E)
FOUDA SIMA, M. (T/W)

Canada/Canada/Canadá:

CARON, M^{me} (G)
HAMMOND, Mr. (G)
DAWSON, Mr. (E)
MERCIER, M. (T/W)

Chili/Chile/Chile:

PEREZ NAVARRO, Sr. (T/W)

Chine/China/China:

LI, Mr. (G)
QIAN, Mr. (G)
SHA, Mr. (E)
FANG, Mr. (T/W)

Chypre/Cyprus/Chipre:

CHRISTODOULOU, Mr. (G)
CALLIMACHOS, Mr. (G)
KITTENIS, Mr. (T/W)

Congo:

KAYA, M. (G)

Côte d'Ivoire:

ESSIGAN, M. (G)
COULIBALY, D^r (G)
DIAKITE, M. (E)
ADIKO NIAMKEY, M. (T/W)

Cuba:

MARTINEZ BRITO, Sr. (G)
LECHUGA HEVIA, Sr. (G)
FRANCIS de los REYES, Sr.
(E)
ESCANDELL ROMERO, Sr.
(T/W)

*Danemark/Denmark/
Dinamarca:*

ANDERSEN, Mr. (G)
FRANDSEN, Mr. (G)
JOHANSEN, Mrs. (E)
SVENNINGSEN, Mr. (T/W)

Egypte/Egypt/Egipto:

ELARABY, Mr. (G)
TAHER, Mr. (G)
GAZARIN, Mr. (E)
ELAMAWY, Mr. (T/W)

*Emirats arabes unis/United Arab
Emirates/Emiratos Arabes
Unidos:*

AL-MUHAIRY, Mr. (G)
AL-AJALAH, Mr. (G)
MATTAR, Mr. (E)
BILAL, Mr. (T/W)

Espagne/Spain/España:

ARTACHO CASTELLANO,
Sr. (G)
CRESPO VALERA, Sr. (G)
FERRER DUFOLL, Sr. (E)
GUTIERREZ VEGARA, Sr.
(T/W)

*Etats-Unis/United States/Estados
Unidos:*

LAWSON, Mr. (G)
FREEMAN, Mr. (G)
SMITH Jr., Mr. (E)
BAKER, Mr. (T/W)

Ethiopie/Ethiopia/Etiopía:

GUTEMA, Mrs. (G)
GEBRE-MEDHIN, Mr. (G)
TAMERAT, Mr. (T/W)

Finlande/Finland/Finlandia:

RIIKONEN, Mr. (G)
VEIJALAINEN, Mr. (G)
MELIN, Mr. (E)
JAASKELAINEN, Mr. (T/W)

France/France/Francia:

CHOTARD, M. (G)
RAMOND, M. (G)
OECHSLIN, M. (E)
BRIESCH, M. (T/W)

Gabon/Gabon/Gabón:

NGOUBY-MBOUGA, M. (G)
IBINGA-MOMBO, M. (G)
FLAVIEN MANGA, M. (E)
ALLINI, M. (T/W)

Ghana:

YAHAYA, Mr. (G)
QUARM, Mr. (G)
BANNERMAN-MENSON, Mr.
(E)
YANKEY, Mr. (T/W)

Grèce/Greece/Grecia:

KERKINOS, M. (G)
KOUKIADIS, M. (G)
MITSOS, M. (E)
RAFTOPOULOS, M. (T/W)

Grenade/Grenada/Granada:

NOEL, Mr. (G)
SMITH, Mrs. (E)

Guatemala:

CASTAÑEDA de GOMEZ,
Sra. (T/W)

Guinée/Guinea/Guinea:

CAMARA, M^{me} (G)

Haïti/Haiti/Haití:

CHARLES, M. (G)
GUERRIER, M. (G)

Honduras:

DISCUA RODRIGUEZ, Sr.
(G)
MEJIA UCLES, Sr. (G)
MARTINEZ, Sr. (E)
MURILLO, Sr. (T/W)

Hongrie/Hungary/Hungria:

MEISZTER, M. (G)
MARTON, M. (G)
MARTOS, M. (E)
TIMMER, M. (T/W)

Inde/India/India:

KAR, Mr. (G)
SHARMA, Mr. (G)
KHURANA, Mr. (E)
RAMAMURTHY, Mr. (T/W)

Indonésie/Indonesia/Indonesia:

DARWANTO, Mr. (G)
SIMANJUNTAK, Mr. (G)
BOEDJOSASTRO, Mr. (E)
PASARIBU, Mr. (T/W)

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

NASSERI, Mr. (G)

<i>Iraq :</i> GHALI, Mr. (G) AL-ZAIDI, Mr. (G) HUSSAIN, Mr. (E) GHARIB, Mr. (T/W)	<i>Luxembourg/Luxembourg/ Luxemburgo :</i> SCHINTGEN, M. (G) SCHUSTER, M. (G) JUNG, M. (E) PIZZAFERRI, M. (T/W)	<i>Niger/Niger/Niger :</i> YAHAYA, M. (G) DJIKA, M. (G) GEORGET, M. (E) MAIYAKI, M. (T/W)	<i>Qatar :</i> AL-MAHMOOD, Mr. (G) MUBARAK, Mr. (G) BU-AINAIN, Mr. (T/W)
<i>Irlande/Ireland/Irlanda :</i> O'RIORDAN, Mr. (G) LILLIS, Mr. (G) FLYNN, Mr. (T/W)	<i>Madagascar :</i> RAZAFIMANDRANTO, M. (G) RAFENOMANANTSOA, M. (G) ADRIANTSITOHAINA, M. (E) RANAIVOJAONA, M. (T/W)	<i>Nigéria/Nigeria/Nigeria :</i> OLUMIDE, Mr. (G) WILLIAMS, Mr. (G) UBEKU, Mr. (E) SANYAOLU, Mr. (T/W)	<i>République démocratique allemande/German Democratic Republic/República Democrática Alemana :</i> NOACK, Mr. (G) HERTEL, Mr. (G) MARX, Mr. (E) BOCHOW, Mr. (T/W)
<i>Islande/Iceland/Islandia :</i> KRISTINSSON, Mr. (G) MAGNUSSON, Mr. (E) GUDMUNDSSON, Mr. (T/W)	<i>Malaisie/Malaysia/Malasia :</i> NIK MOHAMED AMIN, Mr. (G) ABDUL RAHMAN HARON, Mr. (G) MOKZHANI ABDUL RAHIM, Mr. (E) RAGUNATHAN, Mr. (T/W)	<i>Norvège/Norway/Noruega :</i> RUGE, Ms. (G) BRUAAS, Mr. (G) HOFF, Mr. (E) PEDERSEN, Ms. (T/W)	<i>Royaume-Uni/United Kingdom/Reino Unido :</i> ROBINSON, Mr. (G) ALEXANDER, Mr. (G) MACKIE, Miss (E) MORTON, Mr. (T/W)
<i>Israël/Israel/Israel :</i> BARAK, Mr. (G) ELIAV, Mr. (G) KARA, Mr. (T/W)	<i>Malawi :</i> MPATA, Mr. (G) MAWINDO, Mr. (G) MUYENZA, Mr. (E) MVULA, Mr. (T/W)	<i>Nouvelle-Zélande/New Zealand/Nueva Zelandia :</i> WILLIAMS, Mr. (G) BUCHANAN, Mr. (G) JESSUP, Mr. (E) DOUGLAS, Mr. (T/W)	<i>Rwanda :</i> RUSHINGABIGWI, M. (G) RUHIGIRA, M. (T/W)
<i>Italie/Italy/Italia :</i> CAVAGLIERI, M. (G) ARISTODEMO, M. (G) SASSO-MAZZUFFERI, M ^{me} (E) VANNI, M. (T/W)	<i>Malie/Mali/Mali :</i> TOURE, M. (E)	<i>Ouganda/Uganda/Uganda :</i> OLWENY, Mr. (G)	<i>Saint-Marin/San Marino/San Marino :</i> CECHETTI, M. (G) THOMAS, M. (G) MORRI, M. (E) CHIARUZZI, M. (T/W)
<i>Jamaïque/Jamaica/Jamaica :</i> AITKEN, Mr. (G)	<i>Malte/Malta/Malta :</i> BORG CARDONA, Mr. (G) CILIA, Mr. (G) MALLIA MILANES, Mr. (E) CALAMATTA, Mr. (T/W)	<i>Pakistan/Pakistan/Pakistán :</i> MIRZA, Mr. (G) AHMAD, Mr. (G) TABBANI, Mr. (E) AHMED, Mr. (T/W)	<i>Sénégal/Senegal/Senegal :</i> SENE, M. (G) THIAM, M. (G) SOW, M. (E) DIOP, M. (T/W)
<i>Japon/Japan/Japón :</i> HATANO, Mr. (G) NAKAMURA, Mr. (G) TSUJINO, Mr. (E) TANAKA, Mr. (T/W)	<i>Maroc/Morocco/Marruecos :</i> BENHIMA, M. (G) KHALES, M. (G) ABOU LAHCEN, M. (E) BEN SEDDIK, M. (T/W)	<i>Panama/Panama/Panamá :</i> VILLARREAL, Sr. (G) CALDERON, Sra. (G)	<i>Singapour/Singapore/Singapur :</i> MAH, Mr. (E)
<i>Jordanie/Jordan/Jordania :</i> KHASHANEH, Mr. (G) AL-AKEL, Mr. (G) HABAIBEH, Mr. (E) KARDAN, Mr. (T/W)	<i>Maurice/Mauritius/Mauricio :</i> REY, Mr. (E)	<i>Papouasie-Nouvelle-Guinée/ Papua New Guinea/Papua Nueva Guinea :</i> KEKEDO, Mrs. (G) ARUA, Mr. (G) SALE, Mr. (E)	<i>Somalie/Somalia/Somalia :</i> AHMED, Mr. (G) ABDI, Mr. (T/W)
<i>Kenya :</i> BIRIR, Mr. (G) NGARE, Mr. (G) OWUOR, Mr. (E) MUGALLA, Mr. (T/W)	<i>Mexique/Mexico/México :</i> TELLO, Sr. (G) NOVELO von GLUMER, Sr. (G) SANCHEZ MADARIAGA, Sr. (T/W)	<i>Pays-Bas/Netherlands/Países Bajos :</i> ROOD, Mr. (G) HAGEN, Mr. (G) HAK, Miss (E) HORDIJK, Mr. (T/W)	<i>Soudan/Sudan/Sudán :</i> SHUMMENA, Mr. (G) EL HASSAN, Mr. (G) GAMAA, Mr. (T/W)
<i>Koweït/Kuwait/Kuwait :</i> YASEEN, Mr. (G) AL-SABAH, Mr. (G) AL-JASSEM, Mr. (E) AL-HOJAILAN, Mr. (T/W)	<i>Mongolie/Mongolia/Mongolia :</i> DAGVADORJ, Mr. (G) BALJINNYAM, Mrs. (G) TSEMBEL, Mr. (E) TSAGAAN, Mr. (T/W)	<i>Pérou/Peru/Perú :</i> FERREYRA GARCIA, Sr. (G) ALCABES VOTO BERNALES, Sra. (G)	<i>Sri Lanka :</i> DASANAYAKE, Mr. (G) WEERAKOON, Mr. (G)
<i>Lesotho :</i> MOPHETHE, Mr. (G) FANANA, Mr. (G)	<i>Namibie/Namibia/Namibia :</i> BARRERO-STAHN, Mr. (G) YA OTTO, Mr. (T/W)	<i>Philippines/Philippines/Filipinas :</i> VILLARROEL, Mr. (G) DE LA SERNA, Mr. (G) PERIQUET, Mr. (E) HERRERA, Mr. (T/W)	<i>Suède/Sweden/Suecia :</i> ETTARP, Mr. (G) WIKLUND, Ms. (G) VON HOLTEN, Mr. (E) KARLSSON, Mr. (T/W)
<i>Liban/Lebanon/Líbano :</i> NASR, M. (E)	<i>Népal/Nepal/Nepal :</i> KIRAN, Mrs. (G)	<i>Pologne/Poland/Polonia :</i> BORAWSKI, Mr. (G) TOWPIK, Mr. (G) NOWAK, Mr. (E) MIODOWICZ, Mr. (T/W)	<i>Suisse/Switzerland/Suiza :</i> HUG, M. (G) ELMIGER, M. (G) DECOSTERD, M. (E) DREIFUSS, M ^{me} (T/W)
<i>Libéria/Liberia/Liberia :</i> AYOMANOR, Mr. (G) DOE, Mr. (G) KIEH, Mr. (T/W)	<i>Nicaragua :</i> VARGAS ESCOBAR, Sr. (G) MEZA SOZA, Sr. (G) TORREZ GAMEZ, Sr. (T/W)	<i>Portugal :</i> DIAS, M. (G) VIEIRA BRANCO, M. (G) PINTO CARDOSO, M. (E) SEQUEIRA, M. (T/W)	<i>Suriname :</i> McLEOD, Mr. (G) BYNOE, Mr. (E) KROSS, Mr. (T/W)
<i>Jamahiriya arabe libyenne/Libyan Arab Jamahiriya/Jamahiriya Arabe Libia :</i> ALFAQI HASAN, Mr. (G) OMAR, Mr. (G) ELMUKHERBI, Mr. (E) HOWAYDI, Mr. (T/W)			

*Swaziland/Swaziland/
Swazilandia:*

BEMBA, Mr. (G)
SHABANGU, Mr. (G)
DODDS, Mr. (E)
SITHOLE, Mr. (T/W)

*République arabe
syrienne/Syrian Arab
Republic/República Árabe
Siria:*

GHALIL, M. (G)
KOUSA, M. (E)
ISSA, M. (T/W)

*Tanzanie, République-Unie
de/Tanzania, United Republic
of/Tanzania, República Unida
de:*

MULOKOZI, Mr. (G)
JAMAL, Mr. (G)
NAMATA, Mr. (E)
MASHASI, Mr. (T/W)

*Tchécoslovaquie/Czechoslovakia/
Checoslovaquia:*

MOLKOVA, Mrs. (G)
VEJVODA, Mr. (G)
CIGANIK, Mr. (E)
KOZIK, Mr. (T/W)

Thaïlande/Thailand/Tailandia:

KALAYANAMIT, Mr. (G)
KEIWALINSRIT, Mr. (G)
NAKORNSRI, Mr. (E)
IEUMBUMROONG, Mr.
(T/W)

Togo:

YAGNINIM, M. (G)
BLEDJE, M. (G)
ASSIH, M. (E)
BARNABO, M. (T/W)

Tunisie/Tunisia/Túnez:

HAMZAOUI, M. (G)
MABROUK, M. (G)

Turquie/Turkey/Turquía:

YAVUZALP, Mr. (G)
INAL, Mr. (G)
ATASAYAR, Mr. (E)
YILMAZ, Mr. (T/W)

*République socialiste soviétique
d'Ukraine/Ukrainian Soviet
Socialist Republic/República
Socialista Soviética de
Ucrania:*

LIPATOV, Mr. (G)
OZADOVSKI, Mr. (G)
CHILO, Mr. (E)
KOVALEVSKI, Mr. (T/W)

URSS/USSR/URSS:

KOSTINE, M. (G)
BORCHTCHEVSKY, M. (G)
GAIDAIENKO, M. (E)
YANAIEV, M. (T/W)

Uruguay:

LABAT, Sr. (G)
LERENA, Sr. (G)
PEREYRA, Sr. (T/W)

Venezuela:

ANTONI PAVAN, Sr. (G)
ROJAS, Sr. (G)
DELPINO, Sr. (T/W)

*Yémen démocratique/Democratic
Yemen/Yemen Democrático:*

SAEED, Mr. (G)
BAMASMOOS, Mr. (E)

*Yougoslavie/Yugoslavia/
Yugoslavia:*

KOSIN, Mr. (G)
TOMASEVIC, Mr. (G)
JESIC, Mr. (E)
TODOROVIC, Mrs. (T/W)

Zaïre/Zaire/Zaire:

KUMBU-KI-LUTETE, M. (G)
LONGANGE, M. (G)
KOMBO, M. (T/W)

Zambie/Zambia/Zambia:

PHIRI, Mr. (G)
SIWALE, Mr. (G)
MAMBWE, Mr. (E)
CHILUBA, Mr. (T/W)

Zimbabwe:

NKOMO, Mr. (G)
MAWANDE, Mr. (G)
CHADZAMIRA, Mr. (E)
MUTANDARE, Mr. (T/W)

Contre/Against/En contra 0

Abstentions/Abstentions/Abstenciones 17

Argentine/Argentina/Argentina:

GALER, Sr. (G)
TETTAMANTI, Sr. (G)
FAVELEVIC, Sr. (E)

Bolivie/Bolivia/Bolivia:

FRANCO GUACHALLA, Sr.
(G)
ESPAÑA-SMITH, Sr. (G)

Chili/Chile/Chile:

ESCOBAR CERDA, Sr. (G)
MONTT BALMACEDA, Sr.
(E)

Colombie/Colombia/Colombia:

RIOS MUÑOZ, Sr. (G)
CHARRY SAMPER, Sr. (G)

Costa Rica:

OBREGON, Sr. (G)

Equateur/Ecuador/Ecuador:

LEORO FRANCO, Sr. (G)
BORJA ILLESCAS, Sr. (G)

Guatemala:

RODRIGUEZ
FANKHAUSER, Sra. (G)
PIVARAL GUZMAN, Sr. (E)

Mexique/Mexico/México:

ARROYO SAN MARTIN, Sr.
(E)

Uruguay:

BARRENECHEA, Sr. (E)

Venezuela:

VILLALOBOS, Sr. (E)

Thirty-fifth Sitting

Tuesday, 21 June 1988, 3.15 p.m.

Presidents: Mr. Beyreuther, Mr. Aitken

REPORT OF THE COMMITTEE ON CONVENTION No. 107: DISCUSSION AND ADOPTION

Interpretation from German: The PRESIDENT – We will now proceed with the discussion of the report of the Committee on Convention No. 107.

Mr. HELMS (*Government adviser, Denmark; Reporter of the Committee on Convention No. 107*) – I have the honour to submit to you the report of the Committee on the Revision of Convention No. 107, as contained in the *Provisional Record*, No. 32.

It is a very special honour for me because I believe that the Committee has chosen me as the Reporter because I, besides representing the Government of Denmark, am here in my capacity as a representative of the Greenland Home Rule Government.

So it has been one of the first decisions of the Committee to appoint a representative of an indigenous people as the Reporter – a sign of the will of the Committee to fulfil the very ideas of the revision of this ILO Convention, namely, to create international recognition of respect for the cultures, ways of life and institutions of the indigenous people and tribal populations of the world.

The Committee had an extremely difficult task before it. Convention No. 107 is a wide-ranging instrument, covering indigenous and tribal rights in scores of countries and hundreds of widely different communities. It tackles sensitive issues of human rights, land, ownership and use, and the relationship between these communities and the national states.

The very terms we use have implicit and explicit meanings which need careful consideration.

As has been stated in the report, the Committee found it gratifying that a number of indigenous and tribal organisations sent representatives to attend the Committee. We were able to hear a number of statements by them and, of course, to consult them informally during this period.

The Committee particularly appreciated, in the light of how deeply felt and sensitive these issues are to them, the way in which these representatives understood and respected the framework in which we work.

There were two major issues on which the Committee chose to defer specific decisions to next year.

The first was the use of the term “peoples”, as against “populations”.

To many indigenous people the term “populations” is felt to be degrading and perhaps even contemptuous.

To many governments the term “peoples” seems to open a door to political disintegration.

The Committee, through a Working Party, tried to find an acceptable formula which would use the word “peoples”, but qualify it to avoid any misunderstanding.

Even though a possible formula was put before the Committee by the Working Party, it was not possible to reach full agreement in the Committee on this issue.

It was therefore decided to include in the conclusions from this year the term “peoples/populations”, and thereby make it explicit that no decision was taken this year.

In connection with this point, I should inform you that there is a slight printing error: in Part III, the Conclusions used the word “peoples” alone; this was unintentional and it will be corrected.

The second issue on which a decision was deferred to next year was the issue of land rights. As will be well known, this issue goes to the very heart of these people.

Here, too, the Working Party began a detailed examination, but it became apparent that it would not be possible to reach agreement this year.

In these circumstances, the Committee decided not to consider the provisions in detail but to listen to statements of position by members.

This was done, and the original Office text for the revision will be used as the basis for the next round of consultations.

These two major issues will have to be dealt with next year, and I know that consultations at regional level have already been prepared. This will improve the possibilities for reaching agreement next year, hopefully with solutions that will be satisfactory to all the parties concerned.

If I have dwelt first on the questions which have caused us problems, it has been more to give greater emphasis to those on which we were able to agree.

This Committee had, as I have said, a very difficult task before it. Some of its members approached its discussion with what I would think could fairly be called suspicion; other, maybe, with hopes beyond reality. Neither the subject nor the format was familiar at the ILO, and there had been some concern expressed before the Conference about the explosiveness of the issue.

It was potentially explosive. But, to its credit, the Committee dealt with the questions before it in a rational and constructive way.

On the participation of the representatives of indigenous and tribal organisations in its work, the Committee took a series of decisions to create a framework for consultations which should facilitate its work next year.

On the substantive issues, the Committee accepted virtually unanimously the thrust of the recommendations put before it by the Meeting of Experts, held on this subject in 1986, as they were reflected in the Office's report.

That is, that the integrationist and assimilationist approach of Convention No. 107 should be revised to reflect respect for these cultures and to seek co-operation with the indigenous and tribal institutions in the creation of a common future.

We all agreed that they should be given the right to participate in the decision-making process in so far as it affects them, and in respect of their way of life.

We also agreed that the programmes and policies intended for their benefit should be framed in consultation with them and carried out in co-operation with them, whenever possible.

We further agreed with their own position that they should receive the training and the means necessary to carry out such programmes themselves whenever this was appropriate. On all the other issues, too, the Committee worked with the same sense of co-operation and dedication; and I think the results we have achieved are substantial and will provide an excellent basis for next year's discussions.

Finally, I should point to the participation of representatives of the United Nations, the World Health Organisation and the Inter-American Indian Institute. All of them, as well as other specialised agencies which have been consulted during the time leading up to this year's discussions, have expressed support and encouragement. The Office will, of course, remain in close touch with them on this question.

The Convention we are trying to frame is a very special one. It covers a whole field of human life and work and will constitute the main international instrument in this area.

This is a heavy responsibility for the ILO, but I am sure that I speak on behalf of all members of the Committee when I say that it will be carried out with the intention of creating full satisfaction not only for the indigenous peoples but the employers, the workers and the governments as well.

With these introductory remarks, I hereby submit the report of the Committee on the revision of Convention No. 107 to the plenary. It is my hope that it will be received in the same positive spirit in which it was created.

I would again like to extend my sincere gratitude to the Committee for electing a representative of the Greenland Home Rule Government as their Reporter, and thereby on this day, which happens to be the national day of Greenland, placing, I believe for the first time, a representative of Greenland on this podium to which we all look with so much respect and so many hopes of peace and co-operation amongst the people of the world.

Interpretation from German: The PRESIDENT – I thank Mr. Helms, the Reporter of this Committee. At the end of his statement he drew attention to the fact that today is Greenland's national holiday. I am sure that the whole Conference would like me to express to Mr. Helms and to all other Greenlanders their very warm wishes on the occasion of this national holiday.

Mr. WATCHORN (*Employers' adviser, Australia*) – As our Reporter has already indicated, our Committee's report deals with a complex, delicate but fundamentally important subject. It touches on issues vital to most indigenous peoples, issues reflecting their culture, their past, their present and their aspirations for the future.

This item has come to the Conference after years of consideration within the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities and following detailed further examination within the Office and by a Meeting of Experts convened by the ILO. At the heart of the matter lies Convention No. 107 on indigenous and tribal populations. This was adopted in 1957 and remained the only international instrument dealing with indigenous peoples. Its revision has been proposed because of its basically integrationist orientation. This was perhaps correct for 1957 but is generally agreed to be inappropriate at the end of the 1980s. After efforts to bring about appropriate changes to reflect current reality, we have adopted conclusions which envisage a number of changes, most of them representing responsible improvements to Convention No. 107. These particularly focused on matters of general policy, recruitment and conditions of employment, vocational training and rural industries, education and communication and administration.

Our work has had the benefit of both formal and informal participation by indigenous groups. Most notable has been the participation of non-governmental organisations in the deliberations of the Workers' group. It is fair to say that this has not been without its problems from time to time, but overall this participation has helped the Committee to understand better the hopes and fears of indigenous peoples. I hope that next year these lines of communication can be maintained if not widened.

I have concentrated so far on the positive achievements of the Committee's work this year. However, as the report indicates, there are two vital issues upon which the Committee was not able to make significant progress, despite the attempts made in a Working Party of which I had the honour of being a member. These issues were whether indigenous groups to which the proposed revised Convention will apply should be described as "peoples" or as in Convention No. 107, "populations". And, second, the politically, economically and socially sensitive issue of land, as outlined in Part II of Convention No. 107.

The Committee effectively postponed a decision on both these questions. As for the first issue, they have the terminology to be used – "populations" or "peoples". It is abundantly clear that this is not a matter of mere semantics. For Governments particularly, there is concern that the use of the term "peoples" may, under international law, have connotations of broad rights of self-determination being granted with all that this may imply for the fabric of society within the nation State. For indigenous peoples this is no mere terminological matter. They believe to the depths of their being that they are peoples and not populations and that the revised Convention should recognise them as such.

The Working Party was faced with the task of trying to find a way through the seemingly intractable problem. We looked at a number of options. In the end, we decided to recommend to the Committee

an approach which would have sought to pave the way for the use of the term "peoples" in the revised Convention by proposing that the use of the term should not of itself, and I now quote: "be taken to affect the interpretation given to this term in other international instruments or proceedings, in particular as concerns the question of self-determination". Unfortunately, this formulation was not sufficient to persuade the Committee to accept the use of the term "peoples" as the basis for next year's discussion. This was so particularly because a number of Governments felt that this did not adequately address their concerns. In the light of this, the Committee was able to decide only that the use of the term "peoples" should be left open for decision during next year's discussion and accordingly that its conclusions this year should refer to "peoples/populations".

It would be idle to pretend that there is not an interconnection between these two questions. Both the use of the term "peoples" and that of the word "territories", as raised in the Office text and in the wording and apparent intent of a number of the proposed amendments of the Workers' group to Part III of the Office text concerning land, gave rise to real concerns about the overall impact of these terms under international law.

These are questions which call for mature deliberation over the next 12 months. From my own very personal perspective, I believe it is not impossible for the ILO to find a way to deal with these issues, in so far as they are truly matters of the house. Thus it should be possible to find a formula which makes it clear that the revised Convention No. 107 will not be interpreted to mean or imply that rights to self-determination or other rights under international law, or as understood in other international organisations, are, by the adoption of the proposed revised Convention, being granted to the peoples concerned. Equally, this should not imply that the existing rights under international law are being inhibited. If this understanding can be reached early in next year's discussion, then I believe the way can be paved for the use of the term peoples" in the revised Convention and for a rational debate on the issue of land, which, in the light of the problems to which I have already referred, was left for resolution next year with the Office text to serve as the basis of discussions.

Having said this, it would be superficial of me to suggest that the broad approach to which I have referred previously will necessarily resolve questions dealing with ownership, control and use of land or territories. Fundamental differences remain and will have to be addressed next year over these issues. In particular the Employers' group is likely to have continuing concerns over the questions of rights to subsoil resources, control or veto over exploration and/or exploitation of those resources and over the land rights or usage issues which can affect economic development to the overall benefit of the national community. This is hardly to be wondered at. However, I feel sure that the Employers' group will not be found wanting in its preparedness to deal next year with the issues of the heart and the mind so crucial to indigenous peoples.

In so far as the issues are of the heart and the mind we can, I believe, find a solution. To the extent that the issues transcend the heart and mind and may

adversely effect the interests of the national community, then the Employers' group will, I believe, continue to take account of the overall national interest while not remaining insensitive to that of indigenous groups. I will do so not because of any overwhelming and narrow self-interest, but because of its concern that in the long term the national interest will also be in the interests of indigenous peoples themselves. It thus behoves us all, Workers, Governments, Employers and indigenous groups alike, to use the next 12 months fruitfully to consider the issues with which we have experienced such difficulty this year.

We should each ponder our own position and take account of the genuine concerns which have emerged this year. We should recognise that Nirvana was unlikely to be reached but that next year's discussions offer us a realistic opportunity to consider and hopefully adopt an international instrument that will be a signpost to a better future for indigenous peoples.

That, of course, is crucially dependent upon continuing dialogue both formally and informally. We have made a start this year; let us continue in 1989 so that we can achieve a responsible and widely ratifiable revision of Convention No. 107.

Finally, may I take this opportunity to thank our Chairman, Mr. España Smith of Bolivia, for his effective and untiring work as the Chairman of our Committee, Mr. Helms our Reporter, Mr. Svenning-sen the Workers' Vice-Chairman, with whom the Employers' group found our informal consultations most valuable, and particularly Mr. Días Garaycoa, our Employers' Vice-Chairman, who is unfortunately absent from Geneva, and on whose behalf I am speaking today. He has made an invaluable contribution to our work.

I commend the report to the Conference and recommend its adoption and that of the conclusions which were reached by the Committee.

Mr. SVENNINGSEN (*Workers' delegate, Denmark; Vice-Chairman of the Committee*) – As I stated at the outset of our discussions in the Committee, the Workers attach great importance to the revision of Convention No. 107 so that the revised Convention might be based on the new approach, namely to give the indigenous and tribal peoples as much control as possible to decide their own way of life and to strengthen their rights of landownership and of the use of their territories.

We knew that this task of revising Convention No. 107 would not be an easy one. However, with the exception of two crucial issues, to which I will come back in a moment, we were able to reach satisfactory formulations for most of the conclusions proposed by the Office.

This will provide us with a good basis for further consultations, which have to take place at the national level, and for the second discussion of the revised Convention next year. In one or two instances we were not entirely satisfied with the outcome concerning the sections which were dealt with in the Committee. Such a case relates, in particular, to the requirement that the governments concerned should obtain the informed consent of the indigenous and tribal peoples, freely expressed through their own institutions, whenever consideration is being given to legislative or administrative measures which may affect them. The Workers would like to express the

hope that this principle will be considered again next year with a view to including it in the final text of the revised Convention.

Regrettably, two of the most crucial issues in the revision process had to be postponed until next year. The first issue relates to the term "peoples" to be used in the new Convention. The Workers strongly supported the use of this term "peoples" as it reflected the views which these peoples have of themselves. However, we had to note that a significant number of governments expressed misgivings about the use of this term, as, in their view, it could imply the right of political self-determination as understood in international law. The Workers' group was willing to accept a clause in the Convention explaining that the use of the term "peoples" did not address the question of political self-determination. We also accepted the compromise formulation on this issue which came out of the Working Party, set up to deal with this question, which is reflected in paragraph 35 of the report. We hope that this formulation might be used as the basis for the further consultations leading to the second discussion next year.

The second issue, which has been postponed until the next Conference, concerns the land rights of the indigenous and tribal peoples. In the view of the Workers' group the fundamental aim to be embodied in the revised Convention is to secure and respect the right of these peoples to own their lands and to exercise full control over the use of their territories, including subsoil resources. We urge the governments and the employers to reconsider this whole matter in a positive manner and to listen carefully to what the indigenous and tribal peoples themselves have to say on this question.

More in general, we would like to appeal to the governments to consult fully the workers' and employers' organisations, and in particular the organisations of indigenous and tribal peoples, in future deliberations on the revision process. We also want to lodge an appeal that representatives of these peoples be included in the tripartite delegations to the next Session of the International Labour Conference for the second discussion of this item. Moreover, we would like to suggest that the Office offer its technical advisory services to those involved, in particular to the indigenous peoples' organisations, so as to strengthen their participation in the further process of revision. In any case, the same opportunities which were offered to them in our Committee should be maintained or even further improved at the next Session. Finally, it might be interesting to provide, on that occasion, United Nations organisations, governments and the indigenous peoples' organisations with the possibility of giving further documentary information on their activities as regards the peoples concerned.

In concluding this statement, let me thank the Chairman of our Committee, the Employers' Vice-Chairman and the Reporter for their solid co-operation and constructive spirit. I also want to express my special thanks to Mr. Amir Ali, Mr. Swepston and all the members of the Secretariat who serviced our Committee in such a competent and friendly manner. Last but not least, I want to thank wholeheartedly the representatives of the indigenous peoples' organisations for their invaluable contribution to our work and to my Worker colleagues on the Committee who worked so hard to achieve a satisfactory outcome.

(Mr. Aitken takes the Chair.)

Mr. KAR (*Government delegate, India*) – First of all, I would like to congratulate the Chairman, the two Vice-Chairmen and other members of the Committee on the high quality of the report before us. We are indeed happy that the Committee on Convention No. 107 could successfully complete its deliberations within the time schedule of formulated draft proposals for a revised Convention concerning tribal and indigenous populations for further discussion and finalisation next year.

The pragmatic approach by the Committee members to the delicate issues contained in the text was reflected in the decision of the Committee to defer consideration of the points concerning land to 1989. I would like to mention that a number of delegations, including our Government, had highlighted the complexity of the issues of land and land rights. In this connection I may state that my country is pursuing one of the most positive policies towards tribal land. In fact, our Government has been deeply concerned about the rights of tribals over their land and this was expressed in the early fifties by our first Prime Minister, Pandit Jawaharlal Nehru, who was the inspiration behind a positive tribal policy in independent India. In 1961, the Dhebar Commission called for further tightening of laws to prevent alienation of tribal land.

Legislation on land not only varies from country to country but also within a country. In India land administration is a subject within the jurisdiction of the state governments. The problem being very complex, an attempt at setting international standards is likely to pose problems in the way of efforts being carried out by various countries according to their requirements. This is because there are wide differences in national systems of land ownership and control of natural resources connected with land. Also, there is a fundamental difference between the relationship which many tribal people have with the land and the attitude of other sections of national populations who view land as an alienable and productive commodity. In our country all the states having scheduled tribal areas have land alienation laws which prevent the transfer of tribal land to non-tribals and provide for detection and restoration of alienated tribal land. We have done this firmly though there has been mounting pressure on land with our population touching 800 million. However, we have a very large tribal population also which is about 60 million and it is imperative that, in order to help their development, full protection against exploitation acquires primacy in our tribal and land policy. To ensure this our Government's efforts have been directed towards the following measures: 1. the state governments have launched a special drive for the completion and updating of land records to enable them to confer ownership rights on tribals wherever this has not been done till now; 2. consolidation of tribal land holdings is being carried out in a sustained manner; 3. the existing land laws are being reviewed continuously so that all shortcomings in the policy are overcome and the laws can be really effective; 4. the Government is creating adequate machinery to ensure restoration of alienated land; 5. the Government is also identifying land-alienation-prone areas in order to take pre-emptive remedial measures.

Even where it becomes unavoidable to cause displacement of tribals due to major projects, our Government has undertaken comprehensive rehabilitation which is based on a "land for land" approach.

Tribal communities in various parts of the world present a broad spectrum of diversity. Even within India the number of scheduled tribes is about 250, who are at various stages of development. In such a situation the strategy for tackling the tribal situation will vary from country to country.

Other issues like replacing the word "populations" by "peoples", the degree of control over decision-making in matters concerning tribals, etc., will have to be carefully considered since these are sensitive issues having national and international ramifications. I am sure the governments will be in a position to adopt a final text on such key issues next year after considering in depth the aspirations of the indigenous and tribal populations on the one hand and the needs of national integration on the other.

Mrs. ADAMSON (*Employers' adviser, United States*) – This year marks the 40th anniversary of the United Nations Universal Declaration of Human Rights. Human rights was accordingly chosen as the theme for this session of the Conference, but it should be remembered that the ILO began its work on human rights, or social justice, as set forth in the Declaration of Philadelphia, a generation before the United Nations came into existence.

In the ILO tradition, moreover, human rights (or social justice) are tangible, living, dynamic and evolutionary. Here, it is not simply left to governments to define rights and enshrine them in declarations and conventions. Instead, the ILO embodies a tripartite structure by which rights and responsibilities are continually negotiated among the social partners.

In many countries today the most vulnerable part of society is indigenous and tribal peoples. Generally, they are so marginalised that the concept of social partnership is impossible. Unable to avoid direct and indirect discrimination on matters of their social, cultural and economic interests, they face a process of disintegration and possible extinction. Essential to overcoming such disenfranchisement is the right of indigenous peoples to organise, to have their organisations recognised and to participate in the decisions affecting their lives – familiar rights to the ILO and its tripartite structure. Therefore, it is extremely important to note amongst ourselves and in the world at large that when the informal means were found within the Standing Orders for NGOs to participate directly in the partial revision of Convention No. 107, the very purpose and ideals of ILO were achieved.

We should build on these gains in the coming year. Greater indigenous participation should be sought for the second and final round of discussions, to be held next year. At the same time, we must all reaffirm the complete compatibility of indigenous participation with the fundamental aims and principles of ILO: that is, the achievement of social justice through collaboration, representation and co-operation.

Governments do not move themselves – people move governments.

As most of us here today can attest, it is the organised, negotiated participation of interested parties that achieves the best results. This type of collective co-operation happened as the Employers' group

came to join the Workers' group in unanimously agreeing on the term "peoples". I strongly urge that next year we begin using the term "peoples". No other term reflects the cultural collective and indigenous society as a whole. I am an Employers' delegate from the United States, and I am a Cherokee American Indian of the United States. I can personally tell you that I felt as if I had been slapped in the face when the recognition of my peoplehood was denied. Regardless of the fears of governments regarding our status as a people, I believe most of us made great strides this year. I urge that we continue to move our respective nations forward. I urge each Workers' and Employers' delegation from those States which perceived the term "peoples" as dangerous to national politics and sovereignty, to understand your nation's best intentions, yet also understand that the contention of threats to national security, ill-used, is often a pretext for discrimination and a threat to freedom and liberty.

What indigenous peoples have been seeking is not the creation of new States, but the recognition of their right to be different and to maintain their identity, and a degree of autonomy within existing States. As peoples they are advocating social, economic and cultural pluralism, not independence.

Most all of us agree that indigenous peoples should have the right to be different, but how can this right be actualised without the structures and procedures for guaranteeing indigenous peoples economic freedom?

This question brings me to the last and most crucial matters contained within Convention No. 107 – indigenous land rights. The Committee as whole did not reach any conclusions, nor did it formulate any recommendations for next year's consideration, on the section regarding land. However I would like to spend the last few minutes of my time trying to highlight a framework for clarifying the issues within indigenous land rights and preparing us for the work the Committee next year.

The existing Convention, adopted in 1957, made certain assumptions: first, it defined and ensured the individual indigenous person's right to own land; and second, it recognised that the practice of displacing indigenous peoples or dispersing them from the lands and territories they occupied should not go unchecked.

In the 30 years since the Convention's adoption, it became apparent that the limited focus on individual ownership failed to provide for the intrinsic and fundamental collectiveness of indigenous societies. It also became an incontestable fact that indigenous land rights were violated and threatened, owing to the absences of procedures for protecting and guaranteeing those rights.

At a minimum, next year's work must ensure and safeguard indigenous peoples' use of the territories they traditionally occupy, and recognise that the right of possession should equal that of ownership. Provisions regarding land in this revised Convention must give greater recognition to means other than ownership for the effective control. The rights of indigenous peoples should be broadened to a territorial concept which would encompass flora, fauna as well as natural resources, such as coastal fishing and sub-surface mineral resources.

The flourishing of indigenous peoples, the strengthening and development – let alone the very survival –

of their societies, economies, cultures and lifestyles depends upon adequate land and resource bases. Human rights is the counterpart of economic freedom, and only when the two are united, like two sides of a coin, do they acquire meaning and currency.

So I ask, has the ILO been stretched beyond its mandate in focusing attention on indigenous peoples? Surely not, if its aim is to protect a people's fundamental right to organise. Surely not, if its aim is to prevent discrimination and safeguard precarious human rights. Surely not, if its efforts will result in economic justice and a fair and dignified livelihood for those peoples. The focus on indigenous peoples falls well within the purview of the ILO, and indeed lies at the very core of the ILO's economic and social principles and mission.

Interpretation from Spanish: Mr. NIÑO (*Government adviser, Venezuela*) – First of all, I would like to congratulate most warmly Ambassador España Smith of Bolivia, Chairman of the Committee for the excellent human qualities which he demonstrated throughout the work of our Committee over the two weeks we have been present here. I would also like to congratulate Mr. Díaz Garaycoa, Employers' member, Ecuador and Mr. Svenningsen, Workers' Vice-Chairman from Denmark.

My delegation really did not intend to take the floor in the last stage of the long, difficult, but constructive exercise which has been under way for two weeks in connection with the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107). But a number of passages adopted on 18 June do not correspond to the interventions and the statements made by the Government delegation of Venezuela during the meetings to which I refer.

We are extremely surprised because certain corrections were made on Saturday – that was when we received the report – and we expect it, knowing the efficiency of the Secretariat, that the corrections we had indicated would have indeed been made. At the same time we feel that the sovereign position of the States must be duly reflected in the report. If I might therefore be permitted, I would like to read out these corrections which, generally speaking, are matters of translation in the Spanish text; otherwise there are no substantive changes. First of all, in paragraph 13, line 32, it says: "entrara en conflicto". It should say: "fuera contrario". In paragraph 37, fifth line, the word "compromiso" should be deleted from the Spanish text; and paragraph 130, in the penultimate line, has inexplicably been changed, and it should in fact say what the text originally said. Instead of saying "en virtud de la cual" it should say "sobre" and when it says "no se conforman", it should say: "que fuese contrario".

And finally, in paragraph 50, we would like to ensure that the appropriate change, requested on 18 June, be made.

Mrs. AHIABA (*representative of the Indian Council of South America*) – Thank you for the opportunity of addressing this distinguished forum. My name is Noemí Beatriz Ahiaba, I am from Argentina and the representative of the Indian Council of South America. The Indigenous Rights Group, which includes representatives of indigenous organisations from dif-

ferent parts of the world, has requested that I make this presentation on behalf of the group.

This year we celebrate the 40th Anniversary of the United Nations Declaration of Human Rights. The world's indigenous peoples comprise more than 5 per cent of all humanity; none the less they continue to be the most disadvantaged, the most vulnerable and the least recognised or respected. It is essential for the ILO to commit itself fully this year to correcting this serious gap in international human rights protection.

The purpose of our presentation today is to convey to all Conference delegates the crucial nature of the revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107). We also wish to highlight some of our major concerns.

It is a most serious and ongoing injustice that, in 1988, there is still no appropriate legal framework at the international level to explicitly recognise indigenous peoples as distinct "peoples" and fully protect our rights. As a consequence, the territories and resources of many indigenous peoples continue to be violated. Furthermore, the values and priorities of indigenous societies are repeatedly disregarded.

We are convinced that adequate revision of Convention No. 107 could serve to improve significantly the severe situation facing indigenous people on a daily basis. Those of you who are delegates at this International Labour Conference control the revision process and have a collective responsibility to ensure that this process does not fail.

We are encouraged by the sensitivity and understanding demonstrated in favour of indigenous peoples by the Workers' group and by a number of governments. We hope that a greater number of governments, as well as the Employers' group, will more actively and consistently support the position of indigenous peoples in the coming year.

In developing international standards, we believe that the International Labour Organisation is currently in a position to take an affirmative leadership role. Together, we can bridge the cultural gaps that arise from differing values and perspectives. Equally important, new and constructive paths could be forged towards greater respect for and understanding of indigenous rights and aspirations.

As a first step, it must be unequivocally recognised in the terminology of the Convention that indigenous peoples are in fact peoples. We are not and have never been mere populations, which is a term more typically used by the biologists who refer to bears or animals. What is at stake is the credibility and overall purpose of the ILO revision process, which would be severely undermined should the terminology of the Convention continue to depict us, the world's indigenous people, in inaccurate and demeaning terms.

We are disappointed that the Committee has referred to us in its latest Report to this Conference as "peoples/populations". We see this as a step backwards. We also regret the attempts by some governments and some employers to place conditions on any possible use of the word "peoples", which is contrary to the objectives of the revision process.

It has been suggested that the use of the term "people" could imply a right of secession. However, it should be remembered that, consistently with the specialised mandate of the ILO, Convention No. 107 is limited to social, economic, environmental and cultural considerations. Political issues have been

clearly identified as falling outside the scope of the revised Convention and indeed of the ILO as an organisation.

We none the less believe that specific reference to peoples and to self-determination in Convention No. 107 would help to achieve a necessary and positive advancement for indigenous peoples. It is the continuing lack of self-determination that keeps many indigenous societies in a state of poverty and dependency and with inadequate enjoyment of basic human rights.

In regard to land and resource rights, the Committee Report indicates that these key issues have been deferred to next year. This is in large part due to the lack of consensus or agreement.

If Convention No. 107 is to be transformed into a useful and enduring instrument, our fundamental territorial and resource rights must be fully respected by its terms. Effective recognition and protection of these basic rights are without question the very soul of the revised Convention. Without adequate recognition of land and resource rights, the revised Convention No. 107 would not provide a meaningful framework for the world's indigenous peoples.

It is worth noting that the World Commission on Environment and Development (the Brundtland Report) has clearly underlined the very central importance of lands and resources to indigenous peoples. The Commission concluded: "The starting point for a just and humane policy for such groups is the recognition and protection of their traditional rights to land and resources that sustain their way of life, rights they may define in terms that do not fit into standard legal systems."

Guaranteed access and rights to an adequate land and resource base for all indigenous peoples are crucial to the survival and growth of indigenous societies. We view ourselves as an integral part of nature's ecosystem. In a dynamic and profound manner, we continue to be inseparable from our territories and environment. We feel that by ensuring protection for our way of life, which includes a harmonious relationship with the natural world, the ILO will also be helping to safeguard the integrity of the global environment.

In view of its reformulated objectives of moving towards greater recognition of indigenous rights, the revised Convention No. 107 must not in any way unfairly limit the nature and scope of indigenous land and resource rights in different parts of the globe. For example, leaf collection in India, forest resource uses in Brazil, Inuit rights to Arctic sea ice and the use of ocean areas by Hawaiian indigenous peoples must all be sufficiently accommodated in a revised Convention.

In general, the subsistence economies and other traditional activities of indigenous peoples must be fully recognised and strengthened through the revised Convention. Moreover, national programmes of economic development must respect the integrity of indigenous territories, environments and social and economic institutions.

With regard to natural resources, we believe that it is essential to include explicit reference in the revised Convention to both surface and subsurface resources. The claims of States to exclusive ownership of these resources have often been based on premises that ignored the pre-existing rights of indigenous peoples. This continuing inequity should be re-

dressed under a revised Convention No. 107. It is illusory to separate subsurface and surface rights entirely, moreover, since any exploitation of the subsoil is likely to threaten the integrity and enjoyment of surface resources.

In view of the great diversity of situations pertaining to territorial and resource matters, we advocate a broad and flexible approach. We believe that the revised Convention should above all include a general clause obliging governments to recognise and respect indigenous land and resource rights. At the same time, we appreciate that governments and employers have a number of major concerns. Where necessary, these concerns can and should be identified and addressed through specific provisions during the coming year. In addition, a comprehensive mechanism for resolving disputes concerning indigenous land and resource rights and treaty rights should be devised for early consideration by all parties interested in the revision process.

In 1989, we hope to further refine other vital aspects of the Proposed Conclusions, such as the provisions dealing with the administrative and interpretative aspects, education and language rights, and respect for our customary laws and practices. Confining recognition of our customary laws to those compatible with the national legal system will inevitably result in serious and unjust cases of assimilation.

As we have previously stated, indigenous peoples do not yet have a way of directly participating in this revision process. We still have no means of safeguarding our most fundamental and inalienable rights. We urge this Conference to introduce new and meaningful ways of substantially increasing our involvement during the second year's discussion of the revision process.

In this critical upcoming year, we seek to co-operate with all of you to ensure the adoption of adequate and meaningful standards in the revised Convention. In particular, we seek international standards that are fully consistent with and supportive of the basic aspirations, rights and perspectives of the world's indigenous peoples.

Mrs. RUGE (*Government delegate, Norway*) – My delegation would like to pay tribute to the work that has been accomplished up until now in revising Convention No. 107. The report of the Committee shows that there has been wide agreement among the members all to the importance of this work. However, as we all know, and have been reminded this afternoon, a great deal of difficult work remains to be done next year, particularly, as we know, on the key issues. In order that a good result may be reached next year, it will obviously be necessary for member States to do preparatory work in the meantime, particularly, it would seem to me, on a regional basis. In our own region – the Nordic European – we have plans for this and we trust other regions will take similar initiatives. It is to be hoped that in this work it will be possible to have participation also from the Bureau, in order to continue the good and close working relationship which has been prevailing in the Committee. In this connection we were very encouraged to hear the Director-General comment directly on this in his reply this morning. Our delegation, along with a number of others, is very concerned that the second and last reading of the revised Convention should be able to conclude with success. Good and

thorough preparatory work from all the parties concerned will contribute to this.

(Mr. Beyreuther takes the Chair.)

Mr. ALI (*Government adviser, Bangladesh*) – I would like to join the previous speakers in congratulating the President and the Vice-Presidents of the Conference. I also extend my compliments to the Chairman, Vice-Chairmen and officials of the Conference Committee on the Indigenous and Tribal Populations Convention, 1957 (No. 107) for the arduous work they have done in the Committee.

Bangladesh attached high priority to the work of this Committee. As a member of the Committee we have pointed out some of the difficulties that may occur in the process of adoption the proposed revised Convention on indigenous and tribal populations. We have also indicated that implementation will be all the more difficult unless issues connected with land and the definition of terms like “people” and “population” are not resolved to the satisfaction of all concerned.

This view is based on experience in matters of implementation of the existing Convention, which was adopted in 1957. In the current session, we have some 155 countries and other agencies participating in the debates. Theoretically therefore there is the widest possible coverage of the views held by different member States and by other agencies. In practice, the situation is, to my knowledge, far from being satisfactory. Many of the countries often fail to do their homework and effectively participate in the deliberations of the committees and the plenary. This is so because of the inadequacy of the number of delegations and also the time constraint. As a result, as we have found, substantive ideas and correct formulations do not emerge effectively. The text of the Conventions reflect the viewpoints of the audible few rather than that of the majority.

This is why Bangladesh underscored the need for incorporating correct connotations of terms used in the Convention, in addition to ensuring flexibility of the provisions of the revised Convention; and, for the adoption of such a Convention, adequate representation has to be ensured.

That being so, I think it would be desirable to have consultations among member States and I hope that the Office will come forward to help organise such consultations before the next session.

Interpretation from German: The PRESIDENT – If there are no further speakers and if there are no objections, I shall take it that the report, paragraphs 1 to 222, is adopted.

(The report, paragraphs 1 to 222, is adopted.)

CONCLUSIONS PROPOSED WITH A VIEW TO THE ADOPTION OF A REVISED CONVENTION. SUBMITTED BY THE COMMITTEE ON CONVENTION No. 107: ADOPTION

Interpretation from German: The PRESIDENT – Next we shall proceed to the adoption of the Conclusions proposed with a view to the adoption of a revised Convention concerning indigenous and tribal populations. We shall take the Conclusions Point by Point.

(The Conclusions, Points 1 to 70, are adopted seriatim.)

RESOLUTION TO PLACE ON THE AGENDA OF THE NEXT ORDINARY SESSION OF THE CONFERENCE AN ITEM ENTITLED “PARTIAL REVISION OF THE INDIGENOUS AND TRIBAL POPULATIONS CONVENTION, 1957 (No. 107)”, SUBMITTED BY THE COMMITTEE ON CONVENTION No. 107: ADOPTION

Interpretation from German: The PRESIDENT – Lastly, we proceed to the adoption of the resolution to place on the agenda of the next ordinary session of the Conference an item entitled “Partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107)”. If there are no objections, I take it that the Conference adopts the resolution?

(The resolution is adopted.)

Interpretation from German: The PRESIDENT – Now that we have adopted the report of the Committee on Convention No. 107 I would like to express my thanks to the Officers and members of the Committee for the excellent work which has been done. I would like to thank in particular Mr. España-Smith, the Chairman, Mr. Diaz Garaycoa and Mr. Svenningsen, the Vice-Chairmen, Mr. Helms, the Reporter, and Mr. Watchorn who today replaced the Employers' Vice-Chairman, Mr. Diaz Garaycoa.

REPORT OF THE RESOLUTIONS COMMITTEE: SUBMISSION. DISCUSSION AND ADOPTION

Interpretation from German: The PRESIDENT – The next item on the agenda is the report of the Resolutions Committee, which will be found in *Provisional Record* No. 33. The Chairman and Reporter of the Committee, Mr. Alexander, Government delegate, United Kingdom, has unfortunately fallen ill and is therefore unable to be with us today. I therefore invite the remaining Officers of the Committee, the Employers' Vice-Chairman, Mr. Rowe, Employers' adviser, New Zealand, and the Workers' Vice-Chairman, Mr. Karlsson, Workers' delegate, Sweden to come to the rostrum. I call on Mr. Karlsson, Workers' Vice-Chairman, to submit the report.

Mr. KARLSSON (*Workers' delegate, Sweden; Vice-Chairman of the Resolutions Committee*) – As Reporter of the Resolutions Committee it is my duty to present the Committee's report to the Conference. While it is a great pleasure to address the Conference, it is with considerable regret that I undertake this task in the absence of the Committee's Chairman.

The Resolutions Committee met on a total of 14 occasions over the course of the last two-and-a-half weeks. Initially, 12 resolutions were presented to the Committee but this number was later reduced to eight, following the merging of several texts. The Committee determined the priority order for examining the resolutions in accordance with the procedure laid down in the Standing Orders.

Much of the working time available to the Committee was devoted to consideration of the resolution that was placed first on the list of priority. The

resolution concerned the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories.

Forty-one amendments were submitted for consideration in regard to this resolution. The Committee engaged in a detailed and frank debate on the resolution and the proposed amendments. However, it was unable to consider all these amendments, and consequently the Committee has no resolution to submit to the Conference this year.

The Committee also completed the general discussion on the resolution concerning the role of the ILO in the strengthening of respect for human and trade union rights. This discussion was constructive and concise, but unfortunately there was insufficient time to consider the amendments submitted in relation to this text. In this case, too, the Committee was unable to conclude its business and reach a consensus. An exchange of views took place on these two proposed resolutions. Those views are accurately reflected in the report before you which was adopted by the Committee.

I commend this report to the Conference.

Interpretation from German: The PRESIDENT – The discussion of the report of the Resolutions Committee is now open.

Interpretation from French: Mr. CATTANEO (*Employers' adviser, Italy*) – It has to be admitted that the work of our Committee this year has led to considerable disappointment, especially for those who last year had participated in work leading to the adoption of three resolutions. However, despite the results, we worked very hard and considerable efforts were made. That is why, on behalf of the Employer members of the Committee, I would like to thank the Chairmen, rather than the Chairman. This rather unusual form of words is an indication of the difficulties encountered. I would like to thank the Chairmen for the goodwill with which they led us through often very difficult meetings. I would also like to thank the Government and Worker members of the Committee with whom we spent some bitter days. Of course, I also wish to thank the members of the secretariat who carried out their work in what were extremely difficult circumstances. The report submitted to you is a very precise reflection of our work and of the way in which it took place. If the Employers' group recommends the adoption of the report, it is not only in order to accomplish a formal responsibility. We are convinced that if we look at the content of this report and reflect upon the events described there, men of goodwill will be able to indicate to us the best way to overcome the difficulties which we faced this year.

Mr. KARLSSON (*Workers' delegate, Sweden; Vice-Chairman of the Resolutions Committee*) – The Workers' group sees the resolutions submitted to the International Labour Conference as one way to give indications to the Director-General and the Governing Body about what the priorities are and should be for future ILO action to be undertaken to the benefit of all workers around the world. Therefore, it is of great interest to workers that the work of the Resolutions Committee should be as productive as possible.

We all regret, therefore, that the Committee's work could not be brought to a successful conclusion this year. The result, with no resolutions finalised, is even more negative for us, as resolution No. 2 was a proposal unanimously presented by the Workers' group of the Committee.

The Committee did substantive work on one resolution only. As regards that proposal it is important to note that the Workers' group was unanimous in its concern for the situation of the workers in the area in question. The differences of opinion related to what action should be and by whom. It is my sincere hope that these differences too can be carefully considered and consequently avoided in the future.

It has been a very instructive experience to act as Workers' Vice-Chairman of the Committee. I have learned more than ever to appreciate the sincerity of my fellow workers in the group. Admittedly, the members were not always of the same opinion, but we always tried to show respect for one another. I want to express my heartfelt thanks to all Workers in the Committee. I also want to thank the other officers of the group, the three Vice-Chairman, Brother Knox, Brother Lamprecht and Brother Niasse, as well as the Secretary of the group, Brother Hordijk. My thanks also go to Brother Amal Mukherjee from the Workers' Relations Branch for his invaluable advice to me and to the whole group.

The tripartite nature of the ILO is for me of the utmost importance. In that spirit, I appreciated the opportunity to work together with Mr. Rowe, Employers' Vice-Chairman, and I want to thank him for his co-operation.

I had the possibility a little earlier to find out personally how difficult it is to be Chairman of the Resolutions Committee as a whole. Consequently, I am wholeheartedly grateful to our Chairman, Mr. Alexander, and very much regret that we have to thank him in his absence. I wish him a quick and full recovery from his indisposition.

Finally, I would like to express my admiration for the ILO staff working for our Committee. The dedicated work by Mr. Ali Taqi and all the members of his team was marvellous and I want to address my last words of thanks to them.

Interpretation from German: The PRESIDENT – As I have a long list of speakers on the report, I would like to draw their attention to the fact that, when the Resolutions Committee fails to complete its examination of a resolution, as has happened this year, the Conference, according to article 17(6) of the Standing Orders, does not discuss the resolution or act upon it. I therefore urge the speakers on my list to bear this provision of the Standing Orders in mind and to confine their remarks to the general report proper, without entering into any discussion of the text of the resolution itself.

Mr. IBRAHIM (*representative of the Organisation of African Trade Union Unity*) – On behalf of the Organisation of African Trade Union Unity, I would like to place on record my organisation's dissatisfaction with the outcome and conclusions of the Resolutions Committee of the Conference. We vehemently deplore the Committee's utter failure to recommend any of the draft resolutions to the Conference for adoption. We particularly deplore the Committee's inability to reach a consensus on the

resolutions that they have discussed. I think that the delaying tactics used by some members of the Committee also deprived the second resolution of its chance to be debated. This is indeed quite deplorable.

The African Workers' group endorsed the two resolutions that have been discussed and they were convinced that they would, when adopted by the Conference, immensely contribute to the 40th anniversary year of the Universal Declaration of Human Rights and of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

It is our belief that trade union rights and civil liberties are inseparable from human rights. We are also convinced that the provisions of the ILO Constitution guarantee protection of human and trade union rights and that the pursuit for social protection and for social justice falls within the ILO's mandate, as enshrined in the Declaration of Philadelphia.

Therefore, we commend the Director-General's concern for violations of trade union rights the world over and particularly for the deteriorating human and trade union rights situation in the occupied Arab territories.

The Director-General's Report confirmed once again that the situation of Arab workers, which is already seriously affected by the State occupation, is being aggravated by the repressive measures introduced by the occupying forces against the Palestinian workers and people following the uprising in those territories. It therefore called for energetic actions by all ILO member States to ensure, among other things, equality of opportunity and treatment as well as a guarantee for effective exercise of trade union rights in those territories.

Moreover, it is no secret that owing to reported complaints of serious violations of trade union rights in the occupied Arab territories, considered by the Committee on Freedom of Association of the Governing Body, the occupying authority was reminded more than once of its obligations – as a Member of the ILO – to respect trade union freedom in the occupied Arab territories.

They were further called on to ensure that trade unions should be allowed to organise their meetings on their premises without interference by the military authorities. They were also reminded that the right to hold trade union meetings is a fundamental aspect of trade union rights. The Committee on Freedom of Association further stressed that forced exile of trade unionists is a violation of human rights as well as an infringement of freedom of association, in that it weakens the trade union movement by depriving it of its leaders.

I have cited the above reports to indicate the concern and indignation already expressed by the ILO organs on the gravely deteriorating situation of workers in the occupied Arab territories.

Now, here we are, at the 75th Session of the International Labour Conference, being told that a moderate resolution which had expressed the same concern as those indicated earlier and was calling for more energetic actions, as suggested in the Report of the Director-General, could not be agreed upon by the Committee owing to its opposition by certain members of the Committee, who applied double standards.

It is unethical on the part of those opposed to the resolution to apply different standards for different peoples and regions of the world on the same issue of human and trade union rights. These are against the principles on which the International Labour Organisation stands for and for which we are bound to respect it.

Finally, we also strongly regret that the resolution on the role of the ILO in the strengthening of respect for human and trade union rights has not also been concluded by the Committee.

Interpretation from Arabic: Mr. BOZO (Minister of Social Affairs and Labour, Syrian Arab Republic) – On the occasion of our discussion on the report of the Resolutions Committee, I would like, on behalf of the Arab group and its three components – of which some have taken the floor during this meeting – to express our observations and evaluation of the results of this Committee.

It might be useful, at the outset, to remind you that we almost all agreed here in this Conference that it was both necessary and urgent under the present circumstances that the Arab group should, at this session, submit a draft resolution on the situation of Arab workers and employers in Palestine, for two reasons. The first is the dramatic escalation of barbaric and oppressive practices committed by the Israeli authorities against the Palestinian people and the violation of the basic rights and freedoms accepted by our Organisation. The second reason is that the international community, and the ILO itself, is commemorating the 40th anniversary of the adoption of the Universal Declaration of Human Rights. It was therefore incumbent upon our Organisation, with its lofty, humanitarian ideals, to address the message to the Palestinian people through a unanimous resolution, who have been struggling under the yoke of Israeli colonisation for more than 40 years, before this Declaration was adopted. This resolution would have stated that peace and justice-loving nations have not forgotten the struggle of the Palestinian people and its steadfastness against the cruel practices of the Israeli authorities.

When we arrived in Geneva, we were surprised to see the extent of the ruthless campaign being waged against the Arab resolution which sets out to protect the rights and freedoms of Palestinians. We were surprised by the enormous pressure exerted by some Western Powers, especially the Government of the United States, which was even directed at friendly governments to try and make them change their position on the Palestinian question. There was even an attempt to sow seeds of discord between Arabs and Africans, trying to make them believe that if a committee on Palestine was set up – as provided for in the Resolution – the ILO would concentrate less on apartheid. I must here, for reasons of honesty, say that our friends in Africa, with whom we are joined in a common struggle, did not yield to these incorrect and imprecise arguments. They know that a special committee to study the situation of workers and employers in Palestine can only consolidate the work of the Committee on Apartheid, given the similarity between the two racist regimes of South Africa and Israel.

These pressures and other unorthodox practices were to no avail. This was in fact highlighted by the result of the vote on the order of priority to be given

to the resolutions, when our resolution was elected to be discussed first. Peace and justice-loving nations, and their three components, refused to bow to these pressures because they are not only counter to their sovereignty and their freedom to adopt decisions but are a blatant violation of international law, the principles of non-interference in internal affairs and the aims of the International Labour Organisation. Indeed, this Organisation was established to defend the rights and freedoms of oppressed peoples – peoples struggling for their independence and freedom – as well as to unveil violations of human rights anywhere in the world. In fact, the result of the vote was a refusal of any policy of hegemony or authoritarianism, which is practised by a minority of countries, irrespective of how much they contribute to the budget of the Organisation.

The absolute priority accorded to our resolution highlights two fundamental truths: first, that the rights of the Palestinian people are and will continue to be the major concern of peoples throughout the world and that attempts by several States to divert attention away from this people will fail; the second truth, confirmed by the votes within the Committee, is that the number of those backing the Palestinian cause is increasing, because they have been shocked by the criminal actions of the Israeli occupation authorities.

In the light of the failure of these policies, pressures and manoeuvring, a minority of the members of the Resolutions Committee adopted, from the very beginning of its deliberations, an attitude which is anti-democratic, anti-parliamentarian, and contrary to the views of the majority. This behaviour took many forms and we regretted this all the more because it was demonstrated by countries which claim that they are raising high the banner in defence of human rights – as if human rights vary according to nationality, colour or religion.

First, the Committee noted that there were more than 40 amendments, not counting the subamendments, which all aimed at aborting the resolution and undermining its content.

Second, in order to obstruct the will of the majority in our Committee, the minority of Western governments, led by the delegation of the United States Government, tried to impose their own views through filibuster and obstructionism. In so doing, they abused the right guaranteed by the rules governing our work in the Committee, in order to divert it from its objectives and attain the contrary.

In fact, we wasted two weeks of precious time in our Committee in voting, the results of which we knew beforehand and which was designed to lose time. If you read carefully the minutes of our work, you will find that more than 20 votes took place by a show of hands, then a record vote, and the results were identical. The result of the vote by show of hands was often more representative of the position of the majority, which rejected the provocative measures of those opposing the Arab resolution. In other voting procedures, upon which the American delegation insisted, the main aim was to waste time and money and prevent at all costs that the resolution should be adopted by the Conference. These practices did not stop here. They even effected the role of the Chairman of the Committee who is supposed to demonstrate qualities of fairness, firmness, objectivity and integrity; but unfortunately, we were

shocked by the attitude of the Chairman of the Committee and his lack of objectivity in the deliberations, because we lost all respect in his position. In fact, his behaviour clearly contributed towards the failure of our work and stirred up the majority of members who wanted to adopt several resolutions and not only the resolution on the workers and employers in Palestine.

Before I conclude my speech, I would like to make the following observations on lessons learnt from the deliberations of the Resolutions Committee this year.

First, a minority of States created a very dangerous precedent in this Organisation. Through unorthodox, illegal and unacceptable practices, it prevented the Conference from adopting a resolution reflecting its will to condemn Israeli practices against the rights and freedoms of the Palestinians, as well as expressing its support with its struggle and its uprising – especially during our session when we are celebrating the 40th anniversary of the adoption of the Universal Declaration of Human Rights. We are convinced that the majority of those participating in the Conference feel that this 75th Session will remain in our memories as a sad and painful episode in the history of the International Labour Organisation, for the International Labour Conference, which is supposed to be the social conscience of the world, was unable, because of the practices I have just mentioned, to participate fully in the celebration of this occasion through the adoption of appropriate resolutions related to the struggle of people striving in their freedom and human rights.

Second, the responsibility of failure lies entirely with those in this Committee who wasted our time in procedural points and matters – a particularly serious accusation in view of its objectives to attain human rights. The report you have before you shows very clearly that the Arab delegations tried, from the very beginning, to avoid any pitfalls in our deliberations that were likely to hold up our work, so that we could adopt all the resolutions submitted to us – which we believe were all very important. But those who were against the Arab resolution, in their stubbornness, preferred to wreck the work of the Committee and to sacrifice the results of its deliberations; in other words, they did everything in their power to ensure that the resolution was not adopted, in accordance with the Machiavelian maxim that the end justifies the means.

Third, the Arab group as a whole was flexible, ready to talk and discuss, in order to ensure the success of the Committee. But, in fact, this good will was exploited to create yet further obstacles in the procedure. And in our discussions with those proposing amendments and subamendments, it became clear that those opposing the Arab resolution had not changed their position at all. They simply do not want this Organisation to shoulder its responsibilities towards the Palestinian workers and employers, from the humanitarian and social standpoint, a task which is within the competence of this Organisation. We are all aware that attempts to alleviate the situation are truncated and, in fact, do no more than give some assistance to Palestinian workers and employers, although the legitimate demands of both parties reside in the complete and full exercise of the rights and liberties enshrined in the Constitution and the Conventions of this Organisation.

If we are to say who is the winner and who is the loser in the work of the Committee, I would like to say very sincerely that the biggest loser is the cause of human rights and freedoms because, in fact, the failure to adopt our resolution, based on legitimate demands, is a victory to injustice, imperialism, occupation and oppression. It may even be seen by some as an encouragement to the Israeli authorities to continue its arbitrary practices against Palestinians. But this is untrue, because even those who opposed our resolution were unable to justify the barbaric nature of the Zionist occupation authorities.

Finally, I would like, on behalf of the Arab group, to express to our friends at this Conference our fullest gratitude for their firm stands during our work. We shall not fail to mention their attitude at international, regional or national forums. I would like to mention here, in particular, all the members of the socialist group, the Islamic countries, the African countries and non-aligned States; their attitude was honourable and dignified. The positions of all those who were against our resolution will be analysed at all official levels and by the people, so that we can differentiate between those who are our true friends and those who pretend to be and apply double standards.

Although the Arab resolution did not succeed in being adopted by the Conference, the issue will have to be decided upon sooner or later, as long as Israeli settlement continues in Palestine and the other occupied territories. The Arab delegations and the delegations of peace and justice-loving countries will not cease in their defence of this cause, until the voice of the Palestinian people reaches this august assembly and there is a dignified discussion on their social, humanitarian and economic sufferings and on the denial of their basic rights, in accordance with the mandate of the International Labour Organisation.

Mr. DAJANI (*Employers' adviser, Jordan*) – The report of the Resolutions Committee is in your hands now, and it is certain that a thorough reading of this report will not leave a pleasant impression with you. This is because of the obstacles and impediments deliberately placed in the way of the resolutions by a minority of members of the Committee who often, perhaps wrongly, claimed that they were speaking on behalf of their governments. At the same time, their government ministers were saying quite different things, in their parliaments in their own country or at the United Nations. However, the report is clear.

The Acting President of the Resolutions Committee and also the Acting President of the Employers' group have done their best to present a fair picture of what happened in the Resolutions Committee. But, of course, they were compelled to couch their accounts in diplomatic language. Had they been more explicit in what they said, they would have put on record that the minority undemocratically blocked the way of the majority. Artificial impediments were set up and nothing new has been achieved.

After 11 reports submitted by the Director-General since 1978 on the situation of the Arab workers in the occupied Arab territories suffering from harsh Israeli military occupation, as the year 1988 is marked by a series of human rights anniversaries and also, in view of proposed resolution submitted by the Workers' group concerning the role of the ILO in the protection of human rights and promotion of respect

for trade union rights, we in the Arab group felt very deeply that our balanced resolution would not be affected by such obstacles and that, inasmuch as there were a number of proposed resolutions of some importance to be put before the ILO, our resolution would not be impeded.

In fact, a review of the situation from the beginning of the first report in 1978 will show that the situation has been escalating as regards the atrocities taking place in those areas.

This minority in the Resolutions Committee has prevented us from allowing anyone to give even a small tap to the hands of the Israeli authorities, or to wipe the tears from the eyes of a little child. They have simply left the situation as it is, claiming that if we tried to press our resolution, a material obstacle would be set up that could not be eliminated. They put human considerations behind material interests. I wonder how they will look at this matter in their own conscience.

Meanwhile, the majority of speakers in this distinguished Conference have condemned most of the Israeli measures of oppression and their denial of elementary rights. There is a pogrom taking place in the occupied areas, so much so that yesterday the papers reported that the Israelis are now attacking each other. They mistook an Oriental Jew for an Arab and killed him by beating him on the spot. You can imagine therefore what happens to the Arabs.

I remember attending a lecture by the famous American, Helen Keller, who was asked two questions. One concerned whom she liked, and she said "I like those who have humanitarian hearts". And then she was asked the second question: "Who do you hate, Miss Keller?" and she said "Those who are blind in their perceptions".

I will not take up your time for long. I am a person twice displaced from my own country. My family lived for hundreds of years in Jerusalem and Palestine, and now we have received news that in my own house, in my father's house, immigrants from Russia and elsewhere are coming to take our homes and deprive us of our property; we are denied the right that we exist. We do not exist in the eyes of those who write such dark pages in the annals of history. History will not be merciful with those people any more than it has been merciful with dictators.

Interpretation from Arabic: Mr. KAMIL (*Government adviser, Egypt*) – In adopting the report of the Resolutions Committee, I would ask you, on behalf of the Egyptian Government, to convey my gratitude to all Governments and representatives of Workers and Employers who gave their support to the draft resolution concerning the protection of the rights and freedoms of Arab workers and employers in Palestine and the other occupied Arab territories.

Egypt is one of the countries which sponsored this resolution and placed it before the Conference in the confidence that the members of the Conference would support the just cause of a people struggling to recover its freedom and its right to a decent life on the land of its ancestors, especially because the Palestinian people is undergoing an ordeal and facing Israeli oppression, the practices of which are a total violation of all international laws and customs.

The report which has been submitted to us contains no resolution, after weeks of exhausting work and shameful manoeuvres in the Committee. I con-

sider, however, that the resolution would have been possible if good faith had prevailed over the actions of a small number of members of the Committee who abused the procedures and the Standing Orders of the Conference in order to waste time and to prevent the draft resolution from coming to a vote. Our disappointment is all the more keen because that small minority has continued in its practices and policies of frustrating any negotiation on the resolution in the small Working Party, in the course of which the representatives of the countries sponsoring this resolution made every effort to assure passage of the resolution which is so much needed by the Arab workers and employers in the occupied Arab territories including Palestine, as is evidenced by the reports in all the American and Western mass media.

We consider that the real success which reflects the feelings of the overwhelming majority of the international community consists in the unlimited support granted by that majority to the resolution which at the outset of the proceedings was given the highest priority among the various resolutions that have been placed before the Conference. We also saw this in the various votes that were held on the resolution and which demonstrated clearly the major difference between those who support the resolution and those who opposed it.

Finally, we witnessed the fact that the Committee was able to adopt seven paragraphs, paragraphs which reaffirmed international principles and resolutions. As a matter of fact, the resolution could have been adopted if the time allocated to the Committee had been longer.

The overwhelming majority of the international community supported the resolution and this demonstrated to the Palestinian people that in their legitimate struggle they are not alone. That majority wanted the International Labour Organisation to associate itself with other international organisations which since the start of the Palestinian uprising have been adopting resolutions that support and uphold the Palestinian struggle and condemn the oppression and repression of the Palestinian population. The failure of the International Labour Organisation to adopt a similar resolution makes it the only international organisation in that situation.

I would like to say that this exception is still an exception. The overwhelming majority of the international community have been able to have its say within the Organisation as well as outside.

The time factor played into the hands of the small minority in the Resolutions Committee in their efforts to create procedural obstacles to the work of the Committee. However, that small minority should remember that time is always on the side of people whose rights are flouted. That minority should recall that human rights in Palestine, the right to life, freedom and human dignity, are sacred rights which are upheld by God and will ultimately prevail.

Interpretation from Arabic: Mr. AL-JASSEM (Employers' delegate, Kuwait) – In the name of God, the Compassionate and Merciful. As one of the co-sponsors of the resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and the other occupied Arab territories, and as one of those who helped to ensure that top priority was given to this resolution, I would have

preferred to come before you with good news and hope for the struggle of the Palestinian people, who have refused to live under the hateful Israeli occupation. Their uprising has echoed world-wide, and I had hoped that that echo would have been heard here at this Conference, which is justly regarded as the Parliament of nations. I had hoped a resolution would be adopted by this the conscience of the United Nations, a resolution that could be regarded as recognising the right of a people resolved to defend its homeland from racist occupation and every kind of repression. Whatever the form of this occupation, it remains a foreign occupation. Alas, some resorted to various rules to hamper the work of the Committee. They went so far as to deny law and logic, and even rejected the advice of the Legal Adviser of our Organisation, who could not agree with their illogical judgements.

As you know, there is nothing easier than to tear down a great monument. What is difficult is its construction. Thus we see that a minority among the members of the Resolutions Committee adopted an unjust attitude and supported the forces of evil, and used every possible means to frustrate the majority, which was fighting for justice and right. That majority wanted to act in accordance with the dictates of its conscience. We had felt that the Arab resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories enjoyed priority; it was followed by the resolution concerning the strengthening of respect for human and trade union rights. This free and courageous attitude of the overwhelming majority of the members of the Resolutions Committee is worthy of being supported and upheld by all members of this Conference.

From the humanitarian standpoint, I associate myself with those who have wished the Committee's Chairman a speedy recovery. But from this rostrum I state that he was responsible for obstructing the work of the Committee, having sided with a minority in order to keep the Committee from adopting any resolution during this session. I know that during previous sessions he has been the target of complaints. In future sessions we must establish very clear-cut rules for the election of the Chairmen of all Conference Committees, and for the Resolutions Committee, in particular. As concerns the fate of the Arab resolution and the fate of the resolution concerning human rights, I trust that the ILO, and the Governing Body and its committees, will one way or another accord them all due attention.

I should like to recall the proposal made by the Government representative of Kuwait in the Governing Body at its February-March Session this year, concerning an examination of the uprising of the Palestinian people and the need to give all possible support and assistance to that people. I trust that this proposal will be considered in the course of the next session; that is a proposal I should like to make to you formally, Mr. President, in the presence of the Director-General, Mr. Blanchard. I trust that freedom and human rights will not be regarded as abstract concepts. The life of a man is far more precious than any sum of money. It would be deplorable for this heroic struggle not to be recognised in the ILO, which was originally created to defend, strengthen and promote trade union rights and freedoms, when so many other organisations have attached such great

importance to this problem in their own areas of competence.

Meanwhile the uprising continues and will continue until the forces of evil are rolled back and the way of freedom and peace is opened for the Palestinian people. Yet there will always be people who live in ignorance and are moved by hatred. This uprising, which some people at the beginning felt concerned only a few children, is a beacon that will light the way of the Palestinian people, and of peoples under occupation in the other territories. This beacon will never be extinguished so long as the occupation continues and the forces of injustice and evil continue to repress that people.

In conclusion, I should like to thank you for your attention. I would also like to thank the secretariat, which worked very hard in the course of the Resolutions Committee's work.

Interpretation from French: Mr. SENE (*Government delegate, Senegal*) – My delegation has already made its comments on the deadlock outlined in the report of the Resolutions Committee at the close of its work. The reasons for this helplessness are of course numerous, apart from the procedural difficulties already mentioned by a number of speakers. There were also examples of rigidity, of cumbersome, of lack of understanding, a lack of a spirit of compromise; there were obstacles of every sort, notwithstanding the approach taken by the sponsors of resolution No. 1 and consultations among the sponsors of amendments.

The final result was an impasse, which brought to naught all the constructive steps taken in various quarters by men of good will. There is no doubt that it is essential without delay to reflect on this negative and pernicious tendency which paralyses the capacity for dialogue and the dynamics of negotiation in the Resolutions Committee, which, as you know, is a crucial organ of our Organisation. And even in terms of the rationalisation of work mentioned this morning by the Director-General, it must be noted that the tripartite structure, whose originality is part of the ILO's prestige, is undoubtedly time-consuming. There have to be consultations, reciprocal concessions, mutual trust: all essential prerequisites to creative and fruitful international co-operation in the service of social justice and peace.

However, we must not despair. Because of the grave and tragic events taking place in the occupied Arab territories, my delegation welcomed the declaration of the Director-General who undertook this morning to continue his efforts to give to Arab and Palestinian workers and employers who are victims of violence and repression the assistance of the International Labour Organisation with a view to protecting their freedoms and their interests, out of respect for human rights and the principles of international humanitarian law. Henceforth we must understand that human rights are indivisible.

It is therefore regrettable that on this 40th anniversary of the Universal Declaration of Human Rights and the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), we have been unable to adopt one single resolution marking the ILO's dedication to the values and ideals expressed in those instruments in answer to the challenges of our time, the demands of development and the needs of human dignity.

I should also like briefly to take this opportunity of paying tribute to the Committee on Action against Apartheid because it is part of the same struggle against oppression, to be waged in solidarity among all men. That is why we particularly welcome the work of a category of voluntary organisations, of free workers, of creative people, artists, musicians, composers and audio-visual experts, from London, Paris, Dakar, New York and all the world's cities who wish to carry the echo of the human rights cause and the irresistible tide of the dismantling of apartheid in South Africa.

In this regard, we thank the Director-General for being so good as to make available to us the resources for carrying out a calm and constructive programme in this area, enabling us to adopt the programme for updating the instrument by consensus.

In conclusion, let me say, no matter what the devices employed by the Pretoria regime, the late President Samora Machel, who was a martyr in the struggle for freedom in Africa, said from the rostrum of the United Nations on its 40th anniversary that South Africans of all races and all colours, of all origins and all religious convictions are in the process of building a new nation, in whose honour our artists and our musicians sing today. President Mitterrand said in the message he sent us the other day that these concerts are worth all the speeches in the world, because they lead directly and courageously to mobilisation for brotherhood.

The presence at our Conference this year of leaders of COSATU, OATUU and the President of SWAPO is a promising sign and a comforting one, which without a doubt will strengthen the immense potential for brotherhood which is being sought out in South Africa and in Namibia to keep alive the dreams of individuals, peoples, nations, the whole of the international community here represented, committed, shoulder to shoulder, to the unwavering struggle against the system of apartheid and racism throughout the world and for the triumph of human rights, freedoms and human dignity.

Interpretation from Arabic: Mr. YASEEN (*Government delegate, Kuwait*) – In the name of God, the compassionate, the merciful! The report of the Resolutions Committee has been submitted to us for discussion. We would have liked to see this report contain concrete, effective, real results and we would also have liked to see it contain resolutions which the Conference would have been called upon to adopt at this 75th Session. However, I am disappointed, and this disappointment is one which is shared by a very large number of delegates present here in this year the 40th anniversary of the adoption of the Universal Declaration of Human Rights.

It is sad, it is shameful, to see the objectives and the principles of our Organisation disregarded in this way. Proof of this can be seen in the fact that the Arab resolution on the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories has not been able to reach this plenary sitting.

This resolution is one which first and foremost concerns human rights and it is absolutely in conformity with international labour Conventions, with the Declaration of Philadelphia and the Universal Declaration of Human Rights. Nevertheless a number of States and the representatives of certain parties

launched a battle against this resolution and sought to inhibit the discussion, presenting amendments and other proposals in order to empty the resolution of its content, of its substance; others exerted pressure in order to interpret the Standing Orders in a way that suited them, the ultimate objective being to prevent the Conference from adopting the resolution.

Those who pretend to be partisans of human rights and justice are in fact rising up against the will of the Conference represented in the Resolutions Committee.

When the Resolutions Committee gave first priority to the Arab resolution by 479,020 weighted votes, the Committee was thus expressing the conscience of the Conference. However, a small majority resorted to procedural methods, the Standing Orders, and manoeuvred, using various proposed amendments to their own ends, together with other forms of pressure, in order finally to totally stifle the spirit of democracy which should guide the Conference. The overt hostility in relation to this Arab resolution not only had repercussions on that resolution, but also meant that the second resolution was similarly impeded. I wonder what is the conception of human rights of this minority? It seems to me that it is one which sees only its own economic and political interests. This minority would like to deprive this Organisation of its objectives, of its *raison d'être*.

We would like to express our thanks to all those who gave their support to the resolution, both in the Committee and outside it. I would like to mention the member countries of the Group of 77, the non-aligned countries, the Islamic countries, the African countries, the socialist countries, and others among the Government benches, the Employers' and the Workers' benches.

It is sad, it is regrettable, that this Arab resolution could not be put before the Conference when the Israeli occupying forces are practising repressive action and infringing the trade union rights of the Arab population. The annual mission of the ILO has been drawing attention to these practices since 1978. Since November 1987, the Palestinian people have expressed the refusal of the entire Arab population to tolerate Israeli practices and the imprisonment of Arab militants and workers. Unfortunately, however, we have not, at this 75th Session of the International Labour Conference been able to adopt the resolution in question – the Arab resolution. We have thus failed in attaining our goal, which was to try to highlight and draw attention to the issue of human rights at this session.

Interpretation from French: Mr. OECHSLIN (Employers' delegate, France) – I share the concerns which have been expressed here as regards the absence of results in the Resolutions Committee. Two weeks of impassioned discussion and debate made it impossible to deal not only with the first resolution under consideration, but also with other important texts such as those concerning human rights, the role of enterprises in employment growth and the environment.

The proposed texts were, doubtless, not perfect, but they could have been improved in a constructive spirit. The Employers' group was prepared to do this. And at one point we even believed that the

Committee would be able to agree on wording which seemed to be very broadly acceptable.

The task of the Resolutions Committee is to try to define the ILO's future course and to make it possible for the Conference to express itself on important and topical issues. It should not be thought of as a release valve, and on this I agree with Mr. Karlsson who spoke on behalf of the Workers' members. Our work must strictly respect the framework of legality. Our procedures, therefore, must follow the letter and the spirit of the Standing Orders. The Standing Orders were in fact designed to facilitate a consensus among parties on controversial issues. They are a means, and not an end in themselves; if the Standing Orders do not fulfil their role, they should be modified. The Governing Body should consider possible amendments to the Standing Orders, to make it easier to reach a compromise.

However, it should be recognised that compromise presupposes the genuine desire of those concerned to achieve a compromise as Ambassador Sene has said most eloquently. We should all reflect on this issue individually. There is no reason why the spirit of dialogue which has prevailed in the work of other Committees of the Conference this year should be left outside by those entering Room XIX.

Interpretation from Arabic: Mr. OMAR (Government delegate, Libyan Arab Jamahiriya) – The failure of the Resolutions Committee to achieve tangible results is not so regrettable as the methods used by a small minority which intentionally worked to prevent the adoption of the resolutions concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories, the resolution which was considered by all peoples and nations interested in peace as that meriting priority consideration among the five resolutions submitted to the Committee.

Amongst the methods adopted was abusive use of the Standing Orders of the International Labour Conference. The opponents of the resolution frequently requested both a vote by show of hands and a record vote although paragraph 6 of article 65 of the Standing Orders of the Conference stipulates very clearly that "Committees shall vote by a show of hands or by a record vote". Another method was to keep asking for the advice of the Legal Adviser, even on very simple issues. It was obvious that the Legal Adviser also found this excessive and asked the Committee to try to apply the provisions of the Standing Orders.

Furthermore, the Chair was used in a way which shed some doubt on the impartiality and integrity of the Chairman. We do not wish to make any accusations here, we merely speak about realities, what everyone was able to see. The Committee, throughout this entire period, seemed like a ship without a captain at its helm. It is with great regret that we say this because we would have liked to see a neutral attitude so that this position maintains its prestige, its dignity.

The minority in the Committee tried to place responsibility for what happened on the authors of the resolution by claiming that we were delaying freedom of expression when we asked for the closure of the discussion. That is not true. We asked for the closure of the discussion only after all normal methods of negotiation had been exhausted and once it

was clear that the other side was not acting in good faith and that there was a clear intent to waste time so as to prevent the adoption of this resolution.

The opponents of the resolution were able to express their views and the authors showed great flexibility and openness. That is why a number of small scale meetings were held. The intention to oppose the resolution was absolutely clear from the outset when an argument was put forward, a fallacious and erroneous argument, that the ILO was not the appropriate forum in which to discuss this matter and that it should be submitted to the General Assembly. At a later stage, when we studied the content of the resolution it was said that paragraph 5 represented the essential problem, for the opponents of the resolution did not wish the Conference to continue to study violations perpetrated against workers and employers in Palestine. This is very strange, particularly in the context of the savage repression and the violence of Zionism. It was also said that operative paragraph 5 would have negative repercussions on the work of the Conference and on the work of the Committee on Apartheid and that this paragraph would not contribute to a just solution of the question as a whole. What kind of logic is that? All this was done with the pretext of improving the draft resolution but it is clear that all these pretexts were primarily aimed at getting rid of this resolution.

The minority under the leadership of the United States was thus able to block the resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and likewise to paralyse the adoption of other important resolutions, despite the fact that this is the 40th anniversary of the adoption of the Universal Declaration of Human Rights. There is no logical reason to explain this behaviour apart from the declared hostility vis-à-vis the heroic people of Palestine and total and absolute submission to Zionist pressures.

This minority was able arbitrarily to block the adoption of this resolution which is indeed most regrettable particularly since there were some who declared themselves to be partisans of democracy. We are happy, however, to see the noble attitude adopted by peace-loving countries in the Third World and in the socialist group. This attitude is based on their sense of responsibility vis-à-vis the law, justice and peace.

Mr. MORTON (*Workers' delegate, United Kingdom*) – I wish to speak briefly on behalf of a substantial number of Workers' delegates. We believe that it is neither beneficial to this Organisation nor helpful to any cause to attempt to repeat the work of the Resolution Committee in this Plenary Session. A Committee was elected, it conducted its business to the best of its collective ability and within the Constitution and Standing Orders.

My own experience with such committees, over many years, is that all participants use and are entitled to use the procedures correctly. As Mr. Oechslein has just said, if the procedures need modification, then they should be looked at.

Meanwhile, we have the Report of the Committee before us and it does not include any resolution. Now a resolution is a precise form of words and it was not possible to reach agreement on those words. This is a familiar problem in this and in many other organisations. No amount of recrimination or repetition can

alter that simple fact of history. "The moving finger writes", as the poet said "and having writ, moves on".

Now for the future we hope, as Mr. Karlsson said, that something may be learned from these events and learned by all participants. For these reasons, my colleagues and I do not intend to enter into a renewed debate on any of the issues that were before the Committee, or indeed on the Committee's procedures, although we would wish to emphasise that our interest and concern about these issues is as great as that of any others in this hall. We hope that next year we shall all be able to approach the difficult task of the Resolutions Committee with a flexible and constructive approach and achieve greater results.

Mr. ELIAV (*Government delegate, Israel*) – My delegation wishes first to congratulate the Officers and secretariat of the Resolutions Committee on the exemplary way they have carried out their task in the face of a very difficult situation. They did an admirable job and we are only sorry that the Chairman, Mr. Alexander, fell ill; and we were very happy to learn today that he is getting well again and would like to request the United Kingdom delegation here to wish him our best wishes for a full and speedy recovery.

The basic purpose of our Organisation is to try to achieve harmony and co-operation in solving one of the essential problems in the social domain of our society. The work of the ILO is predicated on the assumption that the inherent diversity of interests in the field of labour in which all the social partners – namely workers, employers and governments – are engaged calls for a concerted, I repeat concerted, effort to establish a constructive, I repeat constructive, dialogue between them and to promote economic growth which would guarantee full and satisfactory employment.

Thus, the Organisation was structured on a tripartite basis, which is unique among the specialised agencies of the United Nations system (which it pre-dates) in that its organs are not composed only of governmental representatives. Furthermore, it was established on the basis of a Constitution and functions on the basis of Standing Orders which, taken together, provide for a system of checks and balances between its three components and ensures that as a rule it would deal only with issues relevant to its goals.

However, from time to time, they witness pernicious efforts to introduce into the Organisation political issues which have nothing to do with these goals and in fact run counter to them. They had no relation whatsoever with the establishment of labour standards, the deliberation of Conventions, the supervision of labour laws, the promotion of employment and several other important issues which are within the competence of the Organisation. They cause only superfluous confrontations and sterile polemics and thus harm the image of the ILO as an organisation striving to achieve social consensus in all fields.

The most recent attempt in this negative field was the exercise in futility imposed on this Conference by the Arab delegates from all the three groups which vitiated completely the work of the Resolutions Committee. There was no need to force an Arab draft from this Committee. There was no need to exert political pressure in order to set aside the draft on the role of the Organisation in the promotion of

human rights in the year which commemorates the 40th anniversary of the adoption of the Universal Declaration of Human Rights, which was to be the main theme of the Conference. Nor was there any need to set aside other deserving resolutions like the one of self-employment and small- and medium-sized enterprises and the one concerning the report of the World Commission on Environment and Development. There was no need to muzzle delegates in the Resolutions Committee right from the start when a tumultuous attempt was made to prevent me from exercising my right to reply, even briefly, to an unbridled and vicious attack on my country made during the presentation of the Arab draft. Finally, there was no need to turn the Resolutions Committee into a debating forum on the Middle East conflict and to use abusive and offensive language against my country while doing so.

May I, in this context, inform the delegation referred to in paragraph 186 of the Report of the Resolutions Committee that one of the first Zionists in history was Cyrus the Great, as he is rightly called in the history of Iran, the founder of the first Persian Empire. It was he who facilitated about 2,500 years ago the first return of the Jewish people to their homeland in Zion and his name lives forever with us and has been adopted by us as a Jewish first name or, as Arab delegates would say, it has been Judaised.

To return to the report itself, there is also certainly no justification whatsoever for denigrating in an uncivil and unprecedented manner the Officers of the Committee including the Chairman, even after he was taken ill, repeated here from this rostrum a few minutes ago, and to criticise the draft report for giving space to statements that the Arab delegates did not like. We all know by now that as a result of this Arab exercise in futility, the Resolutions Committee has regrettably been unable to reach any concrete results, in contrast with the work of the other committees to which we were happy to contribute. However, the lucid and comprehensive report before us, the author of which should be congratulated, reflects truly and fully why and how this situation was reached.

Before concluding, I would like to refer to the issue which was falsely exploited for the venomous campaign against Israel, including a few minutes ago in this debate. I would like to reiterate, on behalf of my Government, that the West Bank and Gaza Strip, unlike other territories in the Middle East and North Africa where there exist political and ethnic problems, have been and are open to any independent people of good will who would like to observe the situation there. Furthermore, we have been submitting annual reports to the Conference on this issue, which are appended to the Director-General's Report and are there to read for everybody who is interested in facts and statistics and not in distorted fiction. It is our policy to intensify this policy of openness and co-operation with the Organisation, through government promotion of further development and training projects for the benefit of Arab workers and employers in the territories, as we were very glad to tell the Director-General during his recent visit to Israel. We were also glad to note his reference to such a policy during his impressive statement this morning. We firmly believe that the real interests of these workers and employers would be best served by a positive response of this Organis-

ation to the challenge, including the allocation of adequate financial resources. We call on all those concerned to help us in achieving this goal, which would constitute an important contribution to the arduous process of achieving peace and coexistence in the Middle East.

Mr. SHARMA (*Government delegate, India*) – One can only admire the courage and perseverance with which the Palestinian people have been struggling for the liberation of their own land and the recognition of their inalienable national rights under the leadership of the Palestine Liberation Organisation.

A just and durable solution to the Palestinian issue cannot be found without Israel's total and unconditional withdrawal from all Palestinian and Arab territories occupied by it since 1967, including Jerusalem, and without the exercise of the inalienable rights of the Palestinian people, including the right to return, self-determination without external interference, the right to national independence and sovereignty and the right to establish an independent Palestinian State in their homeland, Palestine. Today, in any just and permanent settlement in the occupied territories, including Palestine, it is Palestinian interests which must prevail. It is only when the Palestinians become their own masters that all States of the region will be able to live within secure international frontiers.

The climate of tension and violence, already prevailing in the occupied Arab territories, including Palestine, has considerably intensified over the past several months. The recent events in the occupied Arab territories, including Palestine, have been a cause of particularly deep concern to us. The situation there has deteriorated, leading to a Palestinian uprising against the violation of human rights; the mass repression conducted by the Israeli authorities has led to hundreds of people being detained, injured and killed. It is indeed unfortunate that Israel continues, by force, to pursue a self-defeating policy of stifling the legitimate aspirations of the Palestinian people.

The world cannot ignore the many specific instances of atrocities heaped upon the hapless Palestinian inhabitants in the occupied lands. As noted in the Report of the Director-General, the situation will become much worse if the occupation is not ended, and ended quickly. The Report draws attention to numerous instances of overt and covert discrimination against Arab workers in areas such as trade union freedom, social security, working conditions, vocational training, etc.

The situation of the Arab workers in the occupied Arab territories, including Palestine, is not a new subject for the ILO; it has been previously dealt with in resolutions adopted by the International Labour Conference in 1974 and 1980 and in the Director-General's annual reports.

My delegation fully supported the resolution concerning the protection of workers and employers' rights and freedoms in Palestine and the other occupied Arab territories, which was given top priority for consideration by the Resolutions Committee of this session of the Conference. Unfortunately, owing to various reasons including the delaying tactics adopted by some, the Resolutions Committee was unable to complete its work on even the first resol-

ution which it took up in order of priority. In the view of my delegation this is a most regrettable development. It would have been entirely appropriate for such a resolution to be adopted this year against the background of the recent Palestinian uprising, and it would have been particularly topical since 1988 marks the 40th anniversary of the Universal Declaration of Human Rights. All the same, I would like to express my delegation's position that work in ILO should continue and expand with regard to the problems faced by the Arab workers in the occupied territories, including Palestine, in areas such as employment, social security, vocational training, freedom of association, etc. We would like to express our full support for every effort which the ILO makes in the future to help the Palestinian people. We are convinced that the ILO must support the rights of the Arabs in the occupied Arab territories, including Palestine, to live and work in freedom and dignity with equal opportunity and economic security, and that the ILO must do all within its competence to guarantee these rights in practice to the Palestinian people.

Interpretation from Arabic: Mr. ISSA (Workers' delegate, Syrian Arab republic) – Allow me to make a brief statement and provide my impressions of the debate in the Resolutions Committee, on my own behalf and on behalf of the Arab trade unions.

We followed with great attention all the positions taken up, all the attitudes concerning procedures and issues in the Resolutions Committee to prevent the selection of the proposed resolution and its submission to the Conference. This resolution obtained the highest priority and the largest number of votes in front of the Conference. In fact, it obtained the top priority over 13 resolutions. It is the resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories. The very title of the resolution and its various paragraphs clearly indicate that it aimed at impeding the continuing invasion of the Israeli authorities in the Arab territories and its attempt to instal a foreign nation, which arrived in that land from various parts of the world, and then to attempt to expel the original inhabitants of that territory. In order to achieve their aims, the Israeli authorities are using force and repression as well as resorting to pressure to force the landowners and the employers to leave their land and to be exiled from these territories.

In our resolution, we urged the various countries and nations of the world to put an end to this policy of repression and terror used daily by the occupying authorities against the Arab inhabitants and all those who stand by them.

We also called for the release of imprisoned Palestinian trade unionists and the need to observe and protect the basic human rights and trade union rights referred to in the Constitution of the International Labour Organisation, the Philadelphia Declaration and the resolutions adopted by this Organisation.

The resolution also requested that due account be taken of the Report submitted by the Director-General to the Conference. The resolution obtained the top priority by the members of the Resolutions Committee because of its humanitarian content and the refusal of any attempts to undermine the adoption of this resolution. This was also due to the fact that we

firmly believed that this resolution would seek to put an end to the criminal attempts undertaken by the Israeli authorities against the Arab inhabitants and workers in Palestine. Unfortunately, the procedures resorted to in the Resolutions Committee resided in an attempt to submit a large number of amendments to the resolution as well as delaying tactics which would impede the adoption of the resolution and its forwarding to the Conference.

This measure led to a failure in discussing the four other resolutions that had obtained priority in the Committee. The procedural manoeuvres adopted by those who wished to deprive this resolution of its content and to prevent discussion of the other resolutions in fact succeeded by simply resorting to procedural tactics. In so doing they have undermined the procedures and the principles of this Organisation upheld in its Constitution.

In fact, I wonder in whose interest is it that the resolution was not adopted? I also wonder what would have happened if the resolution had been adopted, and what would have happened if another territory had been under discussion.

The resolution refers to mass murder and terror.

All countries should be concerned about such events as are taking place in Palestine – terrorism, murders, assassination, expulsions and the murder of children, is something that has happened for a long time now. If it had happened in the Middle Ages we would have said that humanity was unable to grasp the danger and the seriousness of the matter and that humanity then was not as civilised and developed as it is today.

However, what is happening now in Palestine and in the other occupied Arab territories, and the suffering of our nation and people, their social drama, is in fact taking place within sight and sound of the world and in the twentieth century. It is being perpetrated by the authorities of the Zionist occupation who have nothing to do with humanity, under the protection of those who claim to protect human rights and trade union rights. How can you explain this? It seems to me that humanity is somehow classified into different categories, and it seems as if these Zionists have set themselves apart from the international community, and do not understand the basic principles of humanity.

This, in fact, is what happened in the Resolutions Committee.

The continuation of this practice will transform this international organisation into an instrument seeking to uphold principles and practices which are in total contradiction with the policies and principles of the United Nations and its agencies. We are quite aware that the United States played a major role in failing that resolution. They have, in fact, provided the means and facilities to the occupying authorities. Here we must reaffirm once again that the measures resorted to by the representative of the United States and their other supporters in this present session of the International Labour Conference have now become a scandal in the eyes of international opinion, because the nation and the people of Palestine, after 40 years of occupation, have imposed their presence as their actions and resistance have now reached the forefront of the international news and media. They have once again reaffirmed that however long terrorism prevails, it cannot last for long, as the nation struggles to uphold and restore its legitimate rights.

This is the lesson of history since the beginning of creation.

Finally, I wonder why was such a resolution subjected to such treatment? Many attempts were made to undermine the resolution and make it fail, though it dealt with a cause that has in fact inflicted suffering on millions of people and has exposed the Middle East region to three wars. The position of this minority in the Resolutions Committee, its opposition to the resolution, clearly indicates how much it belittles world opinion in the Committee and the world at large and how much it, in fact, belittles the position of other countries and member States of the Committee which would have liked to provide their support to the people of Palestine and their workers. The very fact that this resolution had obtained such a high priority, the various votes that were undertaken and which, in fact, indicated total rejection of the amendments, clearly reflects the international solidarity and sympathy for the people and workers of Palestine and the rejection of racism and of restrictions on trade union rights and other rights in Palestine and the other territories.

However, what really increases our suffering is that this attempt was made at a time when we were celebrating the 40th anniversary of the International Declaration of Human Rights and the anniversary of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (1987). We had sincerely hoped that we would reach a compromise solution between the various parties and members of the Committee. However, our opponents adopted the policy of delaying tactics which led the Committee to conclude its work without adopting any final resolution.

Finally, I wish to put on record that my total rejection of the debate that took place in the Resolutions Committee because it was simply a manoeuvre at wasting our time. I would also like to condemn the attempt to abort the work of the Resolutions Committee and the attempts made to oppose all the work of this international organisation. The measures adopted and the procedures ran counter to its rights. It is a two-edged sword which can be used in other cases and which could threaten and undermine this Organisation which was established to uphold and protect humanity and to prevent those who wish to inflict harm upon it. I am saying this not to discriminate or distinguish between peoples or between developed and developing countries but only to indicate that the procedure and the behaviour which we witness today in the Resolutions Committee, which paralysed the work of that Committee for an entire year, was simply an attempt to undermine a just and fair resolution.

Finally, I wish to express my deep thanks and gratitude to all those members who supported the resolution without any hesitation, for their firm belief in the validity of the resolution's contents. I simply wish to tell them that the events that will take place on the Palestinian scene in the future will prove that they were right in supporting this resolution.

Interpretation from Russian: Mr. KOSTINE (Government delegate, USSR) – On behalf of the group of socialist countries. I should like to make the following statement.

The bulk of the work of the Resolutions Committee was to consider the situation of workers and

employers in Palestine and the other occupied Arab territories. The Arab countries introduced a resolution which was allocated first priority after a vote. As regards the discussion of this resolution, I must say that our countries are seriously concerned by the dangerous developments in the Middle East. If this situation continues, it may have very serious consequences for all peoples and States in this region and threaten international peace and security.

The settlement of the conflict in the Middle East can only be based on a balancing of interests of all countries. The Arabs must recover their confiscated territories, the Palestinians must be given the right to self-determination, and all States of the region must be guaranteed the right to peace and security.

The only sure and realistic way of achieving a comprehensive solution in the Middle East is through an international conference with the participation of all interested parties, including the Palestinian Liberation Organisation and the States which are permanent members of the Security Council of the United Nations.

The ILO must raise its voice to defend the Arab workers in the occupied territories, and give them all the necessary assistance so that they may live and work in conditions of dignity and peace, economic security and equal opportunities, as called for in the Declaration of Philadelphia. Therefore, it is to be regretted that as a result of the manoeuvres carried out by representatives of some countries, our Conference is unable to adopt a resolution which would express its solidarity with the Arab workers in Palestine and the other occupied Arab territories, at a time when they need this more than ever.

These delegates have used all kinds of procedural manoeuvres in the Committee in order to prevent the adoption of the resolution concerning the Arab territories despite the fact that the sponsors of the resolution showed their readiness to compromise, and that the vast majority of the members of the Committee were ready to express their solidarity with the workers in the occupied territories and to condemn Israel for its inhuman actions against an unarmed civilian population in these territories.

The results of the work of the Committee also show the imperfections of the procedure for examining resolutions, which prevents the effective work of the Conference. The impasse created by the opponents of this resolution, has led to a situation whereby the Committee was not in a position to discuss other important resolutions such as the protection of human and trade union rights, employment growth and the environment.

We regret the fact that the Committee was thus not able to put before the Conference for its examination even one resolution. And all of the resolutions it might have considered touch on issues which are of great significance for all the workers of the world.

Interpretation from Chinese: Mr. YAO (Government adviser, China) – The report and its examination now is the record of the work of nearly three weeks of an important Committee of the Conference. The Chinese delegation will not make any comment on the report itself, but we are disappointed about the Resolutions Committee's failure to achieve any result. This is the first time that China, since its association with ILO activities, has confronted

ed such a situation. We feel concerned and uneasy about it.

This has happened because of the lack of co-operation and the procrastination of the Resolutions Committee. As a result, the resolution on the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories was not adopted. Furthermore, the examination of other resolutions was also hindered. It is very regrettable.

An important item at this year's session of the Conference is the protection and promotion of human rights. It is most unfair that such a situation, which disregards the basic human rights of workers and employers in Palestine and other occupied Arab territories, should have occurred. I reiterate here and now that the Chinese Government and its people will, as always, resolutely support the Palestinian and Arab people in their just struggle.

Dialogue and co-operation constitute the trend of the world today. The ILO too has maintained a tradition of reaching consensus through tripartite consultations. We hope this will not be undermined by irresponsible behaviour. It is also our hope that the ILO will continue to make a positive contribution to safeguarding the interests of the workers and people of the world.

Interpretation from Arabic: Mr. AL-ZAIDI (*Government delegate, Iraq*) – In the Name of God, the Compassionate, the Merciful! It is really sad that this year we have this unfortunate situation as regards the work of the Resolutions Committee.

In spite of the paramount importance of this session of the Conference, which coincides with the 40th anniversary of the Universal Declaration of Human Rights, the Resolutions Committee and, therefore, the International Labour Conference could not adopt a new document to strengthen these rights and expand their application. We are even more upset by this situation because of its causes, and the way in which the Standing Orders were used to introduce obstacles contrary to the spirit of the Constitution of the Organisation and to the spirit of the Standing Orders. The question is for whom was this done, and why. In whose interest was the work of the Resolutions Committee blocked? In whose interest were these obstacles put up to prevent the adoption of a resolution that received top priority? Why was this attitude taken vis-à-vis this resolution?

The resolution, in its reference and in its content, conformed to all the principles of international organisations. Moreover, its sponsors accepted some amendments in spite of the magnitude of the crimes perpetrated by the occupation – the Zionist authorities – since 1948; these crimes are more racist than those perpetrated by the authorities in South Africa.

This sad situation arises from the practices followed in the Resolutions Committee. At the outset, the Resolutions Committee did not wisely choose its Chairman. He was often absent and he was not always aware of the procedures that should be followed or of the basic aspects of the Standing Orders and other procedures. We faced in this Committee cases in which we were sure that some were endeavouring to waste our time and stall matters. Every time the Legal Adviser was called upon our work was delayed. It was really surprising to see the unique case in this Committee when the Legal Adviser was challenged, undermining the credibility of an inter-

national civil servant simply because his interpretation did not please this minority. The representative of the Zionist entity challenged the opinion of the Legal Adviser. This did not come as a surprise, at least to those who know the score. It does not come as a surprise because he who challenged this opinion does not have any place in a forum of freedom and liberty, because he is part and parcel of an entity that is based on settlement and usurpation. Now, we are finishing this session without reaching any resolutions to add to the documents and instruments of this Organisation, without giving the ILO a role in the 40th anniversary of the Universal Declaration of Human Rights. Those who worked to undermine the Resolutions Committee did not realise that the uprising will continue. I know this because the "children of the stones" who have tasted freedom will continue their uprising, supported by all the honest people of the world. In spite of all that has taken place, we are duty-bound to continue this discussion. In spite of the forces that stand in the way of human rights and freedoms in the Committee, the Director-General and the Conference will take the appropriate measures to protect Arab workers in Palestine and other occupied Arab territories, because the role of the ILO within the international community should be very clear-cut and should be prominent in all social issues that are of interest to the world.

Our confidence in the future and our trust in the Organisation and in all other international forums are great. Our trust in the children of the uprising is also great; one day they will put an end to the repression and racism of the usurper and the enemies of right and freedom will not have a place in this world. Victory will belong to the people.

Mr. BARKAN (*Workers' adviser, Israel*) – I do not wish to compete with some of the previous speakers, neither in substance nor in their abusive language. I want only to evaluate the work of the Committee and to draw some conclusions.

The situation created last week in this Conference reflects the nature of this Organisation. On the one hand, very important results were achieved in the four technical committees: two new Conventions were adopted and another one was amended. On the other hand, the Resolutions Committee went into a cul-de-sac and could not finish its work, even on one resolution. Were there no important issues on this agenda?

On the 40th anniversary of the Universal Declaration of Human Rights, the Committee had on its agenda "human and trade union rights". Equally, it could have given its attention to the shameful situation where 200 million young children around the world are working instead of learning and are exploited.

It might have referred also to a new field of the ILO by examining the mutual influence of employment and environmental protection, and some other very important issues.

Why was this important Committee prevented from carrying out its task? The sole reason was that the majority in the Committee decided to deal first with a resolution which has a political nature; a subject which is within the jurisdiction of a political international organisation like the UN, but not within the competence of a social organisation like the ILO.

Allow me to remind the distinguished delegates of this Conference of the unique composition of the ILO. Its unique Constitution and procedures – they are all aimed at one objective – not to raise differences but to achieve consensus. Without such consensus, the ILO would deviate from the basis on which its founders had constituted it. Without consensus, this Organisation will embark on a road which leads nowhere.

Histadrut, the general federation of labour in Israel, which I represent in this Conference, does its utmost to create such an atmosphere. Its members, Jews and Arabs alike, enjoy the same rights and benefits. On the initiative of Histadrut, the law will provide that every worker in the country (Jews and Arabs, citizens of Israel, as well as Arab workers commuting every day to work in Israel from the West Bank and Gaza) will work under the same collective agreement and have the same wages and enjoy the same conditions of work and fringe benefits and have the same right to elect and to be elected to the local labour committee.

Histadrut stands also for the easing of national tensions and calls on both sides to the conflict to convene an international conference and to discuss peace. Extreme measures and positions, like the draft resolution submitted to the Resolutions Committee, will serve only the extremists from both sides who shake hands with each other.

A peace settlement will show a way out of the impasse in which our tormented region is stuck.

In spite of the words pronounced here, I call on the delegates from the Arab countries, because new winds are now blowing in the bipolarised world: let us combine efforts in our region, let us talk, and we will find a political and peaceful solution which will be based on mutual recognition, on respect for each other's rights, to the benefit and prosperity of our peoples, of our children. This aim is not unattainable. It is in our hands. Let us join hands.

Mr. KERKINOS (*Government delegate, Greece*) – We voted in the Resolutions Committee in the belief that the report would now be coming to the plenary. It is a factual report, and this is why I wish to state now that the Government delegation of Greece will be voting for the report on the understanding that a correction will be made on page 33/26 regarding the way the Government representative of my country appears to have voted in that particular instance. We did not abstain. We were absent as we were absent on the occasion of all votes in, and all the procedural matters raised at, the Resolutions Committee. We realise it is a technical error, and hope that it will be rectified.

Having clarified this, may I add that the position we took in the Committee did not mean that we were distancing ourselves. We were not distant; we were not remote. We were very much there.

Mr. AHMED (*Worker's delegate, Pakistan*) – At this late hour we are near the closure of this session of our Conference, at which we have spent almost three weeks, a very precious time in our life, and we find that in one of the important Committees, in the Resolutions Committee, despite the fact that there were 85 Government members, 73 Workers' members and 60 Employers' members, after their detailed deliberations of three weeks, out of all the resolu-

tions which were tabled by the delegates, nothing could be brought about in this important plenary.

On this occasion we share the feeling that the members of the Workers' group, led by Mr. Karlsson, made the utmost efforts to do positive work and we appreciate his services. Moreover, the Office, ably assisted by Mr. Ali Taqi, provided all possible facilities. But, despite all these efforts, we find that the discussion could not be concluded on even one resolution.

Many of the speakers have highlighted the various aspects which delayed these activities, but we would certainly on this occasion urge that attention be paid to the findings outlined in paragraph 6 of the report which gives priority to five resolutions. We would have wanted these resolutions, including the resolution concerning the role of the ILO, the strengthening of respect for human and trade union rights, the resolution concerning environment and employment, the resolution concerning occupational safety and health, the resolution concerning self-employment and also the resolution tabled by the Workers to combat child labour, could have been considered in this plenary, along with resolution No. 1 concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories, which was given priority by the Committee.

I am not about to go into details of the various reasons why we support the cause of the Palestinian people and the cause of the working class in other occupied Arab territories. Some distinguished members have stated that things have gone far enough, and that we must now see to the improvement of the conditions of work and life, although there are other issues such as the freedom of the people in the occupied territories.

We believe that this Organisation, and many other international organisations that bring us together stand for one thing – that the liberty of each individual is a basic right and that each nation has the basic right to pursue its material and spiritual well-being in full freedom, economic security and equality – and if that right is denied, the whole process is negated. This very principle was proclaimed in article II of the Declaration of Philadelphia. It is also the basis of this principle that the Constitution of the ILO states that universal and lasting peace can be established only if it is based on social justice. But can there be social justice if people are under occupation and foreign rule? If such practices had continued most of the Third World countries would still be subjugated. In this respect the ILO has a great tradition – to support all those people who are subjugated. That is why we support the anti-apartheid movement, and the struggling people of South Africa. This is why we support the right to justice and freedom there.

We consequently feel that the resolutions passed by the sessions of the Conference in 1973 and 1980 reflect the fact that this is an aspiration of this house, and we appreciate the work done by the Director-General in presenting an annual Report on the situation in that part of the world to the Conference. We hope that, although these resolutions have not come to the plenary, the aspects which have been spotlighted – the suffering of the Palestinians and the workers in the occupied Arab territories – will be duly taken into account as regards their basic rights, as this is why we support the contents of the resolution in question.

Interpretation from German: Mr. LAMPRECHT (*Workers' adviser, German Democratic Republic*) – On behalf of a number of Workers' delegates and members of the World Federation of Trade Unions, I should like to make the following statement.

The Resolutions Committee had before it a very timely and urgent resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories which have been held by Israel since 1967. In view of the denial of the democratic and trade union rights and freedoms of the Arab population by the occupying forces and in view of the exceedingly tense situation in these territories, we expected the adoption of a document, all the more since the overwhelming majority in the plenary and in the Committee declared its solidarity with the Arab population.

We therefore regret the fact that the work of this Resolutions Committee could not be brought to a successful conclusion even though the majority of the members of the Committee were in favour. We also regret this because as a result the second resolution, concerning the role of the ILO in the strengthening of respect for human and trade union rights, which had been submitted by the whole of the Workers' group was blocked. Particularly since this is the 40th anniversary of the Universal Declaration of Human Rights and the 40th anniversary of the Freedom of Association and Protection of the Right to Organise Convention (No. 87) we were most anxious to see this resolution adopted.

Interpretation from French: Mr. NIASSE (*Worker adviser, Senegal*) – His Excellency Mr. Sène, the Ambassador of Senegal, has already stated very eloquently the position of my country. If I am taking the floor now it is as spokesman of the African group in the Committee.

Since this is also the first time that I have spoken at a plenary meeting may I congratulate you on your election as President of the 75th Labour Conference, but above all for your pragmatism and your savoir-faire that have enabled you to ensure the smooth running of this Conference.

I feel great regret because the Resolutions Committee is one of the most important of the Conference's committees and should, in my view, be a place where understanding and co-operation are achieved and where ways are found for the ILO to contribute towards alleviating the world crisis. However, this year, intolerance and a partisan spirit have prevailed over the cardinal virtues which should be upheld by us in the various structures and committees of our Organisation. It would have been possible if we had wanted to understand each other, to adopt, in spite of the short time available, two or three resolutions at least. Unfortunately this was not the case due to delaying tactics and political confrontations which led to no resolution being adopted – not even the one that was recognised as being the priority one by four-fifths of the members of the Committee. At a time when the whole world is celebrating the 40th anniversary of the Declaration of Human Rights, it is really unfortunate that an institution such as the ILO, whose main vocation is the defence of human rights, should not adopt a resolution on that subject because a minority, by drawing upon certain Articles of the ILO Constitution, blocked the democratic procedure which is the very essence of the Organis-

ation and used all its efforts to stop injustice being perpetrated against the Palestinian people.

Turning once again to the Report of the Director-General and its contents, which no person of good will could contest, since the events in Palestine and their repercussions are well known. I dare to hope that the prominent persons who are gathered here and the people of good will in this Conference will do their utmost to ensure that the priority resolutions of this year, concerning the rights and freedoms for workers and employers in Palestine and the occupied Arab territories, human rights, employment promotion, co-operation between the affluent and developing countries, environment and employment and child labour, will not remain a deadletter and that through dialogue, understanding and consensus, we shall achieve acceptable solutions to all in the future.

Interpretation from Spanish: Mr. AGUERO PEREZ (*Workers' adviser, Cuba*) – My delegation, as well as various trade union organisations from Latin America which participated as titular members at this Conference have requested me to place on record their rejection of the inappropriate methods which were used by the most powerful capitalist member State of this Organisation and the alliance of a small group of countries and other allied forces of the Israeli occupying forces, which prevented the Resolutions Committee at the present Conference from carrying out its work. Through an unreasonable number of amendments they managed to exhaust the time allotted to the Committee. This was a most undemocratic method against a resolution which received top priority and the support of the overwhelming majority of the members of the Committee.

The arguments of those who blocked the resolution concerning the protection of workers and employers' rights and freedoms in Palestine and other occupied Arab territories are not valid because, in our opinion, this resolution is within the competence of the ILO. This is borne out by a statement in the Report of the Director-General, where he states "within the occupied territories economic development – and consequently employment – as well as the trade union situation continue to be subject to serious restrictions resulting from the state of occupation, and there is little prospect of any significant improvement while that situation persists. Recent events have underlined how critically that situation dominates the entire life of the territories. There is an urgent need for a process which will bring peace to this region, since a continuance of the 20-year-old occupation could only lead to a progressive deterioration of the situation, including that of Arab workers. So long as it exists the ILO will, within the framework of its means and competence have to pursue its action for the benefit of Arab workers of the territories."

The anti-democratic blockage of the work of the Committee did not merely prevent us from expressing our fitting solidarity with the heroic struggle of the Palestinian people and other Arab workers, but also stood in the way of the adoption of an important resolution on the strengthening of the respect of human and trade union rights which was submitted by the Workers' group. For all these reasons we regret the manoeuvres which took place in the Resol-

utions Committee and which did serious damage to the 75th Session of the International Labour Conference.

I should like to take this opportunity to reiterate our unconditional solidarity with our brothers in Palestine and other Arab nations, and express our unconditional support for the heroic sacrifices and fight waged by the Palestinian people, our hope that they will achieve their just rights and aspirations in the near future under the aegis of the glorious PLO.

Interpretation from Arabic: Mr. ABDOON (Workers' adviser, Sudan) – May I, on behalf of the general trade union of workers in the Sudan, make some remarks on the work of the Resolutions Committee.

The Director-General has chosen for his Report to this session of the Conference the topic of human rights as a collective responsibility. In line with this topic, the Resolutions Committee gave top priority to the resolution on the protection of the rights and freedoms of workers and employers in Palestine and other occupied Arab territories. This issue is very closely linked with human rights and with the responsibilities of the ILO in consolidating and strengthening freedoms and trade union rights all over the world. Moreover, it coincides with the 40th anniversary of the Universal Declaration of Human Rights, and the adoption of Convention No. 87. In the Sudan we celebrated the 40th anniversary of this Convention, which is applied in practice, and which corresponds to principles enshrined in the Constitution of the Sudan. In order to preserve these victories and achievements, which are threatened by restrictions on civil and political rights, we must reinforce our efforts, and that is what we have done in the Sudan. This is demonstrated by two revolutions, in October 1964 and April 1980, led by the workers.

These principles are the cornerstone of our union in the defence of trade union rights. My delegation co-sponsored the resolution that received top priority. It is not surprising that top priority was given to the protection of the freedoms and rights of Arab workers and employers in Palestine and other occupied Arab territories. In its preamble we find mention of several principles dear to the ILO and practical, reasonable, applicable measures in the operative part. I shall not go into details because all of you know the contents of this resolution. And you know that it should have been adopted by the Conference. However, it is regrettable that the Resolutions Committee got bogged down in procedural questions. In 13 years on this Committee, I had never seen what I saw this year: tactics and procedures that are uncivilised and undemocratic, to say the least.

These procedures undermined the noble objectives we all hoped the Committee would reach in order to preserve and protect the rights of workers and employers in Palestine and the other occupied Arab territories, especially now when we see the people rise up against the repression and discrimination of the Israeli occupation authorities.

This is what I wanted to put on record on behalf of the workers of the Sudan. Our union regrets that we have received a negative report this year from the Resolutions Committee, a report that does not give any encouragement regarding the promotion and protection of the trade union rights we hold so dear.

Interpretation from Arabic: Mr. AL-YAHYA (Government delegate, Saudi Arabia) – In the name of Allah, the Merciful, the Compassionate. It is an insult to the 40th anniversary of the Universal Declaration of Human Rights that we could not this year adopt a resolution in our Committee. We feel great sorrow at the fact that workers' rights are being denied especially when the workers concerned are the workers of Palestine and the other occupied territories and when the perpetrator of the injustices is the Zionist entity. This is a truth we have started to learn here in this Organisation. My great fear is that this Organisation will be charged with bias, and I wonder then what attitude we shall adopt towards racial discrimination.

During discussions over the past ten years on racism and apartheid most of the speakers have agreed that the discrimination suffered by the Black workers in South Africa and the Arab inhabitants of Palestine and the other occupied Arab territories are similar. Why then was the resolution not adopted? A previous speaker stated at this rostrum that the resolution in question was not adopted because it was political. Yet it represents eight years of efforts undertaken by the Organisation – eight years of continuous reporting by the Director-General. Yet, despite all these efforts, nothing has been achieved and none of the Organisation's decisions or resolutions have been implemented. So what other course was there to take but to submit a resolution aimed at urging the Organisation to lead a different path that would somehow affect that regime? Can you call such a resolution a political one? This resolution is entirely within the purview of the International Labour Organisation, because it deals with the freedoms and rights of workers and employers in Palestine and the occupied territories. Therefore I cannot accept the argument that this was a political resolution.

Am I to congratulate or commiserate with that handful of nations which decided to reject this resolution? It was a premeditated decision that the resolution would be rejected. Can we say that this handful of nations have succeeded? I do not believe that all those who have a heart that beats and a conscience that lives in their hearts would say so. Such practices cannot succeed.

Since the beginning of this Conference, we have heard cries of protest from this handful of nations; protests and warnings stating that this resolution and other similar resolutions would not pass. Then we heard threats; rumours started circulating to the effect that one of the member States would stop paying its contributions to the Organisation if the resolution was adopted.

I only hope that there was no basis to this rumour; otherwise we cannot consider this to be a democratic Organisation.

Intimidation was used against those who were in favour of the resolution. You, yourself, at this rostrum heard one of the members of the Bureau of the Committee speak about the resolution without mentioning the workers in Palestine and the occupied Arab territories. He merely referred to workers covered by this resolution. Why did he not refer to them? Was he ashamed to say their names?

I am not going to repeat everything that has already been said; but since the Director-General has not succeeded in his mission – and as my colleague who preceded me on the rostrum, the representative

of Cuba, already said when he read out a large part of his report – this Organisation may continue to issue resolutions; despite all this, nothing will silence the cries and the protests of a nation being intimidated, starved and expelled from its territory.

In the Director-General's statement this morning, when he gave his reply to the general discussion, he made a commitment that this Organisation would exert even more efforts to implement decisions and resolutions on the subject. I simply wish to express here my gratitude and thanks to the Director-General and all those who work with him; yet at the same time, I doubt very much that the Zionist entity will allow him or anyone who succeeds him to set foot on its territory. This is a source of great regret to me; yet you, distinguished delegates and members, are the ones who can provide a solution. You can provide a solution by adopting any decisions to be submitted to you later on the same subject.

Interpretation from Arabic: Mr. AL-SABBAH (representative of the Palestine Liberation Organisation) – At the outset allow me to express to the President our admiration and appreciation for the wisdom and efficiency he has demonstrated in steering the work of this Conference and for the success achieved so far with the exception of the Resolutions Committee, whose Chairman, Mr. Alexander, Government delegate of the United Kingdom (to whom I wish good health and a prompt recovery) was unsuccessful in chairing the proceedings of the Committee, due to his lack of knowledge of the due procedures and rules and because he did not enjoy the necessary integrity and unbiased attitude of the Chairman, but adopted delaying tactics. In so doing, he was a tool in the hands of the United States and a handful of other like-minded States and prevented the adoption of the Arab resolution concerning the protection of workers' and employers' rights and freedoms in Palestine and other occupied Arab territories. To this end they established in the Committee new and strange rules and procedures which are in total contradiction with the rules of democratic discussion and dialogue. They completely disregarded the wishes of the States which had voted this resolution top priority.

That vote was a clear and frank reflection of world social conscience. It reflected the international desire of every nation in the world that respects peace and justice in the world to defend the Palestinian cause. It also represented a clear condemnation of the racist practices, the policy of settlements and the violation of human rights and basic freedoms by the Zionist occupation authorities in Palestine and in the other occupied Arab territories.

Here I wish to express the gratitude and appreciation of Palestine, its people and its leaders for the total unbiased support we found in our friends in the socialist countries and among the non-aligned countries as well as amongst the nations of Asia and Africa and some of the nations of Latin America. This support was forthcoming in the government ranks, within the employers' organisations and from the workers' benches, from the beginning of the discussions on the order of priority, they confirmed that the Arab resolution should be given absolute priority.

I do not wish to reiterate what was said by the Chairman of the Arab group regarding the indignation aroused by the flagrant manoeuvres and pres-

ures which prevented the adoption of the resolution and its submission to the plenary sitting of the Conference. It is truly regrettable that these manoeuvres, totally alien to customary parliamentary practice in international organisations, should have been perpetrated by a major power which in this Organisation assumes a great deal of responsibility in the field of the protection of human rights. While that nation claims to uphold and protect human rights in the media, its actions contradict what it proclaims for it allies itself policies of repression and continually violate human rights. This is evident in the obvious support of the United States for the two racist regimes in Pretoria and Tel Aviv and in the fact that it provides them with weapons of destruction and most modern instruments of torture so as to repress the noble nations of Palestine and in southern Africa.

The Director-General in his Report which was discussed by the Conference indicated that the respect for and protection of human rights are a common responsibility. We had expected that this appeal would be echoed by other nations, especially those that suffered military occupation during the Second World War, or during their national liberation struggles in the case of countries in Asia, Africa or Latin America, those nations whose sons and daughters understand the suffering of a people under military occupation, who have witnessed the violation of basic human rights and freedoms; for them resistance to military occupation was the most noble form of struggle. Yet these same nations were as consenting spectators before the struggle of our nation which has been going on for 40 years. The real opposition to this resolution, however, came from a great power, one which raises high the banner of the protection of human rights but for this nation it seems that the Palestinians enjoy no rights. Real opposition also came from the Western nations, nations that suffered military occupation that violated the rights and freedoms of its peoples but it seems that the children of the occupied peoples have forgotten the suffering of their fathers and grandparents during the Second World War.

We were greatly surprised to hear words of support and solidarity for the rights of the Palestinians from those countries in the plenary but at the same time they hindered and opposed the adoption of the Arab resolution which called on the International Labour Organisation to assume its responsibility vis-à-vis the question of the freedoms and rights of the Palestinian people, those rights which were so ably and bravely referred to by the Head of the Spanish Government, Mr. González, in his address to the Conference.

I wish once again to reiterate my appreciation and thanks for the unwavering and principled support of the peace-loving nations in the world for the Palestinian people's rights. At the same time, I wish to express my sorrow vis-à-vis the attitude of countries opposed to this right, not only because this stand is contradictory to the most elementary rules and customs of international relations but also because this can be construed as an encouragement for occupation and Israeli settlements and a continuation of Israel's policy of barbaric repression, the continuing violation of human rights and freedoms, and a further encouragement for the Zionist entity to continue in its policy against our Palestinian people in its struggle for its rights and freedom.

The Palestinian people is a nation which has an ancient civilisation, a rich history and heritage, whose land was the cradle of the three world religions. Its tragedy and history of displacement started with the United Nations resolution of 1947 which divided Arab Palestine into two States. Nevertheless, the Palestinian people still believes that the international community led by the United Nations and its specialised agencies, including the International Labour Organisation, still possess the abilities and the moral and material potential to condemn aggression, occupation and the Israeli settlements policy and to uphold justice and restore the rights of the Palestinian nation. We firmly believe that this Organisation can play an influential role in helping the Palestinian people to enjoy its rights and basic freedoms and that it can condemn all those who oppose and hinder the enjoyment of these rights, for this is the mission of the ILO, and the best justification of its existence. And though the Palestinian people recall with sorrow the position taken by certain Western nations in defiance of justice in this Organisation, we nevertheless hope that these nations will change their attitude and that, in the future, they will give the Palestinian people their full moral support so that this Conference may unanimously adopt a resolution that is wholly in accordance with the role incumbent upon it and consonant with the action taken by all the assemblies and general conferences of the organisations of the United Nations system. It will thereby enable the Palestinian people to enjoy its inalienable rights, and, in particular, the right of self-determination and the right to establish an independent Palestinian State in its homeland and under the leadership of its sole legitimate representative, the Palestine Liberation Organisation, so that our people, the workers, farmers, employers, and all its social classes, may be able to exercise all their rights and fundamental freedoms, in particular the freedom of association, that are guaranteed by international labour standards.

Your collective will, and the serious work accomplished in this Organisation, will be of great assistance to the Palestinian people in its valiant uprising which it has resolutely continued for seven months despite the numerous victims claimed by the occupation authorities and Zionist colonisers who resort to ignoble means of repression against the rights of our struggling people. Be assured that these terrorist acts and the policy of repression and discrimination enforced by the Israeli military occupation authorities will not prevent our people from pursuing the struggle by all the legitimate means guaranteed to it by the United Nations texts so that our people may regain their legitimate rights and that peace may be restored in Palestine and Jerusalem.

Mr. FREEMAN (*Government delegate, United States*) – My delegation wishes to reassure this plenary that the United States Government has no intention of allowing the resolution which was submitted to the Resolutions Committee of the International Labour Conference this year, or its quite appropriate outcome, to interfere with its commitment to continue seeking a just peaceful negotiated settlement of the actual issues in the Arab/Israeli conflict. The resolution which was submitted by the Arab group would not have contributed in any way to the peace process, nor indeed was it designed to. It would have

undermined the objectives and the very future of this Organisation by requesting the ILO to take action outside its mandate and in violation of basic norms of due process. It was for these reasons that my delegation, along with other governments, Workers' and Employers' delegates, introduced or supported a number of absolutely legitimate amendments. To the extent that they were considered, they were rejected out of hand with the resulting impasse that is duly recorded in the Committee's report. While we may regret the impasse, we do not regret the fact that we exercised our right to introduce and vigorously pursue important amendments that were needed to try to set a badly defective resolution right.

Mr. GLADE (*Employers' adviser, United States*) – The report of the Resolutions Committee this year is noteworthy for several reasons. First, the report contains no approved resolutions; second, it reflects deliberations that in no way can be termed a debate; third, it causes us to reflect on the nature of the Resolutions Committee of the Conference and why it did not succeed this year. In the course of these deliberations there was no meeting of minds. For this, the Committee came to its deadline with only seven preambular paragraphs of the first resolution approved. Indeed, procedure prevailed over substance in an ugly battle, which to me is ironic. The International Labour Conference is legitimately concerned with freedoms around the world, but I stress, not uniquely with the rights of employers and workers in the Middle East. The question of these freedoms continues in many of the nations represented in this hall, but at the same time, efforts to produce a resolution supposedly concerned with worker and employer rights were to no avail. The report is clear on why this occurred; I commend it to your attention. Indeed, what I saw in the Committee was division and acrimony, and as one who attempted reconciliation through the process of amending the text, I was disappointed that my right to present amendments was forcefully cut off. I was angered by this tactic against freedom of expression. The process of amending is part of the workings of the Committee and I reject allegations that the objective in my case was to obstruct the proceedings. I respectfully suggest that when we proceed in this way, when we deal with resolutions that provoke confrontation, then we inflict harm, sometimes irreparable damage, on this Organisation, which must serve the interests of the employers and workers of the world on social questions. The lesson is clear and should have been learned by now. The constructive spirit of tripartism will succeed only when the Resolutions Committee deals with questions that are social in nature. Otherwise the system breaks down, as reflected in *Provisional Record* No. 33. It may be noted that the issue here may have been more appropriately dealt with by the existing competent ILO supervisory machinery. We must preserve the Resolutions Committee as a forum for tripartite debate on social questions, framed objectively within the ILO mandate without hysteria. As an Employer deputy delegate, I am frankly disappointed that we in the Committee did not discuss the important questions of employment creation which may have contributed important results to the ILO. Indeed, we failed on all accounts; we failed because we did not focus on work, on true

labour relations issues, a subject on which we are gathered here as experts.

In conclusion, allow me to quote one of your predecessors in the chair who reminded the Conference of the principles upon which our actions at the Conference should be based: "In periods of acute political tension, the ILO has a two-fold responsibility: to uphold the values of human freedom and dignity enshrined in its Constitution and to circumscribe rather than extend the area of international tension by ensuring the fullest possible degree of continued co-operation in pursuit of the objectives of the ILO."

Interpretation from German: The PRESIDENT – I give the floor to Mr. Hewitt, Government adviser, United Kingdom, for a right to reply.

Mr. HEWITT (*Government adviser, United Kingdom*) – In exercising this right of reply I would like to address in particular the comments made by the representative of the PLO and, I have to say, others earlier in the debate.

The PLO representative cast certain aspersions on the performance of the Chairman of the Resolutions Committee which, I should say immediately, the United Kingdom delegation as a whole totally rejects and cannot accept. I should like to put the record straight on behalf of someone who we all know unfortunately cannot be here to exercise the right of reply on his own behalf. I am therefore happy to take on this task and to do it for him. I don't want to be controversial but I reject the allegations of the PLO representative regarding partiality, lack of knowledge of proceedings, bending of procedures and being a tool of the United States. There is one thing that the United Kingdom is proud of and that is the democratic spirit and independence of mind and no one from the United Kingdom would be willing even

to enter into that sort of game. The Chairman scrupulously protected his independence and he did as good a job in the difficult circumstances of the Resolutions Committee as anyone might have expected of any Chairman from whatever group or region he came. The difficulties of the Resolutions Committee stem directly from the lack of the spirit of negotiation and compromise on issues which are of major concern to us all. The resolution also concentrated on issues which went beyond the legitimate concerns of the ILO, and went far into areas which belonged to other organs or agencies of the United Nations system. The ILO should rightly concentrate on the matters which are of concern to itself.

I would like this statement to be included in the record.

Interpretation from German. The PRESIDENT – We have had a long debate, and everyone has had an opportunity to speak on the report. From the statements we have heard, it is obvious that the Committee had a very difficult task. Since there are no further speakers and if there are no objections, I shall take it that the report is adopted.

(The report is adopted.)

Interpretation from German: The PRESIDENT – I would like to thank all the Officers and members of the Committee, the Officers in particular because they made great efforts and have had to spend a great deal of time in preparing this report. I would like to thank you all also for your stamina during this afternoon's meeting. I would also like to thank the interpreters in the booths and everybody who has spoken.

(The Conference adjourned at 7.45 p.m.)

CORRIGENDA

Provisional Record No. 33

On page 33/17, paragraph 137, three lines from the end, insert the words "which was" between "motion" and "for".

On page 33/26, delete the reference to Greece altogether.

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Provisional Record

Seventy-fifth Session, Geneva, 1988

Thirty-sixth sitting

Wednesday, 22 June 1988, 10.15 a.m.

President: Mr. Beyreuther

REPORT OF THE COMMITTEE ON RURAL EMPLOYMENT: SUBMISSION, DISCUSSION AND ADOPTION

Interpretation from German: The PRESIDENT – The first item on our agenda today is the report of the Committee on Rural Employment, which appears in *Provisional Record* No. 34. I invite the officers of the Committee to come to the rostrum: the Chairman of Committee, Mr. Ruphin, Minister for the Civil Service, Labour and Social Legislation, Madagascar; the Vice-Chairmen, Mr. Velazco Arzac, Employers' adviser, Mexico, and Mr. Ahmed, Workers' delegate, Pakistan; and the Reporter, Mr. van Raalte, Government adviser, Netherlands.

I call on Mr. van Raalte the Reporter of the Committee, to submit the report.

Mr. van RAALTE (*Government adviser, Netherlands*) – I feel very honoured to present today the results of the discussions of the Committee on Rural Employment. I am particularly pleased to have been the Reporter of a Committee which showed competence and a critical but very co-operative spirit. Both in its Plenary sittings and in the sessions of its Working Party, the exchange of opinions continued until a compromise could be reached. The result is a report which has been adopted by the Committee without a single vote being taken.

It is not possible to present in five or ten minutes a summary of two weeks of deliberations which will do justice to all the opinions that have been expressed or even to the conclusions that have been reached. May I therefore highlight a few points which I think are of particular interest to the Conference.

Firstly, I should like to mention the widespread appreciation in the Committee for the report on Rural Employment Promotion prepared by the Office. The report was considered to have provided a valuable overview of a very complicated problem and of a wide range of experience in promoting rural employment. Perhaps, in addition to the ILO experience, the experiences of other agencies, such as the FAO and the World Bank, in the field of rural development might have been considered as well.

Secondly, I should like to mention the international aspect of rural development and rural employment promotion. Both in the ILO document and in the discussions of the Committee, ample consideration has been given to the international environment. The Committee observed that the debt problem, declining commodity prices, fluctuating exchange rates and protectionism have led to a drastic decline in the export earnings of developing countries.

This problem is setting the scene for international negotiations in many forums. With the ILO's mandate in these matters always kept in mind, it led to long discussions in our Committee, and a common awareness of the problem prevailed as well as a variety of views on ways and means of reaching solutions.

Thirdly, I would like to draw attention to the national level. In spite of the interdependency of nations, which accounts for the interest in the international aspect, nations are after all entities in themselves. The Committee stressed therefore that rural development should be tailored to the specific cultural, socio-economic, political and physical environment of each country.

The suggested social and economic policies that are required to create the appropriate framework for the increase of rural employment and rural income should be refined and adapted in order to suit specific and often unique national and even local circumstances.

That leads me to my fourth point: the local level. This is where the beneficiaries of our efforts for rural employment promotion are located.

The Committee stressed, among other things, the need for adequate opportunities for gainful and productive employment, for women's full participation in development processes, and for a major role to be played by representative organisations of both employers and workers as well as by various types of rural-based co-operatives.

The subtle balance between inter-dependency and autonomy, a point of discussion at the international level, is apparently a matter of concern at the local level as well. I am referring to the so far unanswered question of to what degree local initiatives for informal organisations should be encouraged, in view of the social or economic well-being and development of their members, and to what extent these organisations can serve as agents for rural development and as a starting-point for more formal organisations.

My fifth point relates to the role of the ILO. It is obvious that, in the mandate of the ILO, there are many starting-points for taking up the challenge of rural development at various levels: international, national and local.

The Committee has been very much aware of this, and has suggested activities on each of these levels, such as studying the impact of structural adjustment programmes on employment and food security; advising member States on strategies and methods to strengthen agricultural/non-agricultural linkages; promoting labour absorption in agriculture; and as-

sisting the rural population in the creation and development of their own organisations.

The Committee stressed that, to make full use of the ILO's experience, close co-operation with other specialised agencies of the United Nations family would be required.

This brings me to the end of my presentation of some of the major points that have been discussed in the Committee on Rural Employment.

Last but not least, I should like to thank our Chairman, Mr. Ruphin, and the two Vice-Chairmen, Mr. Ahmed of the Workers and Mr. Velasco Arzac of the Employers, for their stimulating contribution to the discussions. I should like to extend my gratitude to Mr. Martin and his staff for their excellent co-operation and competence in producing a report which reflects the variety of options, opinions and points of view expressed in the Committee.

I propose therefore that the report be adopted by the Conference.

Interpretation from German: The PRESIDENT – The discussion of the report of the Committee on Rural Employment is now open.

Interpretation from French: Mr. RUPHIN (*Minister for the Civil Service, Labour and Social Legislation, Madagascar; Chairman of the Committee on Rural Employment*) – At the conclusion of our work, it is a pleasure for me today, in my capacity as Chairman of the Committee on Rural Employment, to invite the Conference to adopt the resolution and the conclusions drawn up by our Committee after the general discussion that we had on the subject of rural employment promotion. The discussions in our Committee were particularly rich and fully confirm – if there was a need for this – the value of such an international tripartite consultation on a subject that relates to a sensitive sector in all our countries and is of concern to a large number of workers. The broad exchange of views and experiences we had will have allowed us to draw a certain number of conclusions which will reflect both the diversity of national experience and the consensus on a number of essential issues.

I would briefly like to recall here some of the priorities agreed upon by our Committee. In any type of economy, the agricultural and non-agricultural rural sector is a particularly sensitive sector because it constitutes an essential productive basis for growth; it also affects, to a great extent, national sovereignty and the capability of a society to feed itself. Above all, in the developing countries, it includes a very large number of workers. In view of world economic interdependence, many hoped for a broader liberalisation of trade in agricultural products whilst respecting national priorities and with a concern for greater equity in commercial relations between industrialised and developing countries. A better balance was considered to be desirable between the spontaneous trends of the market and policies aimed at preserving food security and national production capacity. Major reforms are taking place at the moment in the industrialised countries in the agricultural sector and it is important that both employers and workers from strong and weak nations alike be in a position to make their voices heard.

The second priority our Committee agrees upon concerns the promotion of the rural sector as an answer to the global job deficit. The rural agricultural and non-agricultural sector, provided it is given the resources, constitutes a considerable employment potential, particularly for developing countries and their populations, which are in the majority young and leaving the countryside for precarious urban jobs.

A rural development strategy geared to employment should be a priority in developing countries. The agricultural sector has to allow the largest possible number of small-scale farmers, agricultural workers and landless workers, men and women, to increase their productivity and the stability of their employment in order to be able to improve their working conditions and their income.

Structural reforms may be necessary, but what is needed above all is a better distribution of vital factors needed to increase production, introduce the appropriate technology and provide for credit and vocational training. We should particularly welcome the conclusions that our Committee has reached on the subject of agrarian reform, after laborious negotiations between the different parties.

I would wish here to pay tribute to the spirit of dialogue and co-operation shown by the two Vice-Chairmen, Mr. Velasco Arzac of Mexico and Mr. Ahmed of Pakistan, who were able to reconcile sometimes widely differing points of view. Our Committee also thought it was necessary for many countries to give further consideration to the non-agricultural rural sector including small rural enterprises and agro-industrial units, highly labour-intensive work and services.

More appropriate macro-economic policies in the fields of prices and taxation, investment assistance, marketing structures, infrastructures and social services are considered indispensable for providing the agricultural and non-agricultural rural sector with an economic environment that is more conducive to its expansion. A tightening of the links and exchanges between agriculture and industry is necessary if the two sectors are to grow so that they can assist each other to develop. The fields of vocational training and appropriate technologies, credits and infrastructure have been identified as essential concomitants for there to be growth that will lead to the creation of jobs for the masses.

The ILO is called on to intensify its contribution in this respect. This growth and employment strategy in the rural sector should allow for a better balance between the town and the country and thus provide a more serene future for the rural populations which would be in a better position in the long term to manage their natural and economic environment.

The third priority of our Committee concerns the protection of workers. The standard-setting activities of the ILO are called upon to play their part fully in this by inviting member countries to take the necessary steps to ensure respect for freedom of association and the protection of trade union rights in the rural sector.

The member States are invited to ratify the Rural Workers' Organisations Convention, 1975 (No. 141) more broadly and to apply its principles fully. Furthermore, the ILO is invited to consider the reasons for the still limited ratification of this fundamental instrument. In a large number of countries, condi-

tions of work for rural workers are precarious and better protection is vital both as regards the use of toxic substances and the conditions of employment of seasonal or casual workers. The rights of women workers deserve particular attention in the light of their contribution to the rural sector. In addition, the Committee has put forward a large number of suggestions aimed at strengthening the role of the ILO with respect to rural development. The strategy of balanced growth between the agricultural and non-agricultural rural sectors as proposed by our Committee will entail a three-fold efforts. A strengthening of employers' and workers' organisations is an essential precondition for the success of the strategy so as to guarantee the broadest possible participation by the social partners in all stages of the formulation and implementation of the strategy and to enable them to contribute to it through their development initiatives.

A balanced programme of research, consultative services and technical co-operation will allow our Organisation in its fields of competence and in association with its natural partners to give concrete support to this strategy. Finally, a special effort is needed to help the least developed countries to benefit fully from the structural adjustments that are necessary to give the rural sector the role and place that it should have in promoting growth and employment.

On behalf of the Officers of the Committee on Rural Employment, I have the honour to submit the resolution and conclusions adopted by this Committee to you for the approval of the Conference.

Interpretation from Spanish: Mr. VELAZCO ARZAC (*Employers' adviser, Mexico; Employers' Vice-Chairman of the Committee on Rural Employment*) – It is an honour to address the Conference as spokesman for the Employers' members from various countries who participated in the work of the Committee on Rural Employment. My first words will be words of thanks and appreciation on behalf of the Employers' group to the International Labour Organisation and its Director-General for having convened this meeting of the Committee on Rural Employment as part of the proceedings of this session of the International Labour Conference, which focuses the attention of the whole world on the importance of this subject.

The problem of rural development is of great concern to many countries. First of all there is the increase in the urban population, with all the economic and social problems this implies. Secondly, the growing demand for jobs, particularly on the part of the younger generation which, in many countries, has an uncertain future. Thirdly, the insufficient agricultural production which, in many countries is reflected in poverty and serious social problems.

Our analysis of these problems pointed to the need to discuss a general strategy for the promotion of employment in rural areas, not only in farming and animal husbandry, but also in non-farm activities, that is to say agro-industries, industries or enterprises of any kind, including service enterprises, with a view to increasing indirect employment in rural areas. This, in a constant attempt to achieve three objectives: firstly, a better distribution of the world's population, by decongesting the large urban centres; secondly, productive employment, accompanied by

social security; and thirdly, optimum use of the potential of rural areas, not only with a view to producing food, but also for the supply of various raw materials.

With these aims in mind, we were fully conscious of the challenge inherent in the topic of rural employment. All three sides carefully analysed the Office report after having engaged in consultations in our respective countries; on this basis we made our statements and took part in discussions which were by no means easy. In order to give you a better idea of the value of this report, and especially of the Committee's conclusions, I should like to refer, within the international context, to the various points on which concern was expressed. Some of these points have already been mentioned by the speakers who have preceded me, and I do not need to repeat them. Some countries are faced with agricultural surpluses while other countries are not self-sufficient as concerns food supplies; some countries wish to export more, while others have to promote policies in order to secure a more liberal approach to international trade for the benefit of the developing countries. But the most important point of all in this international context, in the opinion of the Employers' group, is the idea that the old system of agrarian reform as a political, social, economic and legal measure, consisting in the sub-division and distribution of vast areas of land among peasants or farmers, might automatically serve to promote rural employment.

To emphasise the importance of the subject of agrarian reform, while the Committee was sitting, the Senate of the Republic of the Philippines approved a new agrarian reform scheme for that country. In the majority of the countries carrying out agrarian reform under the old system, and the Philippines is not one of these, much of the private property in question was converted to public or collectively owned property, in order to benefit the new owners or new exploiters of the land. However, in the majority of cases, these reforms ultimately failed, both in terms of agricultural production and in terms of the creation of jobs in rural areas.

Despite the good intentions, the distribution of land did not prove to be the right solution because in many cases the size of the plots was so small that they were unproductive and barely provided subsistence for the people living on and working these plots. Furthermore, certain agrarian reforms were accompanied by illegal procedures and abuses which created a climate of uncertainty concerning ownership rights and land tenure, which discouraged productive investment in these rural areas.

We were concerned that certain persons wanted to press for agrarian reform as a solution for certain countries. We, the employers, therefore put forward a proposal based on the modernisation of rural areas, which in the majority of countries would not require agrarian reform; only in exceptional cases might such reform be necessary in certain countries.

Our rural modernisation plan consists of the following points, all of which are framed within the concept of human rights, beginning with the right to progress for all those living in rural areas. This modernisation would guarantee and encourage genuine progress for peasants and farmers. It would harmonise the creation of jobs with production targets, bearing in mind that every new job requires investment.

Many developing countries had resources from foreign loans, but they were not sufficient to create enough jobs in rural areas.

For these reasons we need to channel productive investment into rural areas, while formulating policies which will stimulate and protect these investments.

We want to narrow the gap which exists between urban areas and rural areas; for this purpose it is necessary to lend dignity to and promote, not only employment, but the way of life, education, culture and the participation of employers' and workers' organisations, in order to make life in rural areas more attractive.

All this presupposes investment on a large scale by governments; but since resources are limited and a number of countries are faced with the problem of their foreign debt, this investment will have to be based on rational criteria so that it really can generate economic growth.

In this connection I would say that social consciousness as concerns rural areas must be bound up with economic consciousness. If there is no economic growth, there will not be sufficient growth in rural employment.

We consider that this modernisation calls for great flexibility.

Fortunately, governments are tending to rely more and more on freedom of enterprises and on enterprises to generate jobs.

We have therefore associated ourselves in this Committee on Rural Employment with the recommendations concerning small and medium-sized enterprises which were adopted by the International Labour Conference in 1986.

A very important point in the proposals made referred to access to ownership of land, even in centrally planned economy countries, because ownership plays an important role in attracting the population to rural areas and in attracting productive investment.

In addition, consideration was given to a new approach to production, marketing and credit co-operatives, designed to achieve economic and social objectives which would ensure their proper operation.

Finally, there was strong insistence on the need for education, vocational training and technical advisory services, available on a continuous basis, to provide support for the modernisation of rural areas.

We have to recognise that the Office set about its task in a very professional way throughout our meetings, and in this connection, I would like publicly to recognise Mr. Martin and Mr. Radwan.

As far as the ILO is concerned, we have here a report and conclusions which open up possibilities for a new orientation for its work over the next ten years, an orientation which will be more realistic and based on viable strategies, whose success will not be confined to isolated cases. It should rather be based on technical co-operation programmes which merge the views of employers' and workers' organisations in order to indicate the paths to be followed, and in defining practical, pragmatic and viable strategies for action to ensure progress.

I should like also to express my thanks publicly to the Chairman of the Committee, Mr. Ruphin, to Mr. van Raalte, our Reporter, and to the Vice-Chairman of the Workers' group, Mr. Ahmed. Throughout our

meetings they always looked for consensus; as a result our report was adopted without a single vote.

I should like to thank the Employers' members who elected me as their spokesman for their confidence and support.

Now, the employers' organisations can say publicly at this Conference that we are entirely ready and willing to collaborate with the ILO in the promotion of rural employment.

I congratulate the International Organisation of Employers for having laid emphasis on this subject, and I would like to thank Mr. Antonio Peñalosa who, as Secretary of the Employers' group, played an active part in the negotiations and discussions with the other sides.

In conclusion, I should like to tell this plenary that we are fortunate to have here conclusions which can constitute a landmark in rural development programmes, provided they are accompanied by the active participation of all three sides, and by enthusiasm and a deep conviction that it is imperative over the next ten years to promote rural modernisation in most countries.

Mr. AHMED (*Workers' delegate, Pakistan; Vice-Chairman of the Committee on Rural Employment*) – On this last day of the Conference a lot has been said about rural employment promotion. I will be brief, but I have my duty and I am grateful to the members of the Workers' group who have bestowed on me the honour of representing them and I sincerely thank them for their co-operation. In particular, I also have my duty to thank the Officers of our group, brother Ross Person, Secretary, brother Jeff Boddy, from the United Kingdom, brother Veretennikov from the USSR and brother Maiyaki from the Niger, the Vice-Chairman. There has been also a very sincere help from brother Narayan, brother Ramamurthy, brother Hozazsiski, brother Ali Ibrahim, brother Zimba, brother Lynch, brother Tayashi and many other members of our group. As a whole we worked like a team and we tried our best to bring something positive to those people who constitute the bulk of mankind living in the rural sector. I also have my duty to thank the distinguished Chairman, Mr. Ruphin, who has conducted these deliberations very open-mindedly and with great help where difficulties arose and also Mr. Velazco Arzac, the Vice-Chairman of the Employers' group, who I understand had a difficult task but was always open to dialogue. And Mr. van Raalte, the Reporter of our group from the Netherlands, who has worked long hours along with Mr. Martin and Mr. Ridman, even during weekends. I also thank all the members of the Committee who have contributed to bringing something positive to this forum.

There are 3.8 billion people living in the rural sector, which constitutes almost 70 per cent of the population of the world. If we look at the figures, out of 73 million in 1980, 34 per cent were in a state of abject poverty in the rural sector, while 340 million – almost 16 per cent of the world population – were malnourished and 9.3 million children died at birth, which constitutes an infant mortality rate of 88 per thousand. This reflects the state of affairs in the rural sector and I think that this important Conference has contributed a lot, while we are celebrating the 40th anniversary of the Universal Declaration of Human Rights, to focusing attention on the important right

of workers in the rural sector – the right to work. That concerns this very Committee, which has discussed in detail what international and national actions are to be taken in order to promote rural employment. At the same time we have also reflected on what we expect from the ILO to carry out future activities in this field and we hope this concrete documentation will be given due attention in the future activities. Particularly in this Committee, as Mr. Vealzco Arzac has said, we have spent long hours and even weekends discussing a very crucial issue – the fate of those people who are landless in the rural sector. If we look at the figures, there are almost 550 million landless rural labourers and another 440 million are almost landless, having very little land which does not provide them with an adequate living. As has been pointed out in our Committee also, 70 per cent of the land in one continent of the world is owned by only 2.5 per cent of the people. So we believe that in order to bring a better life to the rural labour force they must have access to land because this is a basic tool which helps them not only to improve their lives but also to achieve higher productivity and better output. This was a very important point in the eyes of the Workers during our discussions and I must say that we believe that there is need for agrarian reform in such cases in order to bring a better life to these people. In the case of feudalism, which is the dominant pattern in certain countries, and exploitation of rural labour, the situation needs to be reviewed as was pointed out by many distinguished members of the Committee during the course of our deliberations when they described what they had done in respect of agrarian reform. Their experiments have also proved their worth where this agrarian reform has been coupled with the extension of facilities to the farmers such as export advice on marketing and technology, and other facilities. The result has been better productivity and better output than among those with large landholdings where the landholders are not keen to utilise all those resources. So, in this respect, paragraph 28 contains the recommendation where we have not only stressed the need for agrarian reform but at the same time recognised the right to own property and stressed that, in accordance with the rights guaranteed in the Universal Declaration of Human Rights, those people affected by agrarian reform should be compensated.

Another aspect which needs to be stressed is the need to develop the institutional framework in order to mobilise the creative ability of the mass poor in the rural sector. It is essential that their organisations should be strengthened and in particular we urge that the Rural Workers' Organisations Convention, 1975 (No. 141), should be ratified by all member States in order to demonstrate their solidarity with the suffering people in the rural sector. In addition to that there are many recommendations which are reflected in this important report, particularly the issue of strengthening tripartism, both at the national and at the ILO level.

At the same time, human resources development and the role of women in the rural sector are subjects calling for attention, as well as the need for enforcing minimum wage regulations and improving other facilities such as social security. At the international level there is need for a better adjustment of price tariffs and fairer commodity prices, together with an

opening of markets to the developing countries so that their agricultural products may have access to the market economy. At the same time the developed countries' workers should be guaranteed the right to employment as well as to retraining facilities during this transitional period.

We have also discussed the efforts of bio-technology and the need of the ILO and national governments to take care of the health and safety of the workers.

At the same time, we also expect the ILO and member States to do more to strengthen the role of workers' and employers' organisations.

I shall not prolong the proceedings at this late hour, when we are entering the last day, but I have my duty. We have come to a positive conclusion of this Conference in many Committees, for which I think all the delegations deserve to be commended; at the same time I must express my appreciation of the President's work in guiding this Conference, along with the Vice-Presidents, and the Clerk of the Conference. I also appreciate the efforts of the Director-General and his team and thank them for helping to bring about a positive result. I also thank the distinguished members of our group for their co-operation, and also brother Muhr and brother Oscar who helped us to project the Workers' point of view so successfully in the various forums.

Finally, I have the duty also to wish you a happy return home, success in your future deliberations and "*bon voyage*".

Mr. PETERSON (*Government adviser, United States*) – Rural employment promotion has taken its place as one of the serious issues of our time. During the course of this Conference, the ILO has again placed on the agenda of mankind a matter of great concern to developed and developing countries, regardless of their stage of development or particular requirements for structural adjustment. Our search for solutions to the problems of development is one of the universal challenges that brings us all together at this hour, for indeed chronic poverty and hunger are the enemy of all.

The United States firmly believes that our own development experience is a useful guide to productive economic policies. What is the most fundamental lesson of that experience? That the talent of individual human beings is the greatest resource a society can bring to the tasks of national development; that the individual with his or her inherent creative genius and enormous potential stands at the centre.

We believe that, in the final analysis, freedom is the key to economic growth. Today, many countries are reawakening to the fundamental connection between individual initiative and economic progress. We have learned a great deal together about what does and does not work. We have seen now how discredited orthodoxies about state-directed development gave rise to misguided policies that stifle individual initiative. Policies that, in practice, have given inadequate incentives to farmers and have created a long-term decline in food production. Across the continents significant changes are taking place, where leaders have recognised, as the OAU declared almost two years ago, that the primacy accorded the State has hindered rather than furthered economic development.

Agricultural pricing has been reformed to give farmers a fair and profitable return on their output. Private market channels are being revived to bring food to the cities and consumer goods to the countryside. Exchange systems are being altered to reflect market value and to permit allocation of scarce resources to the most productive sectors.

These are historic changes. We applaud them. And we stand ready to support efforts aimed at the expansion of individual human opportunity.

The challenge of employment creation confronts all of us and the promotion of rural employment presents issues unique to national circumstances. In general terms, and perhaps most fundamentally, the developed countries need to ensure a dynamic economic environment conducive to broadly based and sustained global economic growth, and more open markets for the exports of developing countries. Rapid growth of developing countries' exports to the United States is one of the strongest forces for development in the world today. Yet all countries face the challenge of structural adjustment to a global economic environment that is changing with great rapidity.

The promotion of structural changes that encourage sustainable long-term growth is important to developed and developing countries alike. That was made abundantly clear in the Committee's deliberation during the past two weeks.

A continuing situation of structural over-supply of agricultural products, primarily as a result of domestic support policies linked to production and augmented by technological change, has created the present crisis in agriculture. Negotiations on agricultural trade in GATT provide a particularly critical set of issues and have high priority.

There is increasingly wide recognition that the orientation of production by market signals should remain a long-term objective of reform and that a progressive and concerted reduction of agricultural support is a must.

It has become clear that, ultimately, no one benefits from the current agricultural policies employed around the world. Not farmers, not consumers and not taxpayers. Least of all the rural poor in need of employment and an adequate standard of living.

The United States has proposed an ambitious programme of global reform. At the heart of our proposal is the elimination over a ten-year period of all export subsidies, market barriers including tariffs, quotas and all domestic subsidies that affect trade. Also, the institution of uniform food health regulations around the world to prevent non-tariff barriers to agricultural trade.

We believe that nothing less will correct the problems that now face us all and urgently need to be resolved. Such reform will greatly assist the development of a dynamic rural sector and the creation of needed employment. At the same time, we believe that the interdependency between agricultural development and non-agricultural development needs to receive greater consideration. The highly professional preparations by the ILO for this particular discussion and the Committee debate itself have indicated that these linkages and the creation of small- and medium-sized businesses should be given high priority in rural areas. In combination with financial flows, industrial co-operation, technology transfer and ap-

propriate education and training, we will see the progress we all seek.

The times demand our best efforts. We can do no less. To paraphrase a former statesman, the world needs and demands full, persistent experimentation. It is common sense to take a method and try it. If it fails, admit it frankly and try another, but above all try something. As leaders, we examine the foundations of economic growth and rural employment, and we must gauge our success by the future we are creating for the coming generation. That is our challenge.

Interpretation from German: The PRESIDENT - I give the floor to the Clerk of the Conference to announce a modification to the resolution annexed to the report.

The CLERK OF THE CONFERENCE - There is a modification to be made to the resolution concerning rural employment promotion on page 34/19 of the report. Operative paragraph 2(a) should read as follows: "to bring these conclusions to the attention of member States and of employers' and workers' organisations".

Interpretation from German: The PRESIDENT - We now proceed to the adoption of the report of the Committee on Rural Employment. If there are no objections, I shall take it that the report, paragraphs 1 to 112, is adopted.

(The report, paragraphs 1 to 112, is adopted.)

RESOLUTION CONCERNING RURAL EMPLOYMENT
PROMOTION, SUBMITTED BY THE COMMITTEE ON RURAL
EMPLOYMENT: ADOPTION

Interpretation from German: The PRESIDENT - We now proceed to the adoption of the resolution concerning rural employment promotion. If there are no objections, I shall take it that the resolution is adopted.

(The resolution is adopted.)

CONCLUSIONS CONCERNING RURAL EMPLOYMENT
PROMOTION, SUBMITTED BY THE COMMITTEE ON RURAL
EMPLOYMENT: ADOPTION

Interpretation from German: The PRESIDENT - We thus proceed to the adoption of the conclusions concerning the promotion of rural employment. If there are no objections, I shall take it that the conclusions are adopted.

(The conclusions are adopted.)

Interpretation from German: The PRESIDENT - I would like to thank the officers of the Committee - the Chairman, Mr. Ruphin, the Employers' Vice-Chairman, Mr. Velazco Arzac; the Workers' Vice-Chairman, Mr. Ahmed, and the Reporter of the Committee, Mr. van Raalte - very warmly for the excellent report and conclusions that they have provided us with. The excellent spirit of co-operation that prevailed in the Committee is reflected in the

atmosphere in which the discussions took place. I wish all the members of the Committee the very best of success.

CLOSING SPEECHES

Interpretation from German: The PRESIDENT – We now proceed to the closing speeches of the 75th Session of the International Labour Conference. I would like to ask the Vice-Presidents to come to the rostrum.

Mr. AITKEN (*Government adviser, Jamaica; Vice-President of the Conference*) – In bringing to an end the deliberations of the 75th Session of our Conference, it is well that we look back to see whether we have lived up to the challenge of the theme that the Director-General set for us – *Human rights – A common responsibility*, or at least to see how far we are prepared to provide resources to carry out the common responsibility of extending the frontiers of human rights. If we were slow to recognise that the time has come to play our part, we were fortunate to have with us this session three personalities whose careers are well anchored in the fight for human rights. I think of His Excellency Mr. Felipe Gonzalez, President of the Government of Spain; Her Excellency Mrs. Corazon C. Aquino, President of the Philippines, and Mr. Sam Nujoma, who may well be the president of a free and independent Namibia. All three by their speeches have also challenged us to keep in step as the universal quest for human rights still has a far way to go.

When their challenge is added to those of the more than 280 speakers who have joined in the discussion on the reports of the Governing Body and the Director-General, then the Conference should have something to show: that it has accepted the challenge and will keep in step.

Through the patient and untiring work of its Committees, I think that the Conference has taken up the challenge. We have affirmed our abhorrence of the system of apartheid, though we have been unable to agree on any practical method to get rid of it – that is probably beyond us. However, the challenge was taken further when the Finance Committee of Government Representatives gave a rather hard-headed look at the finances of the Organisation, and eventually adopted a budget that will allow for the delivery of services commensurate with the income that may reasonably be expected within the budget year. The Conference adopted the budget because, I believe, all governments are agreed that some sacrifices are inevitable; some sacrifices will have to be made if people on the lower rungs of the economic ladder are to be helped so that they can better help themselves.

The various standard-setting committees worked hard and have achieved positive results both in revising old Conventions and in establishing new ones. The Convention concerning employment promotion and protection against unemployment and the Convention concerning safety and health in construction have been adopted by the Conference. This is a very positive achievement in areas of great importance that long for this revision of the Conventions. Much work has been done in revising the Indigenous and Tribal Populations Convention, 1957 (No. 107), and in setting forth the outlines of a Convention concerning rural employment. The Committee on the Appli-

cation of Standards has, as usual, performed its task in an assiduous and purposeful manner. The spirit of give and take that prevailed in that Committee is the essence of the ILO.

The achievements of the Conference, let me say, were made possible by the selflessness of our Committee Chairmen and Vice-Chairmen, and all the officers of their respective bureaux.

Let me take the opportunity to thank them all and in doing so wish a speedy and full recovery to those Chairmen who fell ill. A reminder, perhaps, that the task of Chairman is a daunting one.

I think the Conference will agree with me that we all had good fortune to work under the guidance of a competent and skilful President, and I should also add – though it may not seem so to you – a cheerful one. I am sure governments will want their Vice-President to wish him well when he leaves Geneva and, if fate so plans it, to hope that we may see him again here in the Conference. That goes too far for my colleagues, the Vice-Presidents representing Employers and Workers. I must also thank Conference staff for their invaluable assistance to all of us and, in so doing, extend my heartiest appreciation to the interpreters who have maintained their usual high standards – though I believe at this very moment they may be having some difficulty in translating my words because I did not provide them with a script. I must apologise to them for that. But I am sure the message I am leaving is getting through to you.

Let those who work through the wee hours of the morning to ensure that the *Provisional Record* of the Conference is at Land when we arrive here at 9 in the morning and thereafter know that the Conference thanks them wholeheartedly. And let me take this opportunity to thank the Conference for having elected me as a Government Vice-President. I did not have the opportunity to do so before, and to tell you that I appreciate the confidence you have placed in me in giving me a rewarding experience. I hope that when the gavel indicates that the 75th Session of the International Labour Conference is adjourned you will not have regretted that election. I certainly enjoyed it.

Mr. TSUJINO (*Employers' delegate, Japan; Vice-President of the Conference*) – It is a great honour for me to make a closing speech as Employer Vice-President of the 75th Session of the International Labour Conference.

Under the able guidance of the President, Mr. Beyreuther, the presidium, has been filled with a spirit of team-work and co-ordination. No distinction has been felt among us, whether we come from the North, South, East or West. I am confident that this cohesion among the President and the three Vice-Presidents has contributed greatly to the smooth proceedings of this year's Conference.

I also wish to take this opportunity to express my compliments to the Director-General, Mr. Blanchard, and to his competent staff for their painstaking work in their everyday activities. Moreover, I thank them for the advice and support extended to me in fulfilling my responsibilities as Vice-President.

Humand rights – A common responsibility was chosen as the main theme for this session of the International Labour Conference. Naturally, almost all the delegates in their speeches have urged succes-

sively that the apartheid system in South Africa be abolished as soon as possible.

On 16 June, the updated Declaration concerning Action against Apartheid in South Africa and Namibia was adopted. No distinction, no discrimination should be allowed among human beings on grounds of race or colour in our world of today. This expresses world opinion and this is heaven's will. I strongly call on the Government of South Africa to abandon its apartheid policy immediately and – this is extremely important – peacefully.

We should not forget the suffering and tragic life led by many people, victims of conflicts in various parts of the world. Urgent action is needed to help them.

We have a saying, "Let bygones be bygones", that is not easy to apply. However, this saying teaches us that past grudges should not lead to everlasting unhappiness. What is done cannot be undone. Instead, we should strive for peace now and in the future. We have to learn to live in peace. Human beings are not all powerful, but at least they are gifted with wisdom. Let us seek a better and peaceful world without being fettered by legacies of the past.

For the past three weeks, I have carefully listened to the speeches given by the delegates, sometimes at the seat of the Japanese Employers, sometimes on the rostrum in the place of the President. I have been deeply impressed by them. All of them expressed their aspiration for world peace and pledged their support for the important mission of the ILO.

The world today has a total population of some 5 billion men and women. Changes are incessant and rapid, especially in political and economic life, and they bring in turn an increasing number of new problems. We have to find adequate solutions for them. A positive step towards world peace can be assured only by our common efforts for social justice, which is enshrined in the ILO Constitution. We must exert maximum effort for this noble objective, through ILO standards and technical co-operation. Our aspiration to what is true, good and beautiful should support us.

Distinguished delegates of Governments, Employers and Workers of the ILO member countries, and all the staff of the ILO, let us reaffirm our determination and dedication to fulfil the mandate given to the ILO. We should also aim for efficiency in the organisation of sessions of the International Labour Conference, the Governing Body and the various committees. Reflection and reconsideration is necessary in this respect.

In concluding, I wish to express once again my gratitude and compliments to every one of you who has contributed to the success of this 75th Session of the International Labour Conference.

Interpretation from French: Mr. ADIKO NIAMKEY (*Workers' delegate, Côte d'Ivoire; Vice-President of the Conference*) – Now that we have come to the end of the work of this 75th Session, first of all I would like to congratulate Mr. Beyreuther very warmly on his brilliant election to the presidency of the International Labour Conference.

I am pleased to have been able to help him in his work and, above all, I am pleased to have been able to appreciate and benefit from his experience, competence and hard work and his great human qualities.

Under his wise and courteous guidance, the plenary sittings of this 75th Session of the International Labour Conference have taken place to the satisfaction of all, in an atmosphere of excellent mutual understanding, courtesy and freely accepted discipline.

I must also very warmly congratulate Mr. Francis Blanchard, the Director-General of the ILO, and all his colleagues on their advice and suggestions which proved extremely useful for us on the one hand, and on the other, on the material organisation of the Conference – the clarity, the quality and wealth of the documents that they submitted to us for consideration and which served as a basis for all our discussions.

I am thinking too of the men and women whom we don't see but whose voices, full of conviction, oblige you to listen to and follow the speaker. It is a duty and even a pleasure for me to express to the interpreters my full admiration for the active and efficient part they have taken in the harmonious progress of our work.

As for the Chairmen, the Vice-Chairmen, the secretaries, the group reporters, the Committee reporters, whose jobs were extremely hard, complex and constraining, I owe them not only thanks and congratulations but I think I should recognise publicly and solemnly that their great merit was to have contributed once again to finding ways and means that could lead to respect of freedom of association and the right to organise, to real enjoyment of human rights, to safety and health in construction. The whole of humanity has a debt to them because of their work on the promotion of employment and social security and in finalising the necessary legal texts for improving the conditions of life of indigenous and tribal populations and for the promotion of rural employment at a time when unemployment is gaining ground in our cities.

Furthermore, they can be satisfied with their contribution to the quest for peace in the world and to the updating of the Declaration concerning Action against Apartheid in South Africa.

I should like to thank the officers of all the Committees and all those who participated in the work of the Committees; they can be satisfied with having done a useful job.

Finally, I cannot conclude my brief speech without admitting how sensitive I am to the honour shown to me in allowing me for the first time in my trade union career to preside over a plenary session of the International Labour Conference.

I am extremely grateful to the Organisation of African Trade Union Unity which nominated me, to the Workers' group who supported the nomination, all the delegates who gave me their confidence in electing me as Vice-President of the 75th Session of the International Labour Conference.

I am convinced that the ILO, thanks to tripartism, will for a long time remain the ideal setting for democracy, international understanding, solidarity and the respect of human rights.

Interpretation from French: The SECRETARY-GENERAL – There are two very special moments during the International Labour Conference. These moments are the opening sitting and the closing sitting. The opening sitting because the delegates are

coming together, old friends are meeting again as they do year after year. The Chairman of the Governing Body, who has the honour of opening the session, sometimes has difficulty in stilling the many friendly and often joyous conversations that are going on. It is also a time for hope and confidence, and this confidence finds its expression in the session's first decision, namely the choice of a President for the International Labour Conference.

Mr. President, from the remarks that have been made over the past three weeks and from what has been said just now by the three Vice-Presidents, you know how well placed was the confidence shown when on the first of June the Conference unanimously elected you to the presidency of the Conference.

The second privileged moment of the International Labour Conference is the closing sitting, when the Conference comes together and once again finds what it may have lost during the Conference – a relaxed and comfortable atmosphere, in contrast to certain sessions of certain Committees, such as those we heard of yesterday, where the atmosphere was not always so calm. But, all of a sudden, the wind dies down, passions are forgotten, and we find once again the same kind of atmosphere that prevailed at the opening sitting. And I think that this is due to the fact that everybody who is here in the hall this morning, as the Conference draws to a close, has the impression that the Conference has done good work. This has already been said. I am happy to say it again after so many others – as I said yesterday morning, when I added a few more details – I think the Conference has done a good job. And the reason for this is that a very large number of you took part in the work of this session with zeal and diligence, which is characteristic of delegates attending the International Labour Conference.

So I should like very briefly, in order not to prolong these remarks, to thank all those who contributed to the 75th Session of the International Labour Conference. I am thinking of course of the members, the experts and the officers the Conference Committees. Indeed, the Conference is the sum total of everything that happens day after day in its Committees.

And I should also like to take this opportunity to thank publicly all my colleagues, because while you have all been very kind in your comments about me, as Director-General, I would like to share these compliments with all my colleagues. I am lucky to have around me a team which is not only very competent and sometimes very scholarly, but also extraordinarily motivated, a team which places itself at the Conference's disposal during these three weeks, day and night. I want you to know this, and I want them to know this. While this may go without saying, it is better to say these things so that they are known to everybody. And this applies to everyone, including all those members of the staff who work behind the scenes and whom we do not see, but who give us the daily bread we need to get through our day's work.

And, Mr. President, to carry out an operation of this size, it is of course necessary to have team at the top. You have had alongside you three Vice-Presidents who have done credit to this Conference – Mr. Aitken, Mr. Tsujino, Mr. Adiko. I have been fortunate enough to work alongside you and alongside them as well, and I greatly appreciated the atmo-

sphere of courtesy and harmony that prevailed among the four Officers of this Conference.

Having said this, Mr. President, it is necessary to have a captain or a pilot – you can choose whichever name you like. You have been both probably – and those who knew that you would conduct the business of this Conference to a successful conclusion can bear witness today to what you have achieved over the past three weeks, with great courtesy, great patience and deep concern and readiness to listen, and to make your own contribution to the success of the Conference. I could bear witness in many other ways to your extreme kindness. It has been a very great pleasure for me to work alongside you.

For 11 or 12 years I think, you have had the opportunity to see what happens at these opening and closing sittings, so you are familiar with the procedure and I don't need to conceal from you the fact that I have a gavel in my pocket which I am going to give you. You have observed this ritual over more than ten years. Perhaps once as you sat somewhere in this hall, you had hoped that one day you would be in the President's chair, and that the Secretary-General would have the pleasure of giving you a gavel. I shall do so now. The one you have already hasn't been used very much, but this is the one I will give you, and I am sure you will be happy to keep it in your office or home. So it gives me great pleasure, Mr. President, and I am speaking on behalf of the whole Conference, to express our deep gratitude to you for the exemplary work you have done.

Interpretation from German: The PRESIDENT – Allow me to thank the Director-General for his closing remarks which he addressed to the Conference. I also appreciate his comments about our business here and his words of thanks to those who have been instrumental in securing a successful Conference and of course I am extremely grateful for this symbolic gift, this gavel, which was the main instrument over the past three weeks when I was your President.

We are about to close the proceedings of the 75th Session of the International Labour Conference. We can look back on more than three weeks of arduous work. The symbolic sign that our Conference is drawing to a close is this gavel which I have just been given by the Director-General, Mr. Francis Blanchard. It will always remind me that I was given the challenging task of presiding over this Conference.

Let me associate two ideas with this gavel. First of all, it was primarily used during the Conference to confirm positive results of joint endeavours. This is certainly typical of the good atmosphere which was borne by the will to prepare the ground for good results by engaging in a constructive dialogue, co-operation and accepting different views.

It was undoubtedly conducive to our proceedings that our Conference took place at a time when international relationships are on the move. We are pleased to note that this Organisation is also about to embark on a new and better phase of international co-operation and this very thought has been stressed by quite a few speakers. I am personally very gratified to say that the interview I gave prior to the Conference, as well as the statement I made at the beginning of the Conference, were interpreted along these lines. Even a few dissenting voices could not detract from this impression. It is a fact that co-

operation can be brought about only by a factual dialogue.

The second thought which is linked with this gavel, is of a somewhat symbolic nature. In my country the hammer is the symbol of work; it stands for the strength of working people, who after all are the creators of all values. The great German poet, Wolfgang von Goethe offered the following alternative to mankind: "Either you rise or you sink, either you suffer or you triumph, you have to be a hammer or an anvil". Human beings do not wish to be an anvil; they prefer to play the role of the hammer and, as stated by the Philadelphia Declaration, they wish to implement their rights, irrespective of race, creed or sex "and to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity."

Human beings do not wish to be dominated by external factors or be suppressed by them; they wish to have an active say in their own lives. This search, this quest of human beings, also left its imprint on our extensive discussion of the Report of the Governing Body and the Report of the Director-General: *Human rights – A common responsibility*. The debate developed into a large forum, at which there was a wide exchange of experience and opinions. It reflected the multiplicity of today's world. It helped to provide information and it promoted mutual understanding. The highlights of this Conference were the visits from our guests, the President of the Philippines, Mrs. Corazon Aquino and the President of the Government of Spain, Mr. Felipe González.

They enriched our deliberations and they also guided us in our discussions.

The discussion in the plenary showed clearly what challenges face our Organisation in its quest to expand the implementation of human rights. These challenges confront governments, trade unions and employers. To identify our common responsibility and to act jointly to the extent possible is truly the test of tripartism of this Organisation. I was pleased to hear the opinion expressed by the Director-General, Mr. Francis Blanchard, who yesterday stated that we should not judge without looking at facts; that we should not expect others to do what we are not prepared to do yourself. Indeed, the whole concept of human rights would be distorted if we tried to impose our own ideology and our values on others, making them the yardstick of everything. As the Director-General stated, we ought to give a chance to dialogue, to the exchange of opinions and experience. Human rights and basic freedoms as a whole, must be used in such a way to intensify the confidence and understanding between nations.

The most important human rights is undoubtedly the right to life. Life requires peace and since human life is based on work is also one of the basic human rights. Work alone makes it possible to deploy and unfold human talents to ensure equal access to education and culture, irrespective of one's social background, wealth, ideology and religion.

Human rights also includes the abolition of apartheid. Having adopted a new Declaration on Apartheid, as well as an updated Programme of Action, and conclusions calling for immediate action, our Organisation has set new objectives to step up its activities – which until now have already been considerable – against apartheid.

The President of SWAPO, Sam Nujoma, who we had the pleasure of meeting in our midst, appealed urgently to the Conference to adopt the instruments submitted to us by the Committee on Apartheid and to implement them. The Conference took up this appeal by unanimously adopting these instruments. Now it will require the political will of all, plus corresponding action, to implement these documents.

On the basis of a report by the Director-General, our Conference also discussed the support to be extended to the just struggle of the Arab people of Palestine, their right to self-determination and to working and living conditions which are in line with the International Labour Organisation. The fact that the draft resolution introduced by representatives of the Arab countries was accorded top priority bears witness to the significance of this question. Although we failed to achieve agreement about this document, its discussion nevertheless helped us to realise once again how urgently we need a solution to the problems that still exist in this region.

Our Conference adopted two new Conventions and their two accompanying Recommendations. They relate to safety and health in construction, and employment promotion and social security. This helped to increase the number of international labour standards, updating some of these standards.

The fields covered by these Conventions are of considerable importance for human beings. A safe working place is a basic requirement to protect the life and health of working people. As for the employment promotion and social security you will certainly concur with me in believing that we should centre our efforts and activities on ensuring and maintaining full employment. We should view also from this standpoint the documents prepared by the Committee on Rural Employment. In revising the Indigenous and Tribal Populations Convention, 1957 (No. 107), important preparatory work has been performed at this year's Conference.

The adopted Conventions now will have to be ratified, for it is necessary that standards adopted under great difficulties by the Organisation also become effective in practice. Standards alone would remain a deadletter unless they were instilled with life. To establish Conventions, to ratify them by member States, to transform these standards into legislation and practice, and to supervise them to ensure their respect; all these form a whole and cannot be separated.

As in previous years, the Committee on the Application of Conventions and Recommendations analysed results achieved to date. In line with the general climate of this Conference, the Committee on the Application of Conventions and Recommendations worked in a climate of co-operation, dialogue and the exchange of experience. Co-operation does not preclude different viewpoints and divergencies. However, if discussions take place in an atmosphere of dialogue and impartiality it certainly has a positive effect on the ratification and application of our Conventions.

Before we take leave of one another, allow me to express my heartfelt thanks, as the previous speakers did before me, to all those who have been instrumental in ensuring the success of this Conference. First of all, I should like to extend my thanks to my Vice-Presidents: Mr. Smith, who during the first few days,

was here in his capacity as Minister of Labour of Jamaica; then to Mr. Aitken, Government delegate of Jamaica; then to Mr. Tsujino, representative of the Japanese Employers' Confederation and member of the Governing Body of the ILO; and Mr. Adiko, Secretary-General of the Workers' trade union of the Côte d'Ivoire, also a member of the Governing Body of the ILO. I greatly appreciated the advice and the support extended to me by my colleagues in conducting the business of the Conference. We have always worked together as true colleagues.

Allow me to address a particular word of thanks to the Secretary-General of our Conference, Mr. Francis Blanchard. He worked unstintingly in order to create conditions under which the Conference could work and perform successfully. I would also like to conclude in my words of thanks all the members of the staff of the International Labour Office whose reliable performance was evident every day. I should also like to express my gratitude to our interpreters and translators who helped us understand one another in an excellent way.

Now that we are about to return to our home countries, each of us will be faced with a task of building upon the Conference results and ensuring that they are used for the benefit of mankind. To work constantly to achieve the noble goals of the International Labour Organisation calls for commitment, passion and unceasing work. This is a never-ending struggle, in which human beings shape their own lives.

Allow me to refer once again to the great German poet Johann Wolfgang Goethe, who, in his literary masterpiece, made Faust say at the end of a long life rich in experience: "Only those deserve freedom or life who are ready to conquer them day after day." Let us continue to work along these lines also in the future.

With these words I declare the 75th Session of the International Labour Conference closed.

(The Conference adjourned sine die at 12.15 p.m.)

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Supplément au *Compte rendu provisoire* (17 juin 1988)

Conférence internationale du Travail

Soixante-quinzième session, Genève

DÉLÉGATIONS

Supplement to the *Provisional Record* (17 June 1988)

International Labour Conference

Seventy-fifth Session, Geneva

DELEGATIONS

Suplemento de *Actas Provisionales* (17 de junio de 1988)

Conferencia Internacional del Trabajo

Septuagésima quinta reunión, Ginebra

DELEGACIONES

1988

LISTE FINALE FINAL LIST LISTA FINAL
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La liste des délégations est présentée sous une forme trilingue dans l'ordre alphabétique français des pays représentés à la Conférence.

Toutes les informations concernant les noms des pays ou des organisations sont données en français, anglais et espagnol.

Les autres informations essentielles (titres et qualités des participants à la Conférence tels qu'ils figurent dans les pouvoirs officiels et fonctions exercées à la Conférence) sont indiquées dans une seule de ces langues: celle que doit utiliser le Bureau international du Travail dans la correspondance officielle avec le pays dont relève la personne intéressée.

The list of delegations is presented in trilingual form, in the French alphabetical order of the countries represented at the Conference.

All details relating to the names of countries and organisations are given in French, English and Spanish.

Other essential details (titles, positions or functions of participants as indicated in the official credentials and the Conference status of participants) are given in the language used for official correspondence between the ILO and the country in question.

En la lista trilingüe de delegaciones los países representados en la Conferencia figuran en orden alfabético francés.

Figuran en francés, inglés y español los nombres de los Estados y organizaciones asistentes a la Conferencia.

Por el contrario, los demás datos (títulos, profesiones y cargos de los participantes, tal como figuran en los poderes oficiales, y funciones ejercidas en la Conferencia) aparecen en la lengua utilizada por la Oficina Internacional del Trabajo para sus comunicaciones oficiales con el correspondiente Estado.

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AFGHANISTAN

AFGHANISTAN

AFGANISTAN

MINISTER ATTENDING THE CONFERENCE

KAWESH, Assadullah, Mr., Chairman, State Committee for Labour and Social Security.

Accompanied by KHERAD, Mohammad Akbar, Mr., Ambassador Extraordinary and Plenipotentiary; Permanent Representative, Geneva.

Government delegates

NAZAR, Ata Mohammad, Mr., Director of Foreign Relations and Planning, State Committee for Labour and Social Security.

SHOOCUFAN, Abdul Mohammad, Mr., First Secretary, Permanent Mission, Geneva.

Adviser

KHERAD, Nadjia, Mrs.

Employers' delegate

LUTFI, Mohammad Ibrahim, Mr., President of the Kaboul Felez Ltd. Factory; President, Afghan Private Industries Association.

Workers' delegate

POYA, Ahmadullah, Mr., Vice-Chairman, Central Council of Afghanistan Trade Unions.

Adviser

WARDAK, Fazel Karim, Mr., International Relations Department, Central Council of Afghanistan Trade Unions.

ALGERIE

ALGERIA

ARGELIA

MINISTRE ASSISTANT A LA CONFERENCE

NABI, Mohamed, M., ministre du Travail et des Affaires sociales.

Accompagné de HACENE, Kemal, M., ambassadeur; représentant permanent à Genève.

Délégués gouvernementaux

LAHIANI, Arezki, M., directeur de la législation et de l'inspection du travail.

ASSALA, Mahmoud, M., sous-directeur des échanges.

Conseillers techniques et délégués suppléants

KHEDIM, Rachid, M., inspecteur général.

LAHOURI, Mohamed, M., ministre plénipotentiaire au ministère des Affaires étrangères.

OUZZIR, El Hachemi, M., sous-directeur de la législation.

DELMi, Boudjemâa, M., conseiller à la mission permanente à Genève.

SELMANE, Fatiha, Mme, conseiller à la mission permanente à Genève.

HADRI, Kamal, M., deuxième secrétaire à la mission permanente à Genève.

Conseiller technique

KARA, Mohamed Amar, M., directeur à la présidence de la république.

Délégué des employeurs

LOUNIS KHODJA, M.A., M., président directeur général de la SOEKL, Alger; vice-président de l'Association algérienne pour la création et la promotion d'entreprises; trésorier général adjoint de la Confédération panafricaine des employeurs; membre suppléant du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

HASSEM, Bachir, M., directeur général de l'Entreprise nationale d'études et de réalisation de projets sidérurgiques et métallurgiques (SIDEM).

Conseiller technique

DAHMANE, Chadli, M., président du bureau exécutif de l'Association algérienne pour la création et la promotion de l'entreprise.

Délégué des travailleurs

BENLAKHDAR, Tayeb, M., secrétaire général de l'UGTA.

Conseillers techniques et délégués suppléants

DJEFFAL, Abdelaziz, M., secrétaire national de l'UGTA.

BENGANA, Saidi, M., secrétaire national de l'UGTA.

AIT ABDELMALEK, Ouamer, M., secrétaire national de l'UGTA; membre du Comité central du FLN.

REPUBLIQUE FEDERALE D'ALLEMAGNE
FEDERAL REPUBLIC OF GERMANY
REPUBLICA FEDERAL DE ALEMANIA

MINISTER ATTENDING THE CONFERENCE

TEGTMEIER, Werner, Mr., Secretary of State for Labour and Social Affairs.

Government delegates

CLEVER, Peter, Mr., Head, International Social Policy Department, Federal Ministry of Labour and Social Affairs; Government Representative, Governing Body of the ILO.

WEBER, Horst M., Mr., Head, Section for ILO Affairs, Federal Ministry of Labour and Social Affairs; Substitute Government Representative, Governing Body of the ILO.

Advisers and substitute delegates

MARTIUS, Goetz-A., Mr., Minister, Permanent Mission, Geneva.

BRINKMANN, Gisbert, Mr., Deputy Head, Section for ILO Affairs, Federal Ministry of Labour and Social Affairs.

Advisers

KRAFFT, Ralf, Mr., Federal Ministry of the Interior.

OPFERMANN, Rainer, Mr., Labour Law and Occupational Safety and Health Department, Federal Ministry of Labour and Social Affairs.

SCHNEIDER, Albert, Mr., International Social Policy Department, Federal Ministry of Labour and Social Affairs.

KERSTEN, Joachim, Mr., Labour Promotion Department, Federal Ministry of Labour and Social Affairs.

HILGER, Reinhard, Mr., Permanent Mission, Geneva.

BISKUP, Eckhardt, Mr., Permanent Mission, Geneva.

STAUNER, Gabriele, Mrs., Permanent Mission, Geneva.

VON LUEPKE, Karin, Ms., Federal Employment Institution.

Employers' delegate

LINDNER, Wolf-Dieter, Mr., Director and Head of International Social Policy Department, Confederation of German Employers' Associations (BDA); Member, Governing Body of the ILO.

Adviser and substitute delegate

WISSKIRCHEN, Alfred, Mr., Deputy Head, Labour Law Department, BDA.

Advisers

BEFFA, Rudolf, Mr., Chairman, Joint Committee on Social Problems of Agricultural Workers of the Commission of the European Communities.

BROCKSIEPE, Carl, Mr., Director, Central Association of the German Construction Industry.

REICHLING, Robert, Mr., Lawyer; Head of Section, General Administration, BDA.

WEGESIN, Heiner, Mr., International Social Policy Department, BDA.

Workers' delegate

MUHR, Gerd, Mr., Vice-President, German Confederation of Trade Unions (DGB); Vice-Chairman, Governing Body of the ILO.

Adviser and substitute delegate

ADAMY, Wilhelm, Mr., Executive Board, Labour Market Policy Department, DGB.

Advisers

BOBKE, Manfred, Mr., Institute of Economics and Social Sciences of the DGB.

SEIFERT, Wolfgang, Mr., Executive Board, Builders' and Construction Workers' Union.

HORZETZKY, Günter, Mr., Executive Board, Horticultural, Agricultural and Forestry Workers' Union.

WAGNER, Dieter, Mr., Executive Board, International Department, DGB.

MOELLER, Edmund, Mr., Executive Board, Labour Market Policy Department, Metal Workers' Union.

ASCHENBECK, Rolf-Dieter, Mr., Adviser on Social Policy, German Salaried Employees' Union (DAG).

ANGOLA

Délégués gouvernementaux

DE JESUS, Diogo Jorge, M., ministre du Travail et de la Sécurité sociale.

MPOLO, Wuta, M., directeur du Département des relations internationales au ministère du Travail et de la Sécurité sociale.

Conseillers techniques

NGOVE LUSSOKE, David, M., chef du Département de la sécurité et de l'hygiène du ministère du Travail et de la Sécurité sociale.

BENCHIMOL, Abraao Cordeiro, M., directeur national de la Sécurité sociale.

MATEUS JOSE, Carlos, M., chef du Département national de matériaux de construction au ministère de la Construction.

FESSREIRA, Paulo Jr., M., directeur du Cabinet du ministre du Travail et de la Sécurité sociale.

Délégué des employeurs

COELHO, Jose Maria, M., directeur de l'entreprise BOLAMA.

Conseiller technique

FERREIRA VIEIRA LOPES, Antonio, M.

Délégué des travailleurs

LUVUALU, Pascoal, M., secrétaire général de l'Union nationale des travailleurs de l'Angola (UNTA).

Conseillers techniques

N'SINGUI MASSALA, Francisco, M., secrétaire exécutif pour les relations internationales à l'UNTA.

VIEIRA LOPES, Rui, M., secrétaire exécutif pour les questions économiques à l'UNTA.

VICENTE, Adelino, M., directeur du Département des affaires sociales à l'UNTA.

DE FATIMA, Elsa, Mme, secrétaire de cabinet du secrétaire général de l'UNTA.

ANTIGUA-ET-BARBUDA

ANTIGUA AND BARBUDA

ANTIGUA Y BARBUDA

Government delegates

FREELAND, Adolphus Eleazer, Mr., Minister of Labour, Health, Co-operatives and Merchant Shipping.

THOMAS, James E., Mr., High Commissioner, London.

Employers' delegate

DERRICK, Armold, Mr., Chairman, Employers' Federation Union.

Workers' delegate

ROBINSON, William, Mr., Senator, President, The Antigua Trades and Labour Union.

ARABIE SAOUDITE

SAUDI ARABIA

ARABIA SAUDITA

MINISTER ATTENDING THE CONFERENCE

AL-FAYEZ, Mohammed Al-Ali, Mr., Minister of Labour Affairs.

Government delegates

AL-YAHYA, Ahmad Hamad, Mr., Deputy Minister for Labour Affairs.

AL-KHALIDI, Mohammed Said, Mr., Director-General, International Organisations Department.

Advisers and substitute delegates

FAKIH, Ahmed J., Mr., Director-General, Main Social Insurance Office, Western Region.

AL-KHALIFA, Mohammed Abdullah, Mr., Director-General, Main Labour Office, Eastern Region.

TAMMAMI, Abdulrahman Mohammed, Mr., Research Worker, Labour and Social Services, International Organisations Department.

Employers' delegate

DAHLAN, Abdullah Sadeq, Mr., Secretary-General, Jeddah Chamber of Commerce and Industry.

Workers' delegate

SINAN, Abdul-Ghani, Mr., Chief, Safety and Industrial Compensation Section, Aramco.

ARGENTINE

ARGENTINA

ARGENTINA

MINISTRO ASISTENTE A LA CONFERENCIA

TONELLI, Ideler, Sr., Ministro de Trabajo y Seguridad Social.

Delegados gubernamentales

GALER, Julio, Sr., Subsecretario de Trabajo y Seguridad Social; representante gubernamental, Consejo de Administración de la OIT.

TETTAMANTI, Leopoldo, Sr., Embajador; representante permanente en Ginebra.

Consejeros técnicos y delegados suplentes

LOZANO, Luis, Sr., secretario de Trabajo.

DUPONT, Gregorio, Sr., ministro plenipotenciario de la misión permanente en Ginebra.

Consejeros técnicos

KLAINER, Arnoldo, Sr., jefe de gabinete, Ministerio de Trabajo y Seguridad Social.

GARZON MACEDA, Lucio, Sr., asesor del Ministro de Trabajo y Seguridad Social; presidente de la Comisión Nacional de Trabajo Agrario.

RODRIGUEZ, Carlos Aníbal, Sr., director nacional de Higiene y Seguridad, Ministerio de Trabajo.

ARCURI, Juan José, Sr., consejero de embajada, misión permanente en Ginebra.

GUIDOBONO, Rubén Horacio, Sr., subdirector de Asuntos Internacionales del Trabajo.

D'ALOTTO, Alberto, Sr., secretario de embajada, misión permanente en Ginebra.

CHUBURU, Daniel, Sr., primer secretario de embajada, misión permanente en Ginebra.

BERDOU, Viviana, Sra., segundo secretario de embajada, misión permanente en Ginebra.

MOGLIA, Ana, Srta., segundo secretario de embajada, misión permanente en Ginebra.

VILLARUEL, Irineo, Sr.

PATÍÑO, Manuel Roberto, Sr.

OLEA CALCAGNO, Néstor Javier, Sr.

MIEMBROS DEL PARLAMENTO ASISTENTES A LA CONFERENCIA

BRITOS, Oraldo, Sr., senador nacional.

BRASESCO, Luis, Sr., senador nacional.

BRAVO HERRERA, Horacio, Sr., senador nacional.

DE LA RUA, Fernando, Sr., senador nacional.

BISCIOTTI, Victorio, Sr., diputado nacional.

DIGON, Roberto, Sr., diputado nacional.

ROJAS, Ricardo, Sr., diputado nacional.

MUGNOLO, Francisco, Sr., diputado nacional.

CARDOZO, Rubén, Sr., diputado nacional.

PARENTE, Rodolfo, Sr., diputado nacional.

SAMMARTINO, Roberto, Sr., diputado nacional.

Delegado de los empleadores

FAVELEVIC, Roberto, Sr.

Consejero técnico y delegado suplente

EURNEKIAN, Murat, Sr., miembro del Consejo de Administración de la OIT.

Consejeros técnicos

FUNES DE RIOJA, Daniel Carlos, Sr.

HERMIDA MARTINEZ, Darío, Sr.

BOLO, Ovidio Vicente, Sr.

RONAY, Pablo Juan, Sr.

INSUA, Ernesto Avelino, Sr.

ARIAS, David, Sr.

MANTILLA, Enrique, Sr.

TERRILE, Ricardo, Sr.

SPAGHI, Patricio, Sr.

FIGLIORE, Luis María, Sr.

GELMI, Juan Carlos, Sr., Cámara de Actividades Empresariales.

Persona nombrada con arreglo al artículo 2, párrafo 3 i),
del Reglamento de la Conferencia

AZUBEL, Alberto J., Sr., de la Confederación General Económica.

Delegado de los trabajadores

UBALDINI, Saúl, Sr.

Consejero técnico y delegado suplente

CANDORE, Miguel, Sr.

Consejeros técnicos

NUÑEZ, Virgilio, Sr.

VENTURINI, Enrique, Sr.

REYES, Juan, Sr.

ZAFFORA, Mario, Sr.

NOGUEIRA, Rodolfo, Sr.

RECALDE, Héctor Pedro, Sr.

CRAIG, Graciela, Sra.

AUSTRALIE

AUSTRALIA

AUSTRALIA

MINISTER ATTENDING THE CONFERENCE

WILLIS, Ralph, Mr., MP, Minister for Industrial Relations.

Accompanied by FELLOWS, Julia, Ms., Deputy Secretary, Department of Industrial Relations.

HILL, Rowland, Mr., Senior Private Secretary to the Minister for Industrial Relations.

STATE MINISTER ATTENDING THE CONFERENCE

LESTER, Vince, Mr., MLA, Minister for Education, Training and Industrial Affairs, Queensland.

Member of Parliament attending the Conference

CHANEY, Fred, Senator, Leader of the Opposition in the Senate.

Government delegates

POULTER, Douglas, Mr., Minister (Special Labour Adviser), Permanent Mission, Geneva; Government Representative, Governing Body of the ILO.

FOTHERINGHAM, Ross, Mr., Assistant Secretary, International and Policy Co-ordination Branch, Department of Industrial Relations.

Advisers

DE JONG, Bill, Mr., Principal Adviser, International and Policy Co-ordination Branch, Department of Industrial Relations.

OGBORN, Keith, Mr., Director, Benefits Eligibility Section, Department of Social Security.

SAVILLE, Syd, Mr., Secretary, Department of Labour and Administrative Services, Northern Territory.

ROSE, Danny, Mr., State Director, Department of Aboriginal Affairs, New South Wales.

DUGGAN, Kim, Mr., Head, Legal Advising Section, Department of Aboriginal Affairs.

SMITH, Mike, Mr., Counsellor, Permanent Mission, Geneva.

Employers' delegate

NOAKES, Bryan, Mr., Director-General, National Employers' Industrial Council; Substitute Member, Governing Body of the ILO.

Advisers

WATCHORN, Barry, Mr., Director, Industrial Relations, Australian Chamber of Manufacturers, Victoria.

ILES, Cliff, Mr., Executive Director, Tasmanian Confederation of Industries.

BLACK, Gary, Mr., Deputy Director-General, Queensland Confederation of Industry.

WILLIAMS, Rodney, Mr., Investment Analyst, National Mutual Fund Management; Representative of the Confederation of Australian Industry.

Workers' delegate

MacBEAN, John, Mr., Senior Vice President, Australian Council of Trade Unions; Secretary, Labour Council of New South Wales.

Advisers

BROWN, Clive, Mr., Executive Member, Australian Council of Trade Unions; Secretary, Trades and Labour Council of Western Australia.

LESSES, John, Mr., Executive Member, Australian Council of Trade Unions; Secretary, United Trades and Labour Council of South Australia.

McLEOD, Michael, Mr., International Officer, Australian Council of Trade Unions.

O'SHANE, Terry, Mr., Merchant Seaman, Seamen's Union of Australia.

AUTRICHE

AUSTRIA

AUSTRIA

MINISTER ATTENDING THE CONFERENCE

DALLINGER, Alfred, Mr., Federal Minister for Labour and Social Affairs.

Government delegates

MARTINEK, Oswin, Mr., Director-General, Head of Social Policy and Labour Law Department, Federal Ministry for Labour and Social Affairs; Professor of Labour Law, Linz University.

MELAS, Heinz-Michael, Mr., Director, Federal Ministry for Labour and Social Affairs.

Advisers and substitute delegates

CESKA, Franz, Mr., Ambassador Extraordinary and Plenipotentiary; Permanent Representative, Geneva.

LANGHAMMER, Herbert, Mr., Director, Federal Ministry for Labour and Social Affairs.

Advisers

MERKL, Karl, Mr., Director, Federal Ministry for Labour and Social Affairs.

SCHULTHEIS, Gerfried, Mr., Director, Federal Ministry for Labour and Social Affairs; Secretary to the Minister.

KUELLINGER, Johann, Mr., Director, Federal Ministry of Agriculture and Forestry.

LENTSCH, Wolfgang, Mr., Senior Counsellor, Federal Ministry for Economic Affairs.

FISCHER, Georg, Mr., Senior Principal, Federal Ministry for Labour and Social Affairs.

TICHY, Helmut, Mr., Second Secretary, Permanent Mission, Geneva.

Employers' delegate

ARBESSER-RASTBURG, Max, Mr., Manager, Herz Armaturen AG; Substitute Member, Governing Body of the ILO.

Advisers and substitute delegates

BRAUNER, Heinrich, Mr., Chief of Social Insurance and Workers' Protection Division, Federation of Austrian Industrialists.

STRIMITZER, Dietmar, Mr., Social Policy Division, Federal Chamber of Commerce.

Adviser

HAUSMANN, Rudolf, Mr., Conference of Presidents of Austrian Chambers of Agriculture.

Workers' delegate

VERZETNITSCH, Friedrich, Mr., MP, President, Austrian Confederation of Trade Unions.

Advisers and substitute delegates

MAIER, Heribert, Mr., Austrian Confederation of Trade Unions; Deputy Member, Governing Body of the ILO.

LEUTNER, Richard, Mr., Social Policy Division, Austrian Confederation of Trade Unions.

FRIEHS, Franz, Mr., Social Policy Division, Austrian Confederation of Trade Unions.

ENGELMAYER, Günther, Mr., Secretary, Austrian Confederation of Trade Unions.

Adviser

TEICHMANN, Robert, Mr., Social Policy Department, Austrian Congress of Chambers of Labour.

BAHAMAS

Government delegates

MAYCOCK, Alfred T., Mr., MP, Minister of Employment and Immigration.

TURNQUEST, Charles H., Mr., Director of Labour, Ministry of Employment and Immigration.

Employers' delegate

BETHEL, Rowena, Mrs., Secretary/Treasurer, Bahamas Employers' Confederation.

Adviser

WELLS, Colin, Mr., Vice-President/Treasurer, Bahamas Softdrink and Allied Employers' Association.

Workers' delegate

BASTIAN, Thomas, Mr., President, National Workers Council of Trade Unions and Associations.

BAHREIN

BAHRAIN

BAHREIN

MINISTER ATTENDING THE CONFERENCE

AL-KHALIFA, Shaikh Khalifa bin Sulman bin Mohamed, Mr., Minister of Labour and Social Affairs.

Government delegates

AL-MADANI, Abdulla Rashid, Mr., Under-Secretary, Ministry of Labour and Social Affairs.

KAMAL, Abdul Rahman Salman, Mr., Ambassador, Permanent Representative, Geneva.

Advisers and substitute delegates

AL-WAZZAN, Hamad, Mr., Chief, Labour Relations Section.

AL-MUDAHKI, Abdul Aziz, Mr., Chief, Labour Inspection Section.

YOUSIF, Yousif Najim, Mr., General Organisation for Social Insurance.

BU-HIJI, Abdul-Hakim Mohammed, Mr., Third Secretary, Permanent Mission, Geneva.

ABDUL-NABI, Ezzat, Mr., Legal and Labour Adviser, Ministry of Labour and Social Affairs.

AL-DOSERI, Sabah Salem, Mr., Secretary for Co-ordination and Follow-up, Ministry of Labour and Social Affairs.

Employers' delegate

ZAIN AL-ABIDEEN, Hassan, Mr., Bahrain Chamber of Commerce and Industry.

Adviser

AL-ZAYANI, Abdul Rahman Salman, Mr., Bahrain Chamber of Commerce and Industry.

Workers' delegate

AL-SAMAK, Saeed Abbas, Mr., General Committee of Bahrain Workers.

Adviser

FAKHROO, Abdul Rahman Mohamed, Mr., General Committee of Bahrain Workers.

BANGLADESH

MINISTER ATTENDING THE CONFERENCE

KHAN, Sirajul Hossain, Mr., Minister in charge of the Ministry of Labour and Manpower.

Government delegates

UR-RASHID, Harun, Mr., Ambassador; Permanent Representative, Geneva.

GAZI, M.S.A., Mr., Joint Secretary, Ministry of Labour and Manpower.

Advisers and substitute delegates

HOSSAIN, Motahar M., Mr., Counsellor, Permanent Mission, Geneva.

ALI, Ashraf M., Mr., Deputy Labour Chief, Ministry of Labour and Manpower.

CHOUDHURY, Liaquat Ali, Mr., First Secretary, Permanent Mission, Geneva.

Employers' delegate

HASAN, Rashidul, Mr., Vice President, Bangladesh Employers' Association.

Adviser and substitute delegate

HYDER, C.K., Mr., Secretary, Bangladesh Employers' Association.

Workers' delegate

SARKAR, Hasan Uddin, Mr., MP, Adviser, Jatiya Sramik Party.

Adviser and substitute delegate

SHAHID, M.A., Mr., Publicity Secretary, Jatiya Sramik Party.

BARBADE

BARBADOS

BARBADOS

Government delegates

SIMMONS, N. Keith, Mr., MP, Minister of Employment, Labour Relations and Community Development.

HARRIS, Ruall C., Mr., Permanent Secretary, Ministry of Employment, Labour Relations and Community Development.

Employers' delegate

WILLIAMS, James, Mr., Executive Director, Barbados Employers' Confederation; Deputy Member, Governing Body of the ILO.

Workers' delegate

WALCOTT, Frank L., Mr., General Secretary, Barbados Workers' Union; Deputy Member, Governing Body of the ILO.

Adviser

BOWEN, David, Mr., Deputy General Secretary, National Union of Public Workers.

BELGIQUE

BELGIUM

BELGICA

MINISTRES ASSISTANT A LA CONFERENCE

VAN DEN BRANDE, Luc, M., ministre de l'Emploi et du Travail.

HANSENNE, Michel, M., ministre de la Fonction publique.

Délégués gouvernementaux

CALIFICE, A., M., ministre d'Etat; ancien ministre.

SOENEN, J., M., directeur d'administration; chef du Service des relations internationales, ministère de l'Emploi et du Travail.

Conseiller technique et délégué suppléant

SEGESSER de BRUNEGG, Henri Douxchamps, M., ambassadeur; représentant permanent à Genève.

Conseillers techniques

JUSTAERT, Mark, M., chef de cabinet du ministre de l'Emploi et du Travail.

WATHOUR, Paule, Mme, chef de cabinet adjoint du ministre de l'Emploi et du Travail.

DUYSENS, Dany, M., conseiller au cabinet du ministre de l'Emploi et du Travail.

BOURLARD, Marcel, M., professeur à l'Université catholique de Louvain-la-Neuve.

LAME, Pierre de, M., membre du cabinet du ministre de l'Emploi et du Travail.

STRUYE de SWIELANDE, Dominique, M., représentant permanent à Genève.

WILLEMARCK, L., M., conseiller à la mission permanente à Genève.

NACKAERTS, R., M., ingénieur en chef; directeur à l'Administration de la sécurité du travail, ministère de l'Emploi et du Travail.

DE WINTER, Eric, M., secrétaire d'administration à la direction du chômage de l'Administration de l'emploi, ministère de l'Emploi et du Travail.

GENTILE, J., Mme, attaché à la représentation permanente à Genève.

JACQUET, Fredy, M., délégué de la Communauté française auprès des organisations internationales à Genève.

CLOESEN, J., M., conseiller adjoint à la section BIT du Service des relations internationales, ministère de l'Emploi et du Travail.

MATON, J., M., professeur à l'Université de Gand.

Délégué des employeurs

ARETS, P., M., directeur honoraire de la Fédération des entreprises de Belgique (FEB); membre suppléant du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

VAN HOLM, J., M., directeur du Service des relations et conditions du travail de la Fédération des entreprises de Belgique.

Conseillers techniques

CHIMKOVITCH, S., M., conseiller en relations industrielles à la SA Solvay et Cie.

SERNA, Jean de la, M., conseiller honoraire de la Fédération des entreprises de Belgique.

PELEGRIN, A., M., directeur adjoint de la Fédération des entrepreneurs généraux.

SONDAG, Jean, M., sénateur honoraire; délégué de l'Alliance agricole belge.

Délégué des travailleurs

PEIRENS, Willy, M., président de la Confédération des syndicats chrétiens (CSC).

Conseiller technique et délégué suppléant

VANDEN BROUCKE, A., M., président de la Fédération générale du travail de Belgique (FGTB).

Conseillers techniques

POTTIE, Frans, M., directeur de la Centrale culturelle de la CGSLB.

HOUTHUYS, J., M., ancien président de la CSC.

DE VITS, M., Mme, secrétaire nationale de la FGTB.

BAERT, B., M., secrétaire général de la Centrale chrétienne des travailleurs du bois et du bâtiment.

CAYETOT, Jean, M., secrétaire national de la FGTB.

BENIN

Délégués gouvernementaux

MENSAH, Nathanaël G., M., ministre du Travail et des Affaires sociales; représentant gouvernemental au Conseil d'administration du BIT.

ZANOU, Pierre, M., directeur du travail; représentant gouvernemental suppléant
au Conseil d'administration du BIT.

Délégué des employeurs

KPENOU, Raphaël, M., représentant de l'Organisation nationale des employeurs.

Conseiller technique et délégué suppléant

EDJROKINTO, Jacques, M.

Délégué des travailleurs

ADETONAH, Barnabé, M., représentant de l'Union nationale des syndicats des
travailleurs.

RSS DE BIELORUSSIE

BYELORUSSIAN SSR

RSS DE BIELORRUSIA

Government delegates

FOMICHA, A.M., Mr., Chairman, State Committee for Labour of the Byelorussian
SSR.

PESHKOV, Vassili Ivanovich, Mr., Permanent Representative, Geneva.

Advisers and substitute delegates

SHILOVICH, Sergei N., Mr., First Secretary, Ministry of Foreign Affairs.

YEGOROV, G.A., Mr., Second Secretary, Ministry of Foreign Affairs.

Adviser

SYCHEV, Alexander, Mr., Second Secretary, Permanent Mission, Geneva.

Employers' delegate

KOVALEVICH, V. Ya., Mr., Director, clothing factory in Soligorsk.

Workers' delegate

BULGAK, V.A., Mr., Secretary, Byelorussian Council of Trade Unions.

Adviser and substitute delegate

SAKHAROV, Igor Mikhailovich, Mr., Head of Department, Byelorussian Council of
Trade Unions.

BIRMANIE

BURMA

BIRMANIA

Government delegates

THANG, Pau Khan, U, Deputy Minister for Social Welfare and for Labour.

TUN, Tin, U, Permanent Representative, Geneva.

Advisers

KYI, Aung Ba, U, Director, Department of Labour.

MAUNG, Khin, U, Additional Director, Department of Labour.

THAN, Mya, U, Deputy Permanent Representative, Permanent Mission, Geneva.

TUN, Thein, U, First Secretary, Permanent Mission, Geneva.

THEIN, Myint, U, Divisional Head of Department, Department of Labour, Rangoon Division.

MYINT, Hla, U, Third Secretary, Permanent Mission, Geneva.

WIN, Tin, U, Township Head of Department, Department of Labour.

WIN, Kyaw, U, Third Secretary, Permanent Mission, Geneva.

SUAN, Hau Do, U, Third Secretary, Permanent Mission, Geneva.

YI, Daw Hnin, U, Deputy Director, Occupational Health Department, Directorate of Health.

Employers' delegate

WIN, Kyaw, U, Director, Central Inland Freight Handling Corporation.

Workers' delegate

WIN, Aung, U, Member, Central Executive Committee, Workers' Asiayone Central Body Headquarters.

BOLIVIE

BOLIVIA

BOLIVIA

Delegados gubernamentales

FRANCO GUACHALLA, Alfredo, Sr., Ministro de Trabajo y Desarrollo Laboral.

ESPAÑA-SMITH, Raúl, Sr., Embajador; representante permanente en Ginebra.

Consejero técnico y delegado suplente

LOAIZA MARIACA, Armando, Sr., ministro consejero de la misión permanente en Ginebra.

Consejeros técnicos

ZALLES, Miguel, Sr., consejero de la misión permanente en Ginebra.

BALLIVIAN, Amparo, Sra, asesora económica de la misión permanente en Ginebra.

Delegado de los empleadores

MURILLO de la ROCHA, Javier, Sr., Confederación de Empresarios Privados de Bolivia.

Delegado de los trabajadores

REYES, Simón, Sr., Central Obrera Boliviana.

Consejero técnico

DIEZ, Jesus, Sr.

BOTSWANA

MINISTER ATTENDING THE CONFERENCE

KGABO, E.M.K., Mr., Minister of Labour and Home Affairs.

Government delegates

VENSON, Pelonomi, Miss, DPS.

LEBANG, Thembo, Mr.

Advisers

MOOKI, Ezekiel N., Mr.

SENTLE, Bergsman K., Mr.

THEKISO, Ezekiel Raisaka, Mr.

Employers' delegate

MBAAKANYI, Modiri, Mr.

Workers' delegate

SALESHANDO, Ditiro Motlalepula, Mr.

BRESIL

BRAZIL

BRASIL

MINISTRE ASSISTANT A LA CONFERENCE

PAZZIANOTTO PINTO, Almir, M., ministre du Travail.

Accompagné de RICUPERO, Rubens, M., ambassadeur; représentant permanent à Genève.

Délégués gouvernementaux

MACIEL NEVES, José, M., consultant juridique au ministère du Travail.

MARTINS, Gilberto F., M., ministre-conseiller à la mission permanente à Genève.

Conseillers techniques

MARGOSIAN CONTI, Alexandre, M., sous-secrétaire aux programmes de la prévention des accidents au ministère du Travail.

JUCA FILHO, Romero, Sr., président de la "Fundação Nacional do Indio" (FUNAI).

NABUCO DE CASTRO, Sérgio Henrique, M., ministre; assistant aux affaires internationales au ministère du Travail.

PECLY MOREIRA, Valter, M., conseiller d'ambassade à la mission permanente à Genève.

GOMES PIRAS, José Antonio, M., premier secrétaire d'ambassade à la mission permanente à Genève.

SASAKI CORDEIRO, Maria Amélia, Mme, responsable de la coordination de l'appui aux chômeurs au Secrétariat de l'emploi et des salaires au ministère du Travail.

COSTA E CASTRO, Maria José, Mme, déléguée régionale du travail à l'Etat du Piauí.

OLIVEIRA MANSUR, Eliane Araque, Mme, assistante juridique du Secrétariat des relations du travail au ministère du Travail.

FERREIRA GUIMARAES, Carlos Alberto, M., premier secrétaire d'ambassade au ministère des Relations extérieures.

MILANI, Adriano, M.

DA SILVA NUNES, Tovar, M., secrétaire d'ambassade à la mission permanente à Genève.

Accompagnant la délégation

FERREIRA CLEMENTINO, Fernando Pires, M., secrétaire général intérimaire de la présidence du Tribunal régional du travail de l'Etat de Rio de Janeiro.

Délégué des employeurs

ROSSI, Renato, M., président de la Fédération du commerce de l'Etat de Minas Gerais.

Conseillers techniques

MANDELLI, Luiz Carlos, M., président de la Fédération des industries de l'Etat du Rio Grande do Sul.

SANTOS NEVES FILHO, Jones, M., président de la Commission permanente des relations internationales de la Confédération nationale de l'industrie; membre du Conseil d'administration du BIT.

MORITZ, Charles Edgar, M., directeur-secrétaire de la Confédération nationale du commerce.

RIBEIRO, Agenor, M., superintendant de la Fédération du commerce de l'Etat de Minas Gerais.

PAVANELLI FILHO, Resiere, M., vice-président de la Confédération nationale des transports routiers.

POTSCH MAGALHAES, Edson, M., directeur de la Confédération nationale de l'agriculture.

RONDON LINHARES, Lúcia Maria, Mme, assistante à la Confédération nationale de l'industrie.

Délégué des travailleurs

FERREIRA DO PRADO, Lourenço, M., président de la Confédération nationale des travailleurs des entreprises de crédit.

Conseillers techniques

DA SILVA, José Francisco, M., président de la Confédération nationale des travailleurs de l'agriculture.

THAUMATURGO CORTIZO, Antonio Maria, M., secrétaire des finances de la Confédération nationale des travailleurs des communications et de la publicité; membre suppléant du Conseil d'administration du BIT.

WAGNER, Joao, M., ministre; directeur de la Confédération nationale des travailleurs de l'industrie.

COUTINHO, Orlando, M., ministre; président de la Confédération nationale des travailleurs des transports routiers.

LOPES GARCIA, Ronaldo, M., vice-président de la Confédération nationale des professions libérales.

HADDAD NETTO, Narciso, M., premier trésorier de la Confédération nationale des professions libérales.

BULGARIE

BULGARIA

BULGARIA

MINISTRE ASSISTANT A LA CONFERENCE

NATCHEV, Georgy, M., ministre au ministère de l'Economie et de la Planification.

Délégués gouvernementaux

HARALAMPIEV, Raytcho, M., ministre plénipotentiaire à la mission permanente à Genève.

ANDREEV, Konstantin, M., deuxième secrétaire à la mission permanente à Genève.

Conseillers techniques

PASKALEV, Hristo, M., premier secrétaire et chef de division au Département des relations économiques internationales du ministère des Affaires étrangères.

KANTCHEV, Kantcho, M., expert au ministère de l'Economie et de la Planification.

VENKOV, Vladimir, M., expert au ministère de l'Economie et de la Planification.

Délégué des employeurs

BOZHINOV, Bozhidar, M., membre du Conseil des dirigeants des entreprises et des organisations socialistes.

Conseiller technique

SIMEONOV, Tzvetan, M., secrétaire du Conseil des dirigeants des entreprises et des organisations socialistes; expert juridique auprès de la Chambre économique et industrielle du commerce.

Délégué des travailleurs

ANDREEV, Kosta, M., secrétaire du Conseil central des syndicats bulgares.

Conseiller technique

MARKOVA, Plamenka, M., assistante auprès du Conseil central des syndicats bulgares.

BURKINA FASO

MINISTRE ASSISTANT A LA CONFERENCE

MILLOGO, Dé Albert, M., ministre du Travail, de la Sécurité sociale et de la Fonction publique.

Délégués gouvernementaux

DIALLO, Hama, M., directeur central du travail.

KAMBIRE, Jean Claude, M., directeur général de la Caisse nationale de sécurité sociale.

Conseiller technique

TAGNAN, Remy Zébi, M., directeur général de l'Office national de la promotion de l'emploi.

KI BOLE, Paulin, M.

Délégué des employeurs

OUEDRAOGO, Pascal, M., président de l'Association des hôteliers, restaurateurs et gérants de bars; Conseil national du patronat burkinabé.

Conseiller technique

OUEDRAOGO, Celestine, Mme.

Délégué des travailleurs

OUEDRAOGO, Hyacinthe, M., secrétaire général de la Confédération syndicale burkinabé (CSB).

Conseiller technique

OUEDRAOGO, Jean-Emmanuel, M., secrétaire général de la Confédération nationale des travailleurs burkinabé (CNTB).

BURUNDI

MINISTRE ASSISTANT A LA CONFERENCE

NADARUZANIYE, Gamaliel, M., ministre du Travail et de la Formation professionnelle.

Délégués gouvernementaux

NAHIMANA, Balthazar, M., ambassadeur; représentant permanent à Genève;
représentant gouvernemental suppléant au Conseil d'administration du BIT.

NTAWANKA, Michel, M., directeur général au ministère du Travail et de la
Formation professionnelle.

Conseillers techniques

GASABANYA, Zacharie, M., directeur générale de l'Institut national de sécurité
sociale.

KABAHIZI, Jean, M., directeur du Bureau d'études du ministère du Travail et de
la Formation professionnelle.

MUYOVU, Grégoire, M., premier conseiller d'ambassade à Berne; représentant
gouvernemental suppléant au Conseil d'administration du BIT.

KAMWENUBUSA, Théodore, M., conseiller à l'Institut national de sécurité
sociale.

Délégué des employeurs

MUYUMBU, André, M., administrateur-secrétaire général de la Banque de crédit
de Bujumbura; président de l'Association des employeurs du Burundi (AEB);
membre suppléant du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

KIRAHUZI, Aloys, M., administrateur-directeur de la société Fabriplastic;
vice-président de l'AEB.

Délégué des travailleurs

KUBWIMANA, Vincent, M., secrétaire général de l'Union des travailleurs du
Burundi (UTB).

CAMEROUN

CAMEROON

CAMERUN

MINISTRE ASSISTANT A LA CONFERENCE

BOKAM, Jean Baptiste, M., ministre du Travail et de la Prévoyance sociale.

Accompagné de NGOUBEYOU, François-Xavier, M., ambassadeur; représentant
permanent à Genève.

Délégués gouvernementaux

NYANGANG née NGOLODO, Claire, Mme, directeur du travail au ministère du
Travail et de la Prévoyance sociale.

EYAMBE, William, M., premier secrétaire à la mission permanente à Genève.

Délégué des employeurs

NGAHA, Moïse, M., directeur du personnel de la SIC-CACAO.

Délégué des travailleurs

FOUDA SIMA, Dominique, M., président du bureau exécutif de l'Organisation syndicale des travailleurs du Cameroun (OSTC).

CANADA

DEPUTES ASSISTANT A LA CONFERENCE MEMBERS OF PARLIAMENT ATTENDING THE CONFERENCE

PRICE, Joe, Mr., Parliamentary Secretary to the Minister of Labour; Member for Burin-St-Georges.

Accompagné par/

Accompanied by McQUEEN, Jennifer R., Miss, Deputy Minister of Labour of Canada.

GARDINER, Janis, Ms., Special Assistant to the Minister of Labour.

MURPHY, Rod, Mr., Member for Churchill.

JONCAS, Jean Luc, M., député de Matapédia.

MALEPART, Jean Claude, M., député de Montréal Sainte Marie.

NICHOLSON, Rob, Mr., Member for Niagara Falls.

Délégués gouvernementaux Government delegates

CARON, Lucille, Mme, directrice exécutive du Bureau des affaires internationales au ministère du Travail du Canada; représentante gouvernementale au Conseil d'administration du BIT.

HAMMOND, Thomas C., Mr., Deputy Permanent Representative, Geneva.

Conseillers techniques et délégués suppléants Advisers and substitute delegates

LYNCH, J., Mr., Head, Institutional Affairs Section, United Nations Affairs Division, Department of External Affairs.

HYNES, Ross, Mr., First Secretary, Permanent Mission, Geneva.

Conseillers techniques
Advisers

CARON, Fred, Mr., Senior Counsel, Federal-Provincial Relations Office.

FONTAINE, Pierre, M., sous-ministre adjoint (intérim), directeur général des politiques et programmes, ministère de la Main-d'oeuvre et de la Sécurité du revenu du Québec.

LORIN, Jean Claude, M., directeur des services industriels à la Direction des ressources naturelles de l'Agence canadienne de développement international.

STANTON, Patrick, Mr., Policy Specialist, Policy and Planning Branch, Ministry of Labour and Consumer Services, Province of British Columbia.

SUTET, Bernard, M., directeur, Assurance chômage, Direction de l'analyse, ministère de l'Emploi et de l'Immigration.

WHITAKER, Marilyn, Ms., Director, Constitution, Policy and Implementation Branch, Department of Indian and Northern Affairs.

WILKINSON, Jim, Mr., Senior Engineer, Construction Health and Safety Branch, Ministry of Labour, Ontario.

REPRESENTANTS DE GOUVERNEMENTS PROVINCIAUX
ACCOMPAGNANT LA DELEGATION
PROVINCIAL REPRESENTATIVES ACCOMPANYING
THE DELEGATION

GAUDET, Gabriel, M., conseiller à la Direction des organisations internationales du ministère des Relations internationales du Québec.

ROBERGE, Jacques, M., directeur de la Direction des affaires extraministérielles au ministère du Travail du Québec.

Délégué des employeurs
Employers' delegate

DAWSON, Peter, Mr., The Dawson Group.

Conseiller technique et délégué suppléant
Adviser and substitute delegate

PETERS, Diane, Mrs., Senior Vice President, Human Resources, Farmers' Co-operative Dairy Ltd.

Conseillers techniques
Advisers

BRUCHET, Douglas, Mr., Manager, Environmental and Socio-Economic Development, Canadian Petroleum Association.

HALLIWELL, John, Mr., Vice President, Canadian Construction Association.

McCAGHERTY, Allan K., Mr., Consultant.

STATLER, Paul C., Mr., Vice President, Human Resources-Company Services, North American Life Insurance Company.

WATSON, William R., Mr., Partner, Stitt, Baker and McKenzie.

Délégué des travailleurs Workers' delegate

MERCIER, Richard, M., secrétaire-trésorier du Congrès du travail du Canada; membre du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant
Adviser and substitute delegate

DAVIS, Julie, Ms., Executive Vice-President, Ontario Federation of Labour.

Conseillers techniques
Advisers

DESJARDINS, Guy, M., gérant d'affaires à l'Association nationale des peintres et métiers connexes; de la Fédération des travailleurs du Québec (FTQ-Construction).

LAFOREST, Martial, M., adjoint à l'exécutif à la Confédération des syndicats nationaux.

LITTLECHILD, J. Wilton, Mr., Chairman, Indigenous Working Group (Canada).

STRICKLAND, Brian, Mr., First Vice-President, International Union of Bricklayers and Allied Craftsmen.

WARNER, Stan A., Mr., Canadian Director, Brotherhood of Locomotive Engineers.

Accompagnant la délégation des travailleurs
Accompanying the Workers' delegation

ADAM, Guy, M., coordonnateur national du Congrès du travail du Canada.

CAP-VERT

CAPE VERDE

CABO VERDE

MINISTRE ASSISTANT A LA CONFERENCE

MAXIMIANO, Joao de Deus, M., secrétaire d'Etat adjoint du Premier ministre.

Délégués gouvernementaux

SOARES DE BRITO, José Maria, M., directeur général du travail et de l'emploi.

MONTEIRO, Francisco, M., président de l'Institut de formation professionnelle extra-scolaire.

Délégué des employeurs

SEMEDO, Aário, M., expert de l'Institut de la sécurité et de la prévoyance sociale.

Délégué des travailleurs

ASCENSAO SILVA, Júlio, M., secrétaire général de l'Union nationale des travailleurs de Cap-Vert - Centrale syndicale (UNTC-CS).

Conseiller technique

MONTEIRO LOPES, Carlos, M., membre du secrétariat exécutif de l'UNTC-CS.

REPUBLIQUE CENTRAFRICAINE CENTRAL AFRICAN REPUBLIC REPUBLICA CENTROAFRICANA

MINISTRE ASSISTANT A LA CONFERENCE

SEHOULIA, Daniel, M., ministre de la Fonction publique, du Travail, de la Sécurité sociale et de la Formation professionnelle.

Délégués gouvernementaux

AZIBOLO, Gaston, M., directeur général du travail, de l'emploi et de la formation professionnelle.

MOUSSA LABE, Gilbert Didier, M., directeur général de l'Office national de la main-d'oeuvre.

Conseillers techniques

GOTILOGUE-KOULNANI, Addy, M., inspecteur central de l'Office centrafricain de la sécurité sociale.

CONJUGO BATHOMAS, Claude, Dr, médecin-inspecteur du travail.

Délégué des employeurs

BLONDIAUX, Rock, M., président de la Fédération nationale du patronat centrafricain.

Délégué des travailleurs

GUERET née SEREGUE, Cécile, Mme.

CHILI

CHILE

CHILE

Delegados gubernamentales

ARTHUR ERRAZURIZ, Guillermo, Sr., subsecretario del Trabajo.

ESCOBAR CERDA, Luis, Sr., Embajador; representante permanente en Ginebra.

Consejeros técnicos y delegados suplentes

LAGOS ERAZO, Jaime, Sr., ministro consejero; director de Política Bilateral, Ministerio de Relaciones Exteriores.

MONSALVE SCIACALUGA, Sigisfredo, Sr., consejero de la misión permanente en Ginebra.

LYNAM NARVAEZ, Carmen, Sra., consejero de la misión permanente en Ginebra.

Consejeros técnicos

ACUÑA PIMENTEL, Jaime, Sr., consejero, de la misión permanente en Ginebra.

OYARCE YURASZECK, Pedro, Sr., primer secretario, jefe del Departamento de Agencias Especializadas, Ministerio de Relaciones Exteriores.

BABUL AYUB, Ricardo, Sr., primer secretario de la misión permanente en Ginebra.

SATELER ALONSO, Ricardo, Sr., primer secretario de la misión permanente en Ginebra.

MATUS BAEZA, Mario, Sr., tercer secretario de la misión permanente en Ginebra.

LAZO RODRIGUEZ, Juan Jorge, Sr., abogado, asesor del Ministerio Secretaría General de la Presidencia.

CORREA UNDURRAGA, Jaime, Sr., jefe del Departamento Jurídico del Banco del Estado.

Delegado de los empleadores

MONTT BALMACEDA, Manuel, Sr., abogado, designado por la Confederación de la Producción y del Comercio; miembro suplente del Consejo de Administración de la OIT.

Consejero técnico y delegado suplente

VALDES SAENZ, Cristóbal, Sr., abogado, designado por la Asociación de Bancos e Instituciones Financieras de Chile.

Consejeros técnicos

PRIETO CONCHA, Humberto, Sr., abogado, designado por la Cámara Nacional de Comercio.

UNDURRAGA UNDURRAGA, Eduardo, Sr., ingeniero comercial, Asociación Chilena de Seguridad.

Delegado de los trabajadores

PEREZ NAVARRO, Lamberto, Sr., presidente del Sindicato de Trabajadores del Banco del Estado.

Consejero técnico y delegado suplente

MEDINA GALVEZ, Guillermo, Sr., director del Sindicato de Trabajadores del Cobre No. 7, División "El Teniente", de CODELCO-CHILE.

Consejeros técnicos

ESTIVALES SANCHEZ, Hugo, Sr., presidente de la Zonal Andina de Trabajadores del Cobre; presidente del Sindicato de Trabajadores No. 2, División Andina, CODELCO-CHILE; consejero nacional de la Confederación de Trabajadores del Cobre.

MADARIAGA VALENZUELA, Elías, Sr., secretario general de la Confederación Marítima (COMACH).

SEGOVIA PULGAR, Andrés, Sr., presidente del Sindicato de Trabajadores No. 1, de la Empresa Nacional de Minería, Complejo Paipote.

QUERALTO C., Luis, Sr., presidente del Sindicato de Trabajadores No. 2 de la Compañía Alcatel Standard Electric.

CONTRERAS LOYOLA, Manuel, Sr., presidente de la Confederación General de Trabajadores Metalúrgicos, Mineros, Industria y Comercio del Sector Privado y Afines.

SANTANDER SEPULVEDA, Mario, Sr., presidente del Sindicato Marítimo Portuario de Estibadores de Coquimbo; vicepresidente de la Confederación Nacional de Trabajadores Solidaridad.

CHINE

CHINA

CHINA

Government delegates

LI, Boyong, Mr., Vice-Minister of Labour; Government Representative, Governing Body of the ILO.

QIAN, Jiadong, Mr., Ambassador; Permanent Representative, Geneva.

Advisers and substitute delegates

ZHANG, Wei, Mr., Deputy Director, Bureau of Foreign Affairs, Ministry of Labour.

YANG, Biwen, Mrs., First Secretary, Permanent Mission, Geneva.

Advisers

- CHEN, Zhizhong, Mr., Deputy-Director, Bureau of Training and Employment, Ministry of Labour.
- YE, Zicheng, Mr., Deputy Director, Bureau of Insurance and Welfare, Ministry of Labour.
- FENG, Cui, Mr., First Secretary, Permanent Mission, Geneva.
- ZHANG, Yishan, Mr., First Secretary, Permanent Mission, Geneva.
- YAO, Ying, Mrs., Deputy Branch Chief, Department of International Organisations and Conferences, Ministry of Foreign Affairs.
- LI, Dachun, Mr., Deputy Branch Chief, Department of External Finance, Ministry of Finance.
- LIU, Xiaoyu, Mr., Deputy Branch Chief, General Office, Ministry of Labour.
- LIN, Maizhu, Mr., Deputy Chief, International Labour Organisation Branch, Bureau of Foreign Affairs, Ministry of Labour.
- LIU, Jinchang, Mr., Deputy Branch Chief, Bureau of Foreign Affairs, Ministry of Labour.
- LU, Haiyan, Mr., Deputy Branch Chief, Bureau of Labour Protection, Ministry of Labour.
- ZHANG, Genchen, Mr., Official, Bureau of Foreign Affairs, Ministry of Labour.
- ZHANG, Fen, Mr., Official, Bureau of Foreign Affairs, Ministry of Labour.

Employers' delegate

- SHA, Ye, Mr., Vice-President, China Enterprise Management Association (CEMA).

Adviser and substitute delegate

- PAN, Chenglie, Mr., Deputy Secretary-General, CEMA.

Advisers

- BO, Ningning, Mr., Economist, International Labour Department, CEMA.
- ZHA, Liyou, Mr., Official, International Labour Department, CEMA.

Workers' delegate

- FANG, Jiade, Mr., Secretary, Secretariat of the All-China Federation of Trade Unions (ACFTU); Deputy Member, Governing Body of the ILO.

Adviser and substitute delegate

- GUO, Maoan, Mr., Deputy Director, International Department, ACFTU.

Advisers

FU, Xushan, Mr., Branch Chief, International Department, ACFTU.

LIANG, Renyuan, Mr., Deputy Branch Chief, International Department, ACFTU.

LIU, Naili, Mrs., Deputy Branch Chief, International Department, ACFTU.

XU, Xiaoqian, Mr., Deputy Branch Chief, International Department, ACFTU.

CHYPRE

CYPRUS

CHIPRE

MINISTER ATTENDING THE CONFERENCE

CHRISTOFIDES, Takis, Mr., Minister of Labour and Social Insurance.

Government delegates

CHRISTODOULOU, Christodoulos, Mr., Director-General, Ministry of Labour and Social Insurance.

CALLIMACHOS, Achilleas, Mr., Director, Department of Labour.

Advisers

YIANGOU, Christoforos, Mr., Chargé d'Affaires a.i., Permanent Mission, Geneva.

SAMUEL, Eleni, Mrs., Principal Insurance Officer, Department of Social Insurance, Ministry of Labour and Social Insurance.

Employers' delegate

PIERIDES, Antonis, Mr., Director-General, Cyprus Employers' and Industrialists' Federation; Substitute Member, Governing Body of the ILO.

Adviser and substitute delegate

KYTHREOTIS, Christos, Mr., Head, Industrial Relations and Labour Legislation Department, Cyprus Employers' and Industrialists' Federation (CEIF).

Adviser

PETROU, Petros, Mr., Industrial Relations Officer, CEIF.

Workers' delegate

KITTENIS, Demetris, Mr., Deputy General Secretary, Cyprus Workers' Confederation (SEK).

Adviser and substitute delegate

IOANNOU, Michalakis, Mr., General Secretary, SEK.

Advisers

THEMISTOCLEOUS, K., Mr., Executive Secretary, Pancyprian Federation of Labour (PEO).

VANEZOS, Christos, Mr., Secretary, PEO.

PRENTZAS, Renos, Mr., General Secretary, Democratic Labour Federation of Cyprus (DEOK).

COLOMBIE

COLOMBIA

COLOMBIA

Delegados gubernamentales

RIOS MUÑOZ, José Noe, Sr., Viceministro de Trabajo y Seguridad Social.

CHARRY SAMPER, Héctor, Sr., Embajador; representante permanente en Ginebra; representante gubernamental, Consejo de Administración de la OIT.

Consejeros técnicos

EMILIANI ROMAN, Raimundo, Sr., Senador.

MAYA COPETE, Antonio, Sr., presidente de la Comisión VII del Senado.

OREJUELA BUENO, Raúl, Sr., miembro de la Comisión VII del Senado.

MARIN CORREA, Luis Gonzalo, Sr., presidente de la Comisión VII de la Cámara de Representantes.

PATÍÑO, Luz Amparo, Sra., vicepresidente de la Comisión VII de la Cámara de Representantes.

CORREDOR NUÑEZ, José, Sr., miembro de la Comisión VII del Senado.

TARAZONA RODRIGUEZ, Jorge, Sr., miembro de la Comisión VII de la Cámara de Representantes.

DUQUE, Kyliá de, Sra., consejero de la misión permanente en Ginebra.

LUNA, Luis Alberto, Sr., primer secretario de la misión permanente en Ginebra.

CANO, Juan Manuel, Sr., tercer secretario de la misión permanente en Ginebra.

GUTIERREZ, Rodrigo, Sr., presidente de la Comisión VI de la Cámara de Representantes.

ESTRADA, Dilia, Sra.

BOLIVAR, Jorge, Sr.

HILDEBRAND, Martia Von, Sr., jefe de la División Asuntos Indígenas.

Delegado de los empleadores

GALOFRE CANO, Alberto, Sr., presidente de la PABSA; miembro de la Junta Directiva de la Asociación Nacional de Industriales (ANDI).

Consejeros técnicos

LOPEZ GUERRA, Guillermo, Sr., miembro del Comité de Laboralistas de la ANDI.

RESTREPO LONDOÑO, Eliseo, Sr., presidente de la Sociedad de Agricultores de Colombia (SAC).

BULA ESCOBAR, Germán, Sr., presidente ejecutivo de la ACRIP.

Delegado de los trabajadores

CARRILLO ROJAS, Jorge, Sr., presidente de la Central Unitaria de Trabajadores (CUT).

Consejeros técnicos

ALVIS, Apécides, Sr., presidente de la Confederación de Trabajadores de Colombia (CTC).

GOMEZ, Julio Roberto, Sr., presidente de la Confederación General del Trabajo (CGT).

BAQUERO, Hernando, Sr., miembro del Departamento de Prensa y Publicaciones de la Unión de Trabajadores de Colombia (UTC).

Acompaña a la delegación

ARMEL ARENAS, Ariel, Sr., presidente de la Confederación Colombiana de Consumidores.

COMORES

COMOROS

COMORAS

Délégués gouvernementaux

BACAR, Benali, M., ministre de la Justice, de la Fonction publique, de l'Emploi et de la Formation professionnelle.

MOUNIRA, Bourhane, Mme, directrice du Travail.

Délégué des employeurs

SALIM, Ahmed, M., secrétaire général de la Chambre de commerce, d'industrie et d'agriculture des Comores.

Délégué des travailleurs

ACHIRAFI, Nadhoir, M.

CONGO

Délégués gouvernementaux

KIMBEMBE, Dieudonné, M., garde des Sceaux, ministre du Travail, de la Sécurité sociale et de la Justice.

KAYA, Grégoire Rufin, M.

Conseillers techniques

OTTA, Casimir, M.

NZABA, Anatole, M.

MAZONGA, Jean Pierre, M.

Délégué des employeurs

LERGES, François, M.

Délégué des travailleurs

ONDONDA, Alphonse, M., membre du Comité central; secrétaire permanent chargé des relations internationales à la Confédération syndicale congolaise (CSC).

COSTA RICA

Delegados gubernamentales

OBREGON, Enrique, Sr., Embajador; representante permanente en Ginebra.

TREJOS FLORES, Raúl, Sr., Embajador; representante permanente adjunto en Ginebra.

Consejeros técnicos y delegados suplentes

RHENAN SEGURA, Jorge, Sr., ministro consejero de la misión permanente en Ginebra.

SEGUR, Evaristo de, Sr., ministro consejero de la misión permanente en Ginebra.

COTE D'IVOIRE

MINISTRE ASSISTANT A LA CONFERENCE

VANIE-BI-TRA, Albert, M., ministre du Travail; chef de la délégation.

Accompagné de TRAORE, Amadou, M., ambassadeur; représentant permanent à Genève; chef adjoint de la délégation.

Délégués gouvernementaux

ESSIGAN, Assomou, M., directeur du travail.

COULIBALY, Kounandi, Dr, directeur du Service autonome de la médecine du travail.

Conseillers techniques et délégués suppléants

EBY BOA, Sophie Constance Sery, Mme, sous-directrice de la réglementation et des relations internationales.

TRAZIE BI DOUHOT, Emmanuël, M., attaché de cabinet du ministre du Travail.

EKRA KOUASSI, Florent, M., conseiller à la mission permanente à Genève.

Délégué des employeurs

DIAKITE, Souleymane, M., vice-président de l'Union patronale de Côte d'Ivoire (UPACI).

Conseiller technique et délégué suppléant

TONDOH DOKO, Marcellin, M., de l'UPACI.

Délégué des travailleurs

ADIKO NIAMKEY, Hyacinthe, M., secrétaire général de l'Union générale des travailleurs de Côte d'Ivoire (UGTCI); membre du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

TRAORE, Sidiki, M., membre du Comité exécutif, chargé du budget et des finances de l'UGTCI.

CUBA

Delegados gubernamentales

MARTINEZ BRITO, Héctor, Sr., vicepresidente del Comité Estatal de Trabajo y Seguridad Social.

LECHUGA HEVIA, Carlos, Sr., Embajador; representante permanente en Ginebra.

Consejeros técnicos

LEYVA CRAIB, Albio, Sr., director de Relaciones Internacionales del Comité Estatal de Trabajo y Seguridad Social.

HERNANDEZ OLIVA, Gretel, Sra., subdirectora, Dirección de Relaciones Internacionales del Comité Estatal de Trabajo y Seguridad Social.

HEREDIA PEREZ, Julio, Sr., primer secretario de la misión permanente en Ginebra.

ILIZASTIGUI MARTINEZ, Héctor, Sr., segundo secretario de la misión permanente en Ginebra.

GONZALEZ HERNANDEZ, Rosa, Sra., funcionaria del Ministerio de Relaciones Exteriores.

ZAMORA HERNANDEZ, Eliseo, Sr., funcionario del Ministerio de Relaciones Exteriores.

FERRIOL ECHEVARRIA, Marianela, Srta., funcionaria del Ministerio de Relaciones Exteriores.

Delegado de los empleadores

FRANCIS de los REYES, Osmel, Sr., asesor de la Cámara de Comercio.

Consejero técnico

NAVARRO CABRERA, Jorge Luis, Sr., de la Cámara de Comercio.

Delegado de los trabajadores

ESCANDELL ROMERO, Jesús, Sr., secretario nacional de las Relaciones Internacionales de la Central de Trabajadores de Cuba (CTC).

Consejero técnico

AGUERO PEREZ, Juan, Sr., jefe del Departamento de Relaciones Internacionales de la CTC.

DANEMARK

DENMARK

DINAMARCA

Government delegates

ANDERSEN, Niels Ole, Mr., Head of the International Relations Division,
Ministry of Labour.

FRANDSEN, Gregers, Mr., Deputy Head of the International Relations Division,
Ministry of Labour.

Adviser and substitute delegate

ISAKSEN, Mogens, Mr., Ambassador; Permanent Representative, Geneva.

Advisers

CHRISTOFFERSEN, Inge, Mrs., Head of Section, Ministry of Labour.

HOLM, Povl, Mr., Head of Section, Ministry of Labour.

JORGENSEN, Peter, Mr., Head of Section, Ministry of Labour.

OVERGAARD-HANSEN, K., Mr., Head of Division, National Labour Inspection
Service.

STAUR, Carsten, Mr., Secretary of Embassy, Permanent Mission, Geneva.

HELMS, Hans Jakob, Mr., Consultant, Home Rule Authorities, Greenland.

Employers' delegate

JOHANSEN, Birte, Mrs., Head of Division, Danish Employers' Confederation.

Advisers

FALK, Mogens Kjems, Mr., Head of Division, Danish Employers'
Confederation.

MORKEBERG, Henrik, Mr., Chief Analyst, Danish Employers' Confederation.

MULLER, Stig Flindt, Mr., Danish Employers' Confederation.

Workers' delegate

SVENNINGSSEN, John, Mr., Consultant, Danish Federation of Trade Unions;
Member, Governing Body of the ILO.

Advisers

BRUUN, Jorgen Ronnow, Mr., Consultant, Danish Federation of Trade Unions.

BOGH, Sune, Mr., Consultant, Danish Federation of Trade Unions.

CHRISTIANSEN, Erik, Mr., Consultant, Danish Federation of Trade Unions.

HEMMINGSEN, Erik, Mr., Head Cashier, Danish Federation of Trade Unions.

KJAER, Britta, Mrs., Interpreter, Danish Federation of Trade Unions.

WIENE, Jens, Mr., Secretary, Federation of Danish Public Servants' and Salaried Employees' Organisations.

REPUBLIQUE DOMINICAINE

DOMINICAN REPUBLIC

REPUBLICA DOMINICANA

Delegados gubernamentales

ISAIAS, José Carlos, Sr., Ministro del Trabajo.

CURY, Jottin, Sr., consultor jurídico del Poder Ejecutivo.

Consejeros técnicos

SUAZO F., Daniel, Sr., ministro consejero, encargado de negocios de la misión permanente en Ginebra.

ALFONSECA BURSZTEJN-LAVIGNE, Mercedes, Sra.

BONETTI H., Angelina, Sra., primer secretario encargado de negocios a.i., misión permanente en Ginebra.

LORA, Miguel, Sr., del Consejo Estatal del Azúcar.

Delegado de los empleadores

ARMENTEROS, José M., Sr.

Consejero técnico y delegado suplente

CASTRO, Heriberto de, Sr.

Delegado de los trabajadores

MARMOLEJOS, Nélsida, Sra.

EGYPTE

EGYPT

EGIPTO

MINISTER ATTENDING THE CONFERENCE

EL-HAK, Asem Abd, Mr., Minister of Manpower and Training.

Government delegates

ELARABY, Nabil, Mr., Ambassador, Permanent Representative, Geneva.

TAHER, Khaled, Mr., First Under-Secretary of State, Ministry of Manpower and Training.

Advisers

KAMIL, Wafik Zaher, Mr., Minister Plenipotentiary, Permanent Mission, Geneva.

EL-HENDAWI, Soliman, Mr., Counsellor for Labour, Permanent Mission, Geneva.

EL-ASSAR, Abd El-Kader, Mr., Director, Conferences and Organisations Department, Ministry of Manpower and Training.

FATHALLA, Ahmed, Mr., First Secretary, Permanent Mission, Geneva.

SAADALLAH, Sherif, Mr., Third Secretary, Permanent Mission, Geneva.

GOMAA, Mohammed, Mr., Third Secretary, Permanent Mission, Geneva.

ABDEL-NASSER, Walid, Mr., Third Secretary, Permanent Mission, Geneva.

Employers' delegate

GAZARIN, Adel, Mr., President, Federation of Egyptian Industries; Deputy Member, Governing Body of the ILO.

Adviser and substitute delegate

EL-HERRAWI, Mohamed Sherif, Mr., Member of the Board, Federation of Egyptian Industries.

Adviser

EZZAT, Galal Amin, Mr., Director-General, Board of Egyptian Industries.

Workers' delegate

ELAMAWY, Ahmed, Mr., President, Egyptian Trade Union Federation.

Adviser and substitute delegate

EID, Hassan, Mr., Secretary for Foreign Relations, Egyptian Trade Union Federation; Substitute Member, Governing Body of the ILO.

Advisers

IBRAHIM, Moustafa, Mr., Deputy Secretary for Foreign Relations, Egyptian Trade Union Federation.

ABDEL HAMID, Mokhtar, Mr., Deputy President, Egyptian Federation of Trade Unions.

ABDEL MEGUID, Mohamed, Mr., Adviser, General Trade Union for Agriculture.

EL SALVADOR

Delegados gubernamentales

BERNAL LIZAMA, Lazaro Tadeo, Sr., Ministro de Trabajo y Previsión Social.

GALLEGOS, Miguel Alejandro, Sr., Embajador; representante permanente en Ginebra.

Conseillers techniques et délégués suppléants

MARTINEZ GUTIERREZ, Julio Antonio, Sr., de la misión permanente en Ginebra.

GONZALEZ, Claudia, Srta., de la misión permanente en Ginebra.

Consejeros técnicos

BARAHONA RIVAS, Carlos A., Sr., secretario de la misión permanente en Ginebra.

GALLEGOS, Aida de, Sra.

Delegado de los empleadores

SALAVERRIA, Miguel A., Sr., presidente de la Asociación Nacional de la Empresa Privada (ANEP).

Delegado de los trabajadores

GRANDE PREZA, José Luis, Sr., secretario general de la Confederación del Trabajo.

EMIRATS ARABES UNIS

UNITED ARAB EMIRATES

EMIRATOS ARABES UNIDOS

MINISTER ATTENDING THE CONFERENCE

AL-JUMAIRY, Ahmed Atteg, Mr., Under-Secretary for Labour, Ministry of Labour and Social Affairs.

Government delegates

AL-MUHAIIRY, Salim Ali Salim, Mr., Director, Department of International Relations, Ministry of Labour and Social Affairs.

AL-AJALAH, Saleh Mohamed, Mr., Director, Department of Labour Relations.

Advisers and substitute delegates

EL-NUR, Youssif Gaafar Sirag, Mr., Labour Adviser, Ministry of Labour and Social Affairs.

AL-ABDOULY, Mohamed Rashid, Mr., Head, Labour Safety Section.

SALEH, Fadhl Ahmed, Mr., Conferences and Organisations Officer.

Advisers

AL-BURAHMA, Abdul Aziz Nasser, Mr., Chargé d'Affaires.

AL-DHAHRI, Al-Asri, Mr., Second Secretary.

HUREIZ, Youssef, Mr., staff member.

Employers' delegate

MATTAR, Khalifa Khamis, Mr., Member of the Board of Directors, UAE Federation of Chambers of Commerce and Industry.

Workers' delegate

BILAL, Bilal Mohammed, Mr., President, Executive Board of the Sociological Association.

EQUATEUR

ECUADOR

ECUADOR

MINISTRO ASISTENTE A LA CONFERENCIA

CHANG DURANGO, Guillermo, Sr., Ministro de Trabajo y Recursos Humanos.

Delegados gubernamentales

LEORO FRANCO, Galo, Sr., Embajador; representante permanente en Ginebra.

BORJA ILLESCAS, Eduardo, Sr., jefe de Asuntos Internacionales del Ministerio de Trabajo de Trabajo y Recursos Humanos.

Consejeros técnicos

GARCIA-DONOSO, Paulina, Srta., ministra, misión permanente en Ginebra.

RIVADENEIRA SUARES, Ruben, Sr., ministro, misión permanente en Ginebra.

APUNTE FRANCO, Santiago, Sr., segundo secretario, misión permanente en Ginebra.

SALVADOR CRESPO, Iñigo, Sr., segundo secretario, misión permanente en Ginebra.

BANDERAS ROBALINO, Julia, Sra., asesora del Despacho del Ministro de Trabajo y Recursos Humanos.

Delegado de los empleadores

KRONFLE AKEL, Rodolfo, Sr.

Consejeros técnicos

DIAZ GARAYCOA, Francisco, Sr., miembro adjunto del Consejo de Administración de la OIT.

PIEDRA LANDIVAR, César, Sr.

IZURIETA MORA BOWEN, Patricio, Sr.

PEREZ ANDA, Francisco, Sr.

Delegado de los trabajadores

PONCE ITURRIAGA, Edgar, Sr., presidente de la Confederación de Trabajadores del Ecuador (CTE).

Consejeros técnicos

CHANG CRESPO, Julio, Sr.

BARRAGAN, Germán, Sr.

ESPAGNE

SPAIN

ESPAÑA

MINISTRO ASISTENTE A LA CONFERENCIA

CHAVES GONZALEZ, Manuel, Sr., Ministro de Trabajo y Seguridad Social.

Delegados gubernamentales

ARTACHO CASTELLANO, Emilio, Sr., Embajador; representante permanente en Ginebra.

CRESPO VALERA, Segismundo, Sr., subsecretario de Trabajo y Seguridad Social.

Consejeros técnicos y delegados suplentes

GRINAN MARTINEZ, José Antonio, Sr., secretario general técnico, Ministerio de Trabajo y Seguridad Social.

ALBALATE LAFITA, Joaquín, Sr., consejero laboral de la misión permanente en Ginebra.

PALACIOS SERRANO, Julián Ignacio, Sr., consejero de embajada de la misión permanente en Ginebra.

Consejeros técnicos

- RUIZ SECCHI, Alberto, Sr., director del Gabinete de Asuntos Sociales de la Presidencia del Gobierno.
- PEREZ DEL ARCO, Manuel, Sr., ministro plenipotenciario, misión permanente en Ginebra.
- ARELLANO CATALAN, Juan-Cruz, Sr., jefe de servicio de la Oficina de Relaciones Sociales Internacionales del Ministerio de Trabajo y Seguridad Social.
- GONZALEZ BAYO, Pilar, Sra., jefe de servicio de la Dirección General de Empleo.
- GOMEZ-HORTIGUELA AMILLO, Javier, Sr., inspector de trabajo de la Dirección General de Inspección de Trabajo y Seguridad Social.
- GONZALEZ GARCIA, José Luis, Sr., del Instituto Nacional de Empleo.
- BAEZ EVERTSZ, Carlos, Sr., director de Organismos Técnicos, Ministerio de Asuntos Exteriores.
- ROMEO SAEZ, Luis María, Sr., técnico de seguridad en la construcción del Instituto Nacional de Seguridad e Higiene en el Trabajo.
- BENITO RUIZ-FORNELLS, Fernando, Sr., funcionario de la misión permanente en Ginebra.

Delegado de los empleadores

- FERRER DUFOLL, Javier, Sr., miembro del comité ejecutivo de la Confederación Española de Organizaciones Empresariales (CEOE).

Consejero técnico y delegado suplente

- LACASA ASO, José María, Sr., director del Departamento de Relaciones Internacionales de la CEOE; miembro adjunto del Consejo de Administración de la OIT.

Consejeros técnicos

- JIMENEZ AGUILAR, Juan, Sr., secretario general de la CEOE.
- SANCHEZ FIERRO, Luis, Sr., director del Departamento de Relaciones Laborales de la CEOE.
- SUAREZ GARCIA, Roberto, Sr., miembro de la Confederación Española de la Pequeña y Mediana Empresa (CEPYME).
- MORENO DUARTE, Ricardo, Sr., secretario general de la Confederación del Metal de Zaragoza.
- CANO RUANO, Juan, Sr., miembro del Comité de Empleo, CEOE.
- CORBACHO DOMINGUEZ, Emilio, Sr., Confederación Nacional de la Construcción (CNC).
- ADRADOS GAUTIER, Paloma, Sra., del Departamento de Relaciones Laborales de la CEOE.

PUEYO PEREZ, Eduardo del, Sr., del Departamento de Relaciones Internacionales de la CEOE.

Delegado de los trabajadores

GUTIERREZ VEGARA, Antonio, Sr., secretario general de la Confederación Sindical de Comisiones Obreras (CC.OO).

Consejero técnico y delegado suplente

LILLO PEREZ, Enrique, Sr., de la CC.OO.

Consejeros técnicos

ELVIRA GOMEZ, María Salceda, Sra., de la CC.OO.

CARCOBA ALONSO, Carlos, Sr., de la CC.OO.

BONMATI PORTILLO, Manuel, Sr., secretario de Relaciones Internacionales de la Unión General de Trabajadores (UGT); miembro suplente del Consejo de Administración de la OIT.

FRADES PERNAS, Jaime, Sr., miembro del Gabinete Técnico Confederal de la UGT.

CASTANARES, Francisco, Sr., de la UGT.

AMOSATEGUI PUENTE, Emilio, Sr., de ELA/STV.

ETATS-UNIS

UNITED STATES

ESTADOS UNIDOS

MINISTER ATTENDING THE CONFERENCE

McLAUGHLIN, Ann Dore, Ms., Secretary of Labor.

Accompanied by LINSENMAYER, Tadd, Mr., Director, Office of Foreign Relations, Bureau of International Labor Affairs, Department of Labor.

PIROZZI, Gay, Ms., Executive Assistant to the Secretary, Department of Labor.

WALKER, Lisa, Ms., Special Assistant to the Secretary, Department of Labor.

DEMAREST, David, Mr., Assistant Secretary for Public and Intergovernmental Affairs, Department of Labor.

TAYLOR, Ann, Mrs., Legislative Liaison Officer for Congressional Affairs, Department of Labor.

EBERHARDT, Ronald G., Mr., Associate Secretary for Congressional Affairs, Department of Labor.

Government delegates

LAWSON, Eugene K., Mr., Ambassador; Deputy Under-Secretary of Labour.

FREEMAN, Anthony G., Mr., Special Assistant to the Secretary and Coordinator for International Labor Affairs, Department of State.

Advisers and substitute delegates

PETERSON, David A., Mr., Senior Policy Adviser, Office of Economic Policy, Department of Commerce.

PETRONE, Joseph Carlton, Mr., Ambassador; Permanent Representative, Geneva.

Advisers

BECKER, Peter J., Mr., Deputy Director for Industrial Communications Programs, Bureau of International Organization Affairs, Department of State.

DEPENBROCK, John, Mr., Associate Solicitor, Division of Labor-Management Laws, Solicitor's Office, Department of Labor.

DUNKAK, Barbara A., Mrs., Assistant Director, Office of International Organizations, Bureau of International Labor Affairs, Department of Labor.

EVERETT, David, Mr., Second Secretary, Permanent Mission, Geneva.

GOLDING, Carolyn, Ms., Director, Unemployment Insurance Services, Employment and Training Administration, Department of Labor.

GREEN, William A., Mr., Second Secretary, Permanent Mission, Geneva.

HILBURN, Paul, Mr., Labor Attaché, Permanent Mission, Geneva.

HOUSTOUN, Marion F., Ms., Director, Office of International Organizations, Bureau of International Labor Affairs, Department of Labor.

JOHNSON, Thomas A., Mr., Legal Attaché, Permanent Mission, Geneva.

KICKINGBIRD, Kirke, Mr., Office of International Organizations, Bureau of International Labor Affairs, Department of Labor.

KRUGLAK, Gregory, Mr., Office of International Organizations, Bureau of International Labor Affairs, Department of Labor.

LAKE, James W., Mr., Regional Representative, Region X; Occupational Safety and Health Administration, Department of Labor.

McCULLY, Thomas, Ms., Special Assistant to the Assistant Secretary, Occupational Safety and Health Administration, Department of Labor.

McDEVIT, Peter, Mr., Second Secretary, Permanent Mission, Geneva.

MISNER, Julia E., Mrs., Office of International Organizations, Bureau of International Labor Affairs, Department of Labor.

PIERCE, Susie, Mrs., Confidential Assistant to the Secretary of Labor, Department of Labor.

RICHARDSON, Joseph P., Mr., Second Secretary, Permanent Mission, Geneva.

VOGELGESANG, Sandra L., Ms., Deputy Assistant Secretary, Bureau of International Organisation Affairs, Department of State.

Members of Congress attending the Conference

BARTLETT, Steve, Mr., House of Representatives.

PEASE, Donald J., Mr., House of Representatives.

HAYES, Charles A., Mr., House of Representatives.

Employers' delegate

SMITH Jr., Charles H., Mr., Chairman of the Board, SIFCO Industries, Inc.

Adviser and substitute delegate

GLADE, Brian J., Mr., Director, International Labor Affairs, United States Council for International Business.

Advisers

ADAMSON, Rebecca, Mrs., President, First Nations Financial Project.

BURGE, James D., Mr., Corporate Vice-President, Motorola, Inc.

KNACK, Lee, Mr., Consultant.

POTTER, Edward E., Mr., Attorney-at-Law, McGuiness and Williams.

Workers' delegate

BAKER, James, Mr., European Representative, European Office, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), Paris; Member, Governing Body of the ILO.

Adviser and substitute delegate

GRAY, Charles, Mr., Executive Director, Asian-American Free Labor Institute.

Advisers

FREEDMAN, Joel, Mr., Assistant to the President for Economic Development Programs, International Union of Bricklayers and Allied Craftsmen.

HICKEY Jr., Edward H., Mr., Attorney-at-Law, Mulholland and Hickey.

JOYCE, John, Mr., President, International Union of Bricklayers and Allied Craftsmen.

KHAN, Tom, Mr., Director, International Affairs Department, AFL-CIO.

KIRKLAND, Lane, Mr., President, AFL-CIO.

LYNCH, Leon, Mr., Vice-President, United Steelworkers of America.

MURRY, James W., Mr., Executive Secretary, Montana State, AFL-CIO.

O'FARRELL, Patrick, Mr., Executive Director, African-American Labor Center.

SEIDMAN, Bert, Mr., Director, Occupational Safety, Health and Social Security, AFL-CIO.

SOMOGYI, Paul J., Mr., Assistant Director, International Affairs Department, AFL-CIO.

VERDU, Michael, Mr., Regional Director, American Institute for Free Labor Development.

ETHIOPIE

ETHIOPIA

ETIOPIA

MINISTER ATTENDING THE CONFERENCE

ABDULRESHID, Mohamed, Mr., Head, Department of Labour, Ministry of Labour and Social Affairs.

Government delegates

GUTEMA, Hanna, Mrs., Head, International Relations Unit, Ministry of Labour and Social Affairs.

GEBRE-MEDHIN, Getachew, Mr., Counsellor, Permanent Mission, Geneva.

Adviser and substitute delegate

BEDADA, Ourgessa, Mr., Senior Expert, Manpower Division, Ministry of Labour and Social Affairs.

Employers' delegate

WORKENEH, Menguesha, Mr., General Secretary, Ethiopian Chamber of Commerce.

Workers' delegate

TAMERAT, Tadesse, Mr., Member of the Central Committee of WPE; Chairman, Ethiopian Trade Union.

Adviser and substitute delegate

TEFERI, Yohannes, Mr., Head, Foreign Relations Department, Ethiopian Trade Union.

Adviser

TAA, Getachew, Mr., Ethiopian Trade Union.

FINLANDE

FINLAND

FINLANDIA

MINISTER ATTENDING THE CONFERENCE

PUHAKKA, Matti, Mr., Minister of Labour.

Accompanied by MENNANDER, Olli, Mr., Ambassador; Permanent Representative in Geneva.

LAACKONEN, Risto, Mr., Special Adviser, Ministry of Labour.

RAIVIO, Tuuli, Ms., Secretary for International Affairs, Ministry of Social Affairs and Health.

KOSKINEN, Johannes, Mr., Political Secretary, Ministry of Social Affairs and Health.

Government delegates

RIIKONEN, Jaakko, Mr., Director-General, National Board of Labour Protection.

VEIJALAINEN, Kari, Mr., Government Secretary, Ministry of Social Affairs and Health.

Advisers and substitute delegates

SNELLMAN, Pauli, Mr., Chief Inspector, Ministry of Labour.

HAMALA, Hannu, Mr., Counsellor, Ministry for Foreign Affairs.

Advisers

KAITTOLA, Keijo, Mr., Assistant Director, National Board of Labour Protection.

PELTOLA, Pekka, Mr., Planning Secretary, Ministry of Labour.

MYLLYHARJU, Olavi, Mr., Chief Inspector, Ministry of Social Affairs and Health.

SIIKI, Pertti, Mr., Government Secretary, Ministry of Social Affairs and Health.

PAAVOLA, Paavo J., Mr., Director, Commission for Local Authority Employers.

AIKIO, Pekka, Mr., Researcher, Advisory Board for Lapp Affairs.

VUORINEN, Anneli, Ms., First Secretary, Permanent Mission, Geneva.

RESCH, Riitta, Ms., Second Secretary, Permanent Mission, Geneva.

METSO, Pekka, Mr., Attaché, Permanent Mission, Geneva.

Employers' delegate

MELIN, Ingvar S., Mr., MP, Director, Finnish Employers' Confederation.

Adviser and substitute delegate

KOSKIMIES, Jaakko, Mr., International Secretary, Finnish Employers' Confederation.

Advisers

RISKI, Seppo, Mr., Director, Finnish Employers' Confederation.

HUTTUNEN, Martti, Mr., Senior Adviser, Social and Manpower Affairs, Employers' Confederation of Service Industries.

RAUTIAINEN, Hannu, Mr., Legal Adviser, Finnish Employers' Confederation.

LANGINKOSKI, Hannele, Ms., Director, Finnish Confederation of Construction Industry.

LINDAHL, Rauno, Mr., Legal Adviser, Employers' Confederation of Service Industries.

Workers' delegate

JAASKELAINEN, Markku, Mr., International Secretary, Central Organisation of Finnish Trade Unions.

Adviser and substitute delegate

LINDROOS, Päivikki, Ms., Secretary for International Affairs, Confederation of Salaried Employees.

Advisers

RUSANEN, Jorma, Mr., Legal Adviser, Central Organisation of Finnish Trade Unions.

HYVARINEN, Markku, Mr., Social Secretary, Central Organisation of Finnish Trade Unions.

HELLSTEN, Jari, Mr., Legal Adviser, Trade Union for Construction Industry.

VAINIO, Jukka, Mr., Social Secretary, Confederation of Salaried Employees.

PITKANEN, Pertti, Mr., Principal, Trade Union Institute.

FRANCE

FRANCE

FRANCIA

MINISTRE ASSISTANT A LA CONFERENCE

DELEBARRE, Michel, M., ministre des Affaires sociales et de l'Emploi.

Délégués gouvernementaux

CHOTARD, Yvon, M., président de groupe au Conseil économique et social; représentant gouvernemental au Conseil d'administration du BIT.

RAMOND, Maurice, M., inspecteur général des Affaires sociales; représentant gouvernemental suppléant au Conseil d'administration du BIT.

Conseillers techniques et délégués suppléants

CARTIER, Jean-Louis, M., sous-directeur; chef de la Division des relations internationales, ministère des Affaires sociales et de l'Emploi.

TATE, Paul-Louis, M., conseiller des Affaires étrangères, Direction des Nations Unies et des organisations internationales, ministère des Affaires étrangères.

Conseillers techniques

BIENVENU, Gilles, M., administrateur civil à la Délégation à l'emploi, ministère des Affaires sociales et de l'Emploi.

BOHUON, Jean, M., chargé de mission, Service "droit du travail, emploi, formation", ministère des Départements et Territoires d'outre-mer.

DALLEAU, Hélène, Mme, chargé de mission à la Division des relations internationales, ministère des Affaires sociales et de l'Emploi.

GOULTES, Bernard de, M., sous-directeur des Affaires politiques, administratives et financières de l'outre-mer, ministère des Départements et Territoires d'outre-mer.

LADSOUS, Hervé, M., conseiller des Affaires étrangères, mission permanente à Genève.

LEBLOND, Michel, M., administrateur civil à la Direction des relations du travail, ministère des Affaires sociales et de l'Emploi.

LE CLERC, Jacqueline, Mlle, adjoint du chef de service à la mission de liaison auprès des organisations non gouvernementales, ministère des Affaires étrangères.

LEVY, Jean, M., chef de la Division humanitaire, sociale et financière, Direction des Nations Unies et des organisations internationales, ministère des Affaires étrangères.

RENAULT, Jean-Jacques, M., chargé de mission à la Direction des exploitations, de la politique sociale et de l'emploi, ministère de l'Agriculture.

SOUZA, Jean de, M., secrétaire d'ambassade, mission permanente à Genève.

Délégué des employeurs

OECHSLIN, Jean-Jacques, M., directeur des questions sociales internationales, Conseil national du patronat français (CNPF); Vice-président du Conseil d'administration du BIT.

Conseillers techniques

- BONETAT, Claude, M., ingénieur technique, Fédération nationale du bâtiment.
- BRUM, Arnold, M., chef du Service des questions sociales, Fédération nationale des syndicats d'exploitants agricoles (FNSEA).
- HOLTZ, Robert, M., président de la Fédération internationale des petites et moyennes entreprises (FIPME); vice-président de l'Action internationale, Confédération générale des petites et moyennes entreprises (CGPME).
- LAFONT, Thierry, M., adjoint du directeur des questions sociales internationales, CNPF.
- PATINET, Didier, M., Service de l'emploi et des licenciements collectifs, Union des industries métallurgiques et minières (UIMM).
- RODIE, Raymond, M., de la Confédération générale des petites et moyennes entreprises (CGPME).
- ROILAND, Marie-Paule, Mme, Service des affaires internationales, UIMM.
- TASSIN, Jacques, M., délégué général honoraire, Fédération française des sociétés d'assurances.

Délégué des travailleurs

- BRIESCH, Roger, M., secrétaire confédéral chargé du secteur international, CFDT.

Conseillers techniques

- BLONDEL, Marc, M., secrétaire confédéral de la Confédération générale du travail/Force ouvrière (CGT-FO); membre adjoint du Conseil d'administration du BIT.
- CAILLAT, Rémy, M., secrétaire général de l'Union départementale FO de l'Ain.
- DEPREZ, Eric, M., adjoint au chef de service international de la Confédération française du personnel d'encadrement (CGC).
- DUNET, André, M., secrétaire de la commission OIT-CGT, Bureau confédéral de la CGT.
- LAMBERT, Jacques, M., collaborateur du secteur emploi et formation, CGT.
- MERSENNE, Michel, M., secrétaire confédéral chargé des problèmes de l'emploi et de la sécurité sociale (secteur protection sociale), CFDT.
- TIXIER, Jacques, M., collaborateur du Bureau confédéral, CGT.
- VEYSSIERE, Jacques, M., membre du Bureau confédéral, CFTC.
- TELLIER, Régine, Mme, secrétaire nationale de la Fédération de l'éducation nationale (FEN).

GABON

MINISTRE ASSISTANT A LA CONFERENCE

MAYILA, Louis-Gaston, M., ministre du Travail, de l'Emploi et des Ressources humaines.

Délégués gouvernementaux

NGOUBY-MBOUGA, Jean-Christophe, M., ambassadeur; représentant permanent à Genève.

IBINGA-MOMBO, Robert, M., directeur général du travail, de la main-d'oeuvre et de l'emploi.

Conseillers techniques et délégués suppléants

AKOE-MBA, Jean-Baptiste, M., directeur des relations internationales au ministère du Travail et de l'Emploi.

NZIENGUI, Moulomba, M., premier conseiller à la mission permanente à Genève.

Conseiller technique

NGOUYOU, Rose, Mme, chef du service de la coopération.

Délégué des employeurs

FLAVIEN MANGA, Jean, M.

Délégué des travailleurs

ALLINI, Martin, M., secrétaire général de la Confédération syndicale gabonaise (COSYGA); membre adjoint du Conseil d'administration du BIT.

Conseillers techniques

OBAME-EYEGUE, Antoine, M., secrétaire confédéral, COSYGA.

DJOGE, Catherine, Mme, membre du bureau exécutif de la COSYGA.

GHANA

Government delegates

YAHAYA, Huudu, Mr., Provisional National Defence Council (PNDC) Secretary for Mobilisation and Social Welfare.

QUARM, S.E., Mr., Ambassador; Permanent Representative, Geneva.

Advisers

WUDU, Kobina, Mr., Deputy Permanent Representative, Permanent Mission, Geneva.

GYIMAH-BOAKYE, A.K., Mr., Acting Chief Labour Officer, Labour Department.

BAAH-DUODU, K., Mr., First Secretary, Permanent Mission, Geneva.

ASAMOAH-TENKORANG, Kwame, Mr., First Secretary, Permanent Mission, Geneva.

Employers' delegate

BANNERMAN-MENSON, Frank, Mr., Executive Director, Ghana Employers' Association.

Adviser

STANLEY-PIERRE, Charles, Mr.

Workers' delegate

YANKEY, A.K., Mr., Secretary-General, Trades Union Congress.

Advisers

NUNOO-QUAYE, S.O., Mr., Director, International Department, Trades Union Congress.

DANZERL, Harry, Mr., Trades Union Congress.

GRECE

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GRECIA

MINISTRE ASSISTANT A LA CONFERENCE

GENNIMATAS, Giogos, M., ministre du Travail.

Accompagné de MORALIS, Petros, M., secrétaire général, ministère du Travail.

Délégués gouvernementaux

KERKINOS, Euripide, M., ambassadeur; représentant permanent à Genève.

KOUKIADIS, Yannis, M., professeur à l'Université de Thessaloniki; représentant gouvernemental au Conseil d'administration du BIT.

Conseillers techniques et délégués suppléants

COUNINIOTIS, Nicolas, M., premier conseiller; représentant permanent adjoint à Genève; représentant gouvernemental suppléant au Conseil d'administration du BIT.

CHARISSIOU, Chryssoula, Mme, secrétaire spéciale au ministère du Travail.

MITROPOULOS, Alexis, M., professeur suppléant à l'Université d'Athènes.

DOTSIKA, Maria, Mme, conseiller juridique du premier ministre et conseiller du ministre du Travail.

BEYS-KAMNAROKOS, Stylianos, M., conseiller de Presse.

CANGELARIS, Panayotis, M., conseiller à la mission permanente à Genève.

SPINELLIS, Michel, M., premier secrétaire à la mission permanente à Genève.

STRATAKIS, Emmanuel, M., attaché du travail à l'ambassade à Berne.

Conseillers techniques

TSOUKATOS, Panayotis, M., directeur au ministère du Travail.

KAFETZOPOULOU, Areti, Mme, directrice au ministère du Travail.

TOMBROU-KALOGRÍDOU, Ioanna, Mme, fonctionnaire au ministère du Travail.

CHRYSSANTHOU, Eudokia, Mme, fonctionnaire au ministère du Travail.

SOULIS, Sotiris, M., économiste; collaborateur scientifique, ministère du Travail.

IOANNOU, Christos, M., collaborateur scientifique, Organisation de l'emploi et de la main-d'oeuvre.

Délégué des employeurs

MITsos, Ioannis, M., président de la Fédération des industries de Grèce (FIG).

Conseillers techniques et délégués suppléants

HARAKAS, Harilaos, M., conseiller juridique à la FIG.

ANALYTIS, Nicolaos, M., membre du Conseil d'administration de la FIG.

Conseillers techniques

TSOUMANI-SPENTZA, Eugenia, Mme, avocate à la Fédération des industries de Grèce.

ANGHELOU, Georgios, M., conseiller à la FIG.

SKIADAS, Alexandros, M., fonctionnaire à la FIG.

Délégué des travailleurs

RAFTOPOULOS, Giorgos, M., président de la Confédération générale des travailleurs de Grèce (CGTG).

Conseiller technique et délégué suppléant

DASSIS, Georgios, M.

Conseillers techniques

LIAKOPOULOS, Christos, M., membre de comité exécutif de la CGTG.

PAVLIDAKIS, Giorgos, M., secrétaire général de la CGTG.

STAMOU, Spyros, M., membre du Comité exécutif de la CGTG.

GERANIOS, Andreas, M., membre du Comité exécutif de la CGTG.

KYZIRIDIS, Konstantinos, M., conseiller juridique, CGTG.

DELIGIANNAKIS, Theodoros, M., conseiller juridique à la CGTG.

EUSTATHIOU, Panayiotis, M., collaborateur scientifique à la CGTG.

TSICHLIS, Yannis, M., conseiller juridique de la Confédération hellénique des associations agricoles (PASEGES).

GRENADE

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Government delegates

NOEL, Norton, Mr., Senator, Minister of State for Labour.

NEWTON, Abel, Mr., Deputy Labour Commissioner.

Employers' delegate

SMITH, Angela, Mrs., Director, Grenada Employers' Federation.

Workers' delegate

DeBOURG, Anselm, Mr., Grenada Trade Union Council.

GUATEMALA

MINISTRO ASISTENTE A LA CONFERENCIA

FRANCO MORAN, Jorge Leonel, Sr., viceministro de Trabajo y Previsión Social.

Delegados gubernamentales

CHEA URRUELA, José Luis, Sr., Embajador; representante permanente en Ginebra.

RODRIGUEZ FANKHAUSER, Carolina, Sra., ministro consejero de la misión permanente en Ginebra.

Consejeros técnicos y delegados suplentes

CONTRERAS, Norma M. de, Sra., subdirectora de Relaciones Internacionales Multilaterales del Ministerio de Relaciones Exteriores.

KESTLER GARCIA, Victor Edmundo, Sr., presidente de la Comisión de Trabajo del Congreso de la República.

BARREIRO GONZALEZ, Lucía Regina, Sra., primer secretario de la misión permanente en Ginebra.

CASTRO, Blanca María, Srta., segundo secretario de la misión permanente en Ginebra.

Delegado de los empleadores

PIVARAL GUZMAN, José, Sr., de la Coordinadora de Asociaciones Comerciales, Industriales y Financieras.

Delegado de los trabajadores

CASTAÑEDA de GOMEZ, Florencia, Sra., de la Confederación de Unidades Sindicales de Guatemala.

GUINEE

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Délégués gouvernementaux

CAMARA, Ibrahima, M., directeur général du travail et des lois sociales; représentant gouvernemental au Conseil d'administration du BIT.

CAMARA, Makale, Mme, inspecteur général du travail.

Conseillers techniques et délégués suppléants

KABA, Souleymane, M., représentant gouvernemental suppléant au Conseil d'administration du BIT

SYLLA, Abdül Karim, M.

SIDIBE, Mansa Moussa, M.

Délégué des employeurs

KOUYATE, Fode Kaba, M., Chambre du commerce, de l'industrie et de l'agriculture (CCIAG).

Délégué des travailleurs

KEBE, Mohamed Samba, M., secrétaire général de la Confédération nationale des travailleurs de Guinée (CNTG).

GUINEE-BISSAU

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MINISTRE ASSISTANT A LA CONFERENCE

GODINHO GOMES, Henriqueta, Mme, ministre de la Fonction publique, du Travail et de la Sécurité sociale.

Délégués gouvernementaux

LAURENCE, Roberto Augusto, M., directeur des services de relations internationales du ministère de la Fonction publique, du Travail et de la Sécurité sociale.

GOMES, António Paulo, M., du Département des relations internationales de la Direction générale du travail.

Délégué des employeurs

GOMES, Carlos Domingos, M., président de l'Association du commerce, de l'industrie et de l'agriculture.

Délégué des travailleurs

MENDES CORREIA, Mário, M., membre suppléant du bureau politique du Parti africain de l'indépendance de la Guinée et du Cap-Vert (PAIGC); secrétaire général de l'Union nationale des travailleurs de Guinée (UNTG).

GUINEE EQUATORIALE

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GUINEA ECUATORIAL

Delegados gubernamentales

EJAPA BOLEKIA, Anacleto, Sr., Ministro de Trabajo, Seguridad Social y Promoción de la Mujer.

NGUEMA MABAHA, Paulino, Sr., jefe de relaciones internacionales laborales, Ministerio de Trabajo, Seguridad Social y Promoción de la Mujer.

Delegado de los empleadores

OKUE MOTTO, Melchor, Sr.

Delegado de los trabajadores

NDONG ANDEME, José Luis, Sr.

GUYANA

Government delegates

PRASHAD, Seeram, Mr., Minister of Labour and Co-operatives.

PLAYTER, Hendly, Mr., Chief Labour Officer.

Employers' delegate

YANKANA, David Ivan, Mr., Executive Director, Consultative Association of Guyanese Industry Ltd.

Workers' delegate

POLLYDORE, Joseph H., Mr., General Secretary, Guyana Trades Union Congress.

HAITI

MINISTRE ASSISTANT A LA CONFERENCE

CARRENARD, Harry, M., ministre du Travail, des Affaires sociales, de la Sécurité sociale, de la Condition féminine, de la Jeunesse et du Logement.

Délégués gouvernementaux

CHARLES, Gervais, M., ambassadeur; représentant permanent adjoint à Genève.

GUERRIER, Arnault, M., directeur général au ministère des Affaires sociales.

Conseillers techniques

LESCOUFLAIR, Jean, M.

RODRIGUEZ, Antonio, M.

Délégué des employeurs

DUPUY, Edmond, M., secrétaire général à la Chambre de commerce.

Délégué des travailleurs

LEBRUN, Jean Claude, M., secrétaire général de la Centrale autonome des travailleurs haïtiens affiliés à la Centrale latino-américaine des travailleurs (CATH/CLAT).

HONDURAS

Delegados gubernamentales

DISCUA RODRIGUEZ, Adalberto, Sr., Ministro de Trabajo y Previsión Social.

MEJIA UCLES, José Enrique, Sr., Embajador; representante permanente en Ginebra.

Consejeros técnicos y delegados suplentes

VALENZUELA, Nelson, Sr., ministro consejero, misión permanente en Ginebra.

BYRDE, Yadira de, Sra.

STARKMAN, Rixa Valery, Srta.

AGUERO, Graciamaría, Srta.

MEJIA, Soledad de, Sra.

Delegado de los empleadores

MARTINEZ, José Job, Sr., Consejero de la Presidencia, Consejo Hondureño de la Empresa Privada (COHEP).

Consejero técnico y delegado suplente

BETANCOURT, José María, Sr., asesor especial de la producción de la COHEP.

Delegado de los trabajadores

MURILLO, Ramón Armando, Sr., tesorero de la Confederación de Trabajadores de Honduras (CTH).

Consejero técnico

GONZALEZ, Mariano de Jesús, Sr., presidente de la CTH.

HONGRIE

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MINISTRE ASSISTANT A LA CONFERENCE

HALMOS, Csaba, M., secrétaire d'Etat; président du Bureau d'Etat du travail et du salaire.

Délégués gouvernementaux

MEISZTER, Dávid, M., ambassadeur extraordinaire et plénipotentiaire; représentant permanent à Genève.

MARTON, Tamás, M., chef de département au Bureau d'Etat du travail et du salaire.

Conseillers techniques et délégués suppléants

RADNAY, József, M., chef de département au Bureau d'Etat du travail et du salaire.

SZEKERES, Márton, M., troisième secrétaire à la mission permanente à Genève.

Conseillers techniques

BEKES, András, M., chef de département à l'Inspection générale de la sécurité du travail.

SZIKINGER, Péter, M., chef de section au Bureau d'Etat du travail et du salaire.

MEGYESI, László, M., troisième secrétaire au ministère des Affaires étrangères.

Délégué des employeurs

MARTOS, István, M., directeur général de l'entreprise "Medicor"; vice-président de la Chambre de commerce hongroise.

Conseiller technique et délégué suppléant

TARDOS, János, M., chef de département à la Chambre de commerce hongroise.

Délégué des travailleurs

TIMMER, József, M., président du Comité des relations internationales du Conseil national des syndicats; président du Conseil syndical de Budapest; membre adjoint du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

BARANYAI, Eva, Mme, chef de département au Conseil national des syndicats.

Conseillers techniques

KEKI, Ervin, M., chef adjoint de département au Conseil national des syndicats.

PAPP, Sándor, M., chef adjoint de département au Conseil national des syndicats.

ILES SALOMON

SOLOMON ISLANDS

ISLAS SALOMON

Government delegates

DOROVOLOMO, Jason, Mr., Minister for Immigration and Labour.

TERI FAKA, William, Mr., Commissioner of Labour.

Employers' delegate

ADIFAKA, John, Mr., Deputy Director, Solomon Islands Federation of Employers.

Workers' delegate

TUHANUKU, Joses, Mr., National Secretary, Solomon Islands Council of Trade Unions.

INDE

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MINISTERS ATTENDING THE CONFERENCE

TYTLER, Jagdish, Mr., Minister of State for Labour.

MALVIYA, Radha Krishnan, Mr., Deputy Minister for Labour.

Government delegates

KAR, Arun Kumar, Mr., Minister of Labour, Tripura State.

SHARMA, K.C., Mr., Additional Secretary, Ministry of Labour, Government of India.

Advisers and substitute delegates

TEJA, J.S., Mr., Ambassador; Permanent Representative, Geneva.

PRASAD, Kusum, Mrs., Director General, Employees' State Insurance Corporation.

Advisers

NARAYAN, Ashok, Mr., Joint Secretary, Ministry of Labour.

MISHRA, B.K., Mr., Joint Secretary, Ministry of Welfare.

TREHAN, D.K., Mr., Joint Director, Ministry of Labour.

MADAN, R.P., Mr., Joint Director, Ministry of Labour.

MALHOTRA, Ajai, Mr., First Secretary, Permanent Mission, Geneva.

TALWAR, Rajeev, Mr., Private Secretary to the Minister of State for Labour.

Employers' delegate

KHURANA, Satish, Mr., Chairman and Managing Director, Rural Electrification Corporation Ltd.

Advisers

PANDE, R.C., Mr., Secretary, Council of Indian Employers.

PAVASKAR, C.V., Mr., Labour Adviser, Bombay Chamber of Commerce.

GUPTA, R.D., Mr., Adviser, Industrial Relations, Standing Conference of Public Enterprises.

KAPUR, Arun, Mr., Vice-President, Atlas Cycle Industries.

CHAUHAN, Yograj, Mr., President, AIMO.

Workers' delegate

RAMAMURTHY, K., Mr., MP, President, Indian National Rural Labour Federation.

Advisers

MUKHERJEE, Subroto, Mr., President, INTUC Bengal Branch, Calcutta.

ADYANTHAYA, N.M., Mr., President, INTUC Karnataka Branch, Mangalore.

PHALKE, Manohar, Mr., General Secretary, Rashtriya Mill Mazdoor Sangh, Bombay.

AGHI, Om Prakash, Mr., Organising Secretary, Bharatiya Mazdoor Sangh.

KHAN, K.A., Mr., General Secretary, Indian Federation of Building and Wood Workers, Bombay.

INDONESIE

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MINISTER ATTENDING THE CONFERENCE

BATUBARA, Cosmas, Mr., Minister of Manpower.

Government delegates

DARWANTO,, Mr., Secretary General, Department of Manpower.

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

Adviser and substitute delegate

LOEIS, Wisber, Mr., Ambassador Extraordinary and Plenipotentiary; Permanent Representative, Geneva.

Advisers

SOEWARTO,, Mr., Official, Department of Manpower.

WAYARABI, Hadi, Mr., Minister Counsellor, Permanent Mission, Geneva.

SUTRISNO, Tupuk, Mr., Second Secretary, Permanent Mission, Geneva.

RUSTAM, Lucia H., Miss, Official, Department of Foreign Affairs.

TOBING, Artauli, Ms., Third Secretary, Permanent Mission, Geneva.

THAYEB, Hamzah, Mr., Third Secretary, Permanent Mission, Geneva.

KURTIANTO, Ramli, Mr., Third Secretary, Permanent Mission, Geneva.

NITIATMADJA, Muslich, Mr., Director, Department of Manpower.

SASONGKO,, Mr., Official, Department of Manpower.

BATUBARA, Cosmas, Mrs., Department of Manpower.

DAHLAN, Permono, Mr., Official, Department of Public Work.

Employers' delegate

BOEDJOSASTRO, Soeprapto, Mr., Chairman, Indonesian Employers' Association (IEA).

Advisers

SOEKANDA, Kosim E., Mr., IEA, Jakarta.

SJAMBUDI,, Mr., IEA, Jakarta.

SIGIT, Bambang, Mr., IEA, Jakarta.

KAMIL, Entang, Mr., Council member, Employers' Association of Indonesia, Surabaya region.

THAMRIN, H.M. Reinaldo, Mr., IEA, Jakarta.

YULINDO, H., Mr., IEA, Jakarta.

MONIAGA, George, Mr., IEA, Jakarta.

Workers' delegate

PASARIBU, Bomer, Mr., MP, Chairman, All Indonesia Workers' Union (SPSI).

Adviser and substitute delegate

ACHMAD, Marzuki, Mr., SPSI.

Adviser

MURIONO, Sofiati, Mrs., SPSI.

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MINISTER ATTENDING THE CONFERENCE

GANJEI, Kamal, Mr., Senior Deputy Minister of Labour and Social Affairs.

Government delegates

NASSERI, Sirous, Mr., Ambassador; Permanent Representative, Geneva.

TIZMAAGHZ, Hassan, Mr., Director-General for International Relations;
Government Representative, Governing Body of the ILO.

Advisers and substitute delegates

HOSSEINI, Pirooz, Mr., Head, UN Specialised Agencies Department, Ministry of Foreign Affairs.

FANNI ZADEH, Kamran, Mr., Expert, Ministry of Labour and Social Affairs.

Advisers

KAZEMI KAMYAB, Nasrollah, Mr., Ambassador, Ministry of Foreign Affairs.

SEYED ALI NASAB, Mir Mostafa, Mr., Adviser to the Supreme Council of Labour.

SADEGHI ESFAHLANI, Hooshang, Mr., Adviser on International Affairs, Ministry of Labour.

HOSSEIN FAGHIHI, Seyed, Mr., Legal Adviser, Ministry of Labour.

SHAFII, Ataollah, Mr., Second Secretary, Permanent Mission, Geneva.

KHORAMMIAN KERMANCHAH, Morteza, Mr., Attaché, Permanent Mission, Geneva.

SADEGH NABIAN, Mohammad, Mr., Expert, Ministry of Labour.

BASSIRIAN HARIRI, Majid, Mr., Expert on Social Welfare, Social Security Organisation.

GHAREHGOZLOO, Asghar, Mr., Expert, Ministry of Labour and Social Affairs.

BARIMANI, Mahmood, Mr., Attaché, Ministry of Foreign Affairs.

NOORI, Mohammad, Mr., Expert, Ministry of Foreign Affairs.

Employers' delegate

YAZDAN PANAH, Hossein, Mr., Managing Director, Hadi Electricity Company; Head, Islamic Community of Managers.

Advisers

SHOKROLLAHZADEH MOGHADDAMI, Mohammad, Mr., Technical Expert, Shipping Company of Iran.

KARDAN, Hassan, Mr., Managing Director, Rasul Factory; Member, Community of Industrial Managers.

HOObAKHT, Mostafa, Mr., Managing Director, Sobhan Commercial Company; Member, Islamic Community of Managers.

JADIDI, Behrooz, Mr., Member, Islamic Community of Managers.

NAGHSHINEH, Sasan, Mr.

Workers' delegate

SALIMIAN, Jabbar Ali, Mr., Member, Islamic Council of Labour and Labour House.

Advisers

MAHJOOB, Ali Reza, Mr., Member, Supreme Council for Labour; Secretary-General of Labour of the Labour House.

BADBAN, Ali Asghar, Mr., Member of Labour House; Director, Co-operative of the Islamic Labour Council.

AMINI TAMEH, Hossein, Mr., Member, Labour House.

NOMENI, Farshad, Mr., Member, Labour House.

MOSHIRIAN, Ahmad, Mr., Member, Labour House.

IRAQ

MINISTER ATTENDING THE CONFERENCE

AL-ATROOSHI, Abdul-Wahab, Mr., Deputy Minister of Labour and Social Affairs.

Government delegates

GHALI, Jawad M., Mr., Director-General, Department of Planning, Studies and Follow-up.

AL-ZAIDI, Mohammed Dawood, Mr., Chief Expert, Department of Planning, Studies and Follow-up.

Advisers

KAMIL, Nazar A., Mr., Head, Arab and International Affairs Section.

AL-KHAFAJI, Aziz J. Hadi, Mr., Head, Legal Section.

ABDEL-RAZAK, Mahmood, Mr.

AL-KADHI, A.M., Mr.

Employers' delegate

HUSSAIN, Mohammed Kafil, Mr., Vice-President, Baghdad Chamber of Commerce and Industry.

Workers' delegate

GHARIB, Fadhil Mahmoud, Mr., President, General Federation of Trade Unions (GFTU).

Adviser

HAMZA, Karim Abdulla, Mr., Foreign Relations Secretary, GFTU.

IRLANDE

IRELAND

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MINISTER ATTENDING THE CONFERENCE

AHERN, Bertie, Mr., Minister for Labour.

Government delegates

O'RIORDAN, C., Mr., Assistant-Secretary, Department of Labour.

LILLIS, M., Mr., Ambassador; Permanent Representative in Geneva.

Advisers and substitute delegates

DEMPSEY, F., Mr., Assistant Principal, Department of Labour.

FLYNN, M., Mr., Deputy Permanent Representative, Geneva.

Advisers

HYDE, J., Mr., Industrial Inspector, Department of Labour.

HALPIN, S., Mr., Principal Officer, Department of Social Welfare.

HANBERRY, B., Mr., Administrative Attaché, Permanent Mission, Geneva.

Employers' delegate

McCAULEY, Daniel J., Mr., Director-General, Federated Union of Employers.

Adviser

DUNNE, J.P., Mr., Director, Federated Union of Employers.

Workers' delegate

FLYNN, Philip, Mr., Irish Congress of Trade Unions.

Adviser

O'DONOVAN, Patricia, Mrs., Irish Congress of Trade Unions.

ISLANDE

ICELAND

ISLANDIA

MINISTER ATTENDING THE CONFERENCE

SIGURDARDOTTIR, Jóhanna, Mrs., Minister of Social Affairs.

Accompanied by DALBERG, Hallgrímur, Mr., Permanent Under-Secretary, Ministry of Social Affairs.

Government delegates

GUNNLAUGSSON, Sverrir Haukur, Mr., Permanent Representative, Geneva.

KRISTINSSON, Gylfi, Mr., Head of Division, Ministry of Social Affairs.

Adviser and substitute delegate

ARNASON, Kristinn F., Mr., First Secretary.

Employers' delegate

MAGNUSSON, Jón, Mr., Attorney-at-Law, Confederation of Icelandic Employers.

Adviser and substitute delegate

ARNASON, Bolli, Mr., Technical Engineer.

Workers' delegate

GUDMUNDSSON, Gudmundur J., Mr., Chairman, Icelandic Federation of General Workers.

ISRAEL

MINISTER ATTENDING THE CONFERENCE

KATSAV, Moshe, Mr., Minister of Labour and Social Affairs.

Government delegates

BARAK, Itzhak, Mr., Legal Adviser, Ministry of Labour and Social Affairs.

ELIAV, Pinhas, Mr., Ambassador; Permanent Representative, Geneva.

Advisers and substitute delegates

MILLO, Avraham, Mr., Minister-Counsellor; Deputy Permanent Representative, Geneva.

WALDEN, Raphael, Mr., Minister-Counsellor, Permanent Mission, Geneva.

DANIELI, David, Mr., Deputy Director for International Organisations, Ministry of Foreign Affairs.

GAL, Noam, Mr., Attaché, Permanent Mission, Geneva.

Employers' delegate

HILB, Michael, Mr., Director, Labour Law Department, Manufacturers' Association of Israel.

Workers' delegate

KARA, Yussuf, Mr., Member, Histadrut Executive Bureau.

Advisers and substitute delegates

BARKAN, Raffel, Mr., Director, International Organisations Section, Histadrut.

SELA, Eitan, Mr., Histadrut Representative for Latin America.

OPHIR, Dan, Mr., Histadrut Representative for Europe.

BACHAR, Nissim, Mr., Labour Economy Representative for Switzerland.

SHALLISH, Zvulun, Mr., Member, Histadrut Executive Committee.

LEVY, Yonathan, Mr., Member, Beer-Sheva Labour Council.

SHAHARABANY, Victor, Mr., Member, Histadrut Supreme Judicial Authority Board.

LIDAR-LIPSCHITZ, Jacob, Mr.

BEN-ISRAEL, Gideon, Mr., Member of the Executive Bureau and Chairman of the Organisations Department, Histadrut.

ITALIE

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ITALIA

MINISTRE ASSISTANT A LA CONFERENCE

FORMICA, Rino, M., ministre du Travail.

Accompagné de PISANI, Michelangelo, M., conseiller diplomatique du ministre du Travail.

Délégués gouvernementaux

CÀVAGLIERI, Alberto, M., ambassadeur.

ARISTODEMO, Francesco, M., directeur général des relations du travail au ministère du Travail.

Conseillers techniques et délégués suppléants

FORNARI, Ranieri, M., Direction générale de l'émigration et des affaires sociales au ministère des Affaires étrangères.

ROCCA, Giovanna, Mme, Direction générale des rapports du travail au ministère du Travail.

Conseillers techniques

BALBONI, Alberto, M., chef du Bureau des organisations internationales; directeur général à la coopération au développement au ministère des Affaires étrangères.

PRIGIONI, Giulio, M., conseiller à la mission permanente à Genève.

CAPPONI, Francesco, M., ministère des Affaires étrangères.

TRIGGIANI, Ennio, M., de l'université de Bari; conseiller juridique au ministère du Travail.

SALERNO, Antonio, M., ministère de la Santé.

FLORI, Marina, Mme, Direction générale des rapports du travail au ministère du Travail.

CASANO, Luigi, M., Direction générale des rapports du travail au ministère du Travail.

NOCITO, Alfio, M., attaché à la mission permanente à Genève.

GUIFFRIDA, Anastasia, Mme, Direction générale de l'emploi.

SALERNO, Rosina, Mme, Direction générale de la coopération au développement au ministère des Affaires étrangères.

ROTUNDO, Giuseppe, M., de la mission permanente à Genève.

Délégué des employeurs

SASSO-MAZZUFFERI, Lucia, Mme, responsable des affaires internationales de la Confédération générale de l'industrie (CONFINDUSTRIA); membre adjoint du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

GAMBARUTO, Ferruccio, M., directeur de l'AMMA.

Conseillers techniques

PERROTTI, Maria Teresa, Mme, fonctionnaire à la direction des services syndicaux de la Confédération générale du commerce et du tourisme (CONFCOMMERCIO).

DE SANTIS, Gustavo, M., fonctionnaire à l'Office des rapports institutionaux de l'ASAP.

CATTANEO, Giovanni, M., de l'INTERSIND.

MISSERVILLE, Giuseppe, M., de la Confédération générale de l'agriculture (CONFAGRICOLTURA).

FABRETTI, Giuseppe, M., vice-président de la Ligue ANCC.

Délégué des travailleurs

VANNI, Raffaele, M., secrétaire général de l'Union italienne des travailleurs du tourisme, du commerce et des services (UILTUCS); membre adjoint du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

FERRARI, Renato, M., secrétaire général de l'Union italienne des travailleurs du textile et de l'habillement (UILTA).

Conseillers techniques

TAPPI, Oreste, M., département international de l'Union italienne du travail (UIL).

BARBON, Silvano, M., département international de la Confédération italienne du travail (CGIL).

GANCA-CAVALLO, Serena, Mme, bureau international de la Fédération italienne des travailleurs du bâtiment et du bois (FILLEA-CGIL).

CAL, Luigi, M., département international de la CISL.

FERRARA, Franco, M., département de politiques sociales de la CISL.

JAMAÏQUE

JAMAICA

JAMAICA

MINISTER ATTENDING THE CONFERENCE

SMITH, J.A.G., Mr., MP, Minister of Labour.

Government delegates

MARSH, M.D., Mr., Permanent Secretary, Ministry of Labour.

AITKEN, Probyn W., Mr., Chief Liaison Officer, Washington.

Advisers

HILL, K.G.A., Mr., Ambassador; Permanent Representative, Geneva.

SMITH, Ransford, Mr., Minister/Counsellor, Permanent Mission, Geneva.

MONTAGUE, Delrose, Miss, First Secretary, Permanent Mission, Geneva.

EDWARDS, Harold F., Mr., Liaison Officer/Consultant to the West Indies Central Labour Office, Washington.

HERON, Noel P., Mr., Chief Liaison Officer, Canada.

Employers' delegate

ROBINSON, Barrington Anthony, Mr., Executive Member and Training Committee Chairman, Jamaica Employers' Federation.

Workers' delegate

NELSON, Dwight, Mr., Island Supervisor and Education Officer, Bustamante Industrial Trade Union.

Adviser

ROCHESTER, Derrick, Mr., Vice-President, National Workers' Union of Jamaica.

JAPON

JAPAN

JAPON

MINISTER ATTENDING THE CONFERENCE

NAKAMURA, Taro, Mr., Minister of Labour.

Accompanied by NAKAMURA, Toshio, Mr., Secretary.

TAGUCHI, Kazunobu, Mr., Secretary.

Government delegates

HATANO, Yoshio, Mr., Ambassador Extraordinary and Plenipotentiary; Permanent Representative, Geneva.

NAKAMURA, Tadashi, Mr., Assistant Minister for International Labour Affairs, Ministry of Labour; Government Representative, Governing Body of the ILO.

Advisers and substitute delegates

TAKEMURA, Tsuyoshi, Mr., Director-General, Measures for the Aged Department, Employment Security Bureau, Ministry of Labour.

NAKAMURA, Mitsuhiro, Mr., Counsellor, Permanent Mission, Geneva; Substitute Government Representative, Governing Body of the ILO.

SUGAMA, Tadao, Mr., Counsellor, Permanent Mission, Geneva; Substitute Government Representative, Governing Body of the ILO.

ANDO, Masahiro, Mr., Counsellor, Permanent Mission, Geneva; Substitute Government Representative, Governing Body of the ILO.

Advisers

KITAYAMA, Hiroyuki, Mr., Director, Safety Division, Industrial Safety and Health Department, Ministry of Labour.

FURUI, Tomoharu, Mr., Director, First Public Service Personnel Division, Public Service Personnel Department, Local Administration Bureau, Ministry of Home Affairs.

YAMAGUCHI, Yasuo, Mr., Director, Employment Insurance Division, Employment Security Bureau, Ministry of Labour.

KOBAYASHI, Kazuyoshi, Mr., Director, Labour Improvement Division, Agricultural Structure Improvement Bureau, Ministry of Agriculture, Forestry and Fisheries.

NAKAGAWA, Takanobu, Mr., Counsellor, Personnel Bureau, Management and Co-ordination Agency.

KUSUMOTO, Yuichi, Mr., Counsellor, Permanent Mission, Geneva; Substitute Government Representative, Governing Body of the ILO.

SAIGA, Fumiko, Miss, Deputy Director, Social Co-operation Division, United Nations Bureau, Ministry of Foreign Affairs.

AOKI, Isao, Mr., First Secretary, Embassy of Japan, London.

SAKUMA, Kenichi, Mr., Chief Research Officer, Legal Affairs Section, Administration Bureau, Personnel Authority.

FUJITA, Shozo, Mr., First Secretary, Permanent Mission, Geneva.

MAEDA, Mitsuyasu, Mr., First Secretary, Mission of Japan to the European Communities.

FUKUYAMA, Keiichi, Mr., First Secretary, Permanent Mission, Geneva.

TSUZUKI, Yuzuru, Mr., First Secretary, Permanent Delegation of Japan to the Organisation for Economic Co-operation and Development.

KITANI, Masato, Mr., First Secretary, Permanent Mission, Geneva.

TERAMOTO, Takanobu, Mr., Assistant Director, International Labour Affairs Division, Ministry of Labour.

YAMANAKA, Shinichi, Mr., Assistant Director, Local Affairs Division, Educational Assistance and Administration Bureau, Ministry of Education.

UEMURA, Shunichi, Mr., Official, Social Co-operation Division, United Nations Bureau, Ministry of Foreign Affairs.

Employers' delegate

TSUJINO, Hiroshi, Mr., Member of the Policy Board and Executive Director, Japan Federation of Employers' Associations (NIKKEIREN); Adviser, Mitsubishi Kasei Corporation; Member, Governing Body of the ILO.

Advisers

KAKU, Toshikazu, Mr., Director-General, Japan Construction Industry Safety and Health Association.

TANGE, Kazuo, Mr., Director, Personnel Management Division, NIKKEIREN.

SUZUKI, Toshio, Mr., Director, International Division, NIKKEIREN.

YOKODATE, Hisanori, Mr., Section Manager, International Division, NIKKEIREN.

KIRIKU, Takashi, Mr., Assistant Manager, Wage Section Research Division, NIKKEIREN.

Workers' delegate

TANAKA, Yoshikazu, Mr., Vice President, Japanese Private Sector Trade Union Confederation (Rengo).

Advisers

TOMITA, Masaru, Mr., Director, Publication and Education Bureau, Rengo.

UENO, Yoshikazu, Mr., General Secretary, Japanese Federation of Chemical and General Workers' Unions (Zenka Domei).

SHIBATA, Chikahiro, Mr., President, Committee of Political Activities, Japanese Federation of Construction Industry Workers' Unions.

FUJIMOTO, Katsuo, Mr., Assistant Director, International Affairs, Rengo.

NAKAGIRI, Takao, Mr., Section Chief, International Affairs, Rengo.

MARUYAMA, Yasuo, Mr., Vice-President, General Council of Trade Unions of Japan (Sohyo); President, All-Japan Prefectural and Municipal Workers' Union (Jichiro); Member, Governing Body of the ILO.

YAMADA, Yoichi, Mr., Director, International Bureau, Sohyo.

HATSUOKA, Shoichiro, Mr., Director, Tokyo Office, Postal, Telegraph and Telephone International (PTTI).

YOSHIZAWA, Hirohisa, Mr., Director, International Department, Jichiro.

UMATANI, Yoshikatsu, Mr., Assistant Director, Labour Policy Bureau, Sohyo.

OGAWA, Masahiro, Mr., Chief, International Bureau, Sohyo.

MORIKAGE, Hachiro, Mr., Central Councillor, Zenkanko.

JORDANIE

JORDAN

JORDANIA

MINISTER ATTENDING THE CONFERENCE

ARIQAT, Rasheed, Mr., Minister of Labour and Social Development.

Accompanied by QASRAWI, Farooq, Mr., Ambassador; Permanent Representative, Geneva.

Government delegates

KHASAWNEH, Saleh, Mr., Secretary-General, Ministry of Labour.

AL-AKEL, Mohammed Abdel Hadi, Mr., Director, Department of Research, Ministry of Labour.

Adviser and substitute delegate

SHAHATIT, Issam Ibrahim, Mr., Assistant-Director, Department of Foreign Relations.

Advisers

MASARWEH, Samir, Mr., First Secretary, Permanent Mission, Geneva.

AL-TAL, Mazen, Mr., Second Secretary, Permanent Mission, Geneva.

AL-SHAMAYLEH, Jamal, Mr., Third Secretary, Permanent Mission, Geneva.

ARIQAT, Tallal, Mr.

Employers' delegate

HABAIBEH, Abdelnoor, Mr., Member of the Board, Amman Chamber of Industry.

Advisers

DAJANI, Ali, Mr., Consultant, Amman Chamber of Industry.

HUSSEINI, Amin, Mr., General Secretary, Confederation of Jordanian Chambers of Commerce.

AL-HODHOD, Mohamed, Mr., Adviser, Amman Chamber of Industry.

Workers' delegate

KARDAN, Samir, Mr., General Secretary, General Federation of Trade Unions (GFTU).

Advisers

MA'AITA, Mazin, Mr., Member of the Executive Committee, GFTU.

AL-HAJ HASSAN, Abdelrahim, Mr., Member of the Executive Committee, GFTU.

KENYA

MINISTER ATTENDING THE CONFERENCE

OKONDO, Peter Habenga, Mr., MP, Minister for Labour.

Government delegates

BIRIR, Jonathan Festus Cheruiyot, Mr., Permanent Secretary, Ministry of Labour.

NGARE, Ephraim Waweru, Mr., Assistant Labour Commissioner, Ministry of Labour.

Advisers and substitute delegates

RUORO, Samuel Stevenson, Mr., Ambassador; Permanent Representative, Geneva.

MBURU, Christopher K., Mr., Third Secretary, Permanent Mission, Geneva.

Advisers

MBOVA, Sammy Muthoka, Mr., Permanent Secretary, Ministry of Manpower Development and Employment.

KIARA, Stephen Kinoti, Mr., Chief Inspector of Factories, Ministry of Labour.

GICHERU, Harrison Bismark Ndoria, Mr., Counsellor, Permanent Mission, Geneva.

JOSIAH, Frost Edwin Otieno, Mr., Counsellor, Permanent Mission, Geneva.

KINYANJUI, Michael Denis, Mr., Second Secretary, Permanent Mission, Geneva.

Employers' delegate

OWUOR, Tom Diyu, Mr., Executive Director, Federation of Kenya Employers;
Member, Governing Body of the ILO.

Adviser and substitute delegate

MWAI, George Kang'ong'a, Mr., Group Chairman, UNGA Group Limited; Chairman,
Federation of Kenya Employers.

Advisers

WEJULI, Fanuel Olunga, Mr., Group Personnel Director, Brooke Bond Kenya
Limited.

KOYIER, Haggai Abongo, Mr., Group Personnel Manager, H.Z. and Company Ltd.

Workers' delegate

MUGALLA, Joseph Jolly, Mr., Secretary-General, Central Organisation of Trade
Unions.

Adviser and substitute delegate

KIBIRIBIRI, Philip Mwangi, Mr., Chairman-General, Central Organisation of
Trade Unions.

Advisers

OGUTU, Were Dibo, Mr., Treasurer-General, Central Organisation of Trade
Unions.

MURUGU, John Wangoru, Mr., National General Secretary, Kenya Building
Construction, Civil Engineering and Allied Trades Workers Union.

KOWEIT

KUWAIT

KUWAIT

MINISTER ATTENDING THE CONFERENCE

AL-SABAH, Shaikh Nasser Mohamed Al-Ahmad Al-Jaber, Mr., Minister of Social
Affairs and Labour.

Government delegates

YASEEN, Eisa, Mr., Under-Secretary, Ministry of Social Affairs.

AL-SABAH, Salem Jaber Al-Ahmad, Mr., Ambassador; Permanent Representative, Geneva.

Advisers and substitute delegates

AL-THAMER, Mohammed Shabnan, Mr., Under-Secretary for Labour Affairs.

AL-AWADI, Yaqoob Mohammed Saleh, Mr., Under-Secretary, Department of Financial Administrative Affairs.

AL-MALEK AL-SABAH, Duaij Khalifa, Mr., Director, Minister's Office.

AL-OMAR, Adnan Ali, Mr., Director, Hawalli Governorate Labour Department.

AL-KULAIB, Abdel Aziz, Mr., Director, Capital Governorate Labour Department.

AL-URAIIFI, Waleed Nasser, Mr., Director, Department of Foreign Relations.

AL-NAMI, Nami Saif Farhan, Mr., Director, Department of Public Relations.

AL-AWADI, Nader Abdulrahman, Mr., Head, Renewal of Labour Permits Section, Hawalli Governorate Labour Department.

AL-SHEIKH, Saleh Ali Hasan, Mr., Researcher, Department of Foreign Relations.

AL-JAW'AN, Faisal Mohammed Abdulwahab, Mr., Head, Section of the Affairs of the Council of Ministers, Office of the Minister.

Employers' delegate

AL-JASSEM, Aqil Ahmad, Mr., Deputy Director-General, Kuwait Chamber of Commerce and Industry; Deputy Member, Governing Body of the ILO.

Adviser and substitute delegate

AL-RAKHAIS, Saoud Mohammed, Mr., Kuwaiti Federation of Contractors.

Workers' delegate

AL-HOJAILAN, Rashed Falah, Mr., Director, General Union of Kuwait Workers.

Adviser and substitute delegate

AL-SAYED, Abdulla Mohammed, Mr., Member of the Executive Council, General Union of Kuwait Workers.

LESOTHO

MINISTER ATTENDING THE CONFERENCE

TIHELI, M.M., Mr.

Government delegates

MOPHETHE, M.L., Mr.

FANANA, Noozi Mabote, Mr., Chief Labour Inspector.

Adviser

LETHOBANE, L., Mr.

Employers' delegate

KOTELO, Mokete, Mr., Vice-Chairman, Employers' Union.

LIBAN

LEBANON

LIBANO

Délégués gouvernementaux

KHOURY, Hamid, M., directeur général du ministère du Travail.

HAMDAN, Hicham, M., représentant permanent adjoint à Genève.

Conseiller technique et délégué suppléant

FATTAL, Noël, M., secrétaire d'ambassade.

Délégué des employeurs

NASR, Marwan, M., secrétaire général de l'Association des industriels libanais; membre du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

SOUEID, Maarouf, M., membre de l'Association des industriels libanais.

Conseillers techniques

KABARA, Ahmad, M.

ALADIKY, Nabil, M.

BALBOUL, Fouad, M., membre de l'Association des industriels libanais.

FARES, Armand, M.

RACHED, Rached, M.

DEBBANEH, Raphaël, M.

SOUEID, Nabil, M.

Délégué des travailleurs

BECHARA, Antoine, M., président de la Confédération générale des travailleurs.

Conseiller technique et délégué suppléant

ZEIDAN, Habib, M.

Conseillers techniques

AL-HABR, Elias, M.

CHAYA, Elias, M.

MATAR, Halim, M.

HASSEIN, Hussein Ali, M.

LIBERIA

MINISTER ATTENDING THE CONFERENCE

NAIGOW, Peter L., Mr., Minister of Labour.

Government delegates

AYOMANOR, Charles, Mr., Assistant Minister of Labour.

DOE, Jackson E., Mr., Deputy Director-General, National Social Security and Welfare Corporation.

Adviser and substitute delegate

HARVEY, John F., Mr., Member, House of Representatives; Chairman, House Standing Committee on Labour.

Advisers

SCOTLAND, James Victor, Mr., Assistant Director for Public Relations, National Social Security and Welfare Corporation.

WISSEH, Ignatius, Mr., Assistant Minister of Labour for Employment.

Employers' delegate

LEWIS, Ben, Mr., Personnel Superintendent, LAMCO J.V. Operating Company.

Adviser

DAVIS, Philip, Mr., Managing Director, Liberia Petroleum Company.

Workers' delegate

KIEH, S. Aloysius, Mr., President, LAMCO Mine Workers' Union.

Advisers

TARBAH, George, Mr., President, National Seamen Port and General Workers' Union of Liberia (NSPGWUL).

SAAH, Mark S., Mr., Deputy Secretary-General, NSPGWUL.

NYIAN, Paul, Mr., National Agricultural and Allied Workers' Union of Liberia.

GOSS, Muhamed T.H., Mr., Chief of Grievance, Bong Mine Workers' Union, Bong Range.

SASA, George, Mr., President, Firestone Agricultural Workers' Union of Liberia.

JAMAHIRIYA ARABE LIBYENNE LIBYAN ARAB JAMAHIRIYA JAMAHIRIYA ARABE LIBIA

MINISTER ATTENDING THE CONFERENCE

AL-SHAKSHUKI, Fawzi, Mr., Secretary of the General People's Committee of Public Service.

Government delegates

ALFAQI HASAN, Ibrahim, Mr., Director, National Investment Council; Consultant for the Social Security Fund.

OMAR, Ibrahim Abdul Aziz, Mr.

Adviser and substitute delegate

ABURWIN, Nasser Sanussi, Mr., Director, Foreign Affairs Department.

Advisers

ABUGASEA, Ayad Mousa, Mr., Specialist in Foreign Relations, Secretariat of Public Service.

AL-ZAWI, Ali Mohamed, Mr.

EL HIJELI, Ahmed Shaban, Mr., Researcher in Employment, Secretariat of Public Service.

ABU KTUWA, Ali Khalifa, Mr.

Employers' delegate

ELMUKHERBI, Mohamed Elhadi, Mr., Secretary of the People's Committee, General Dairies and Products Company.

Advisers and substitute delegates

KWAIRY, Abdulla, Mr., Secretary of the People's Committee, Aluminium Group.

ALGHOUL, Mohamed Salem, Mr., Secretary of the People's Committee, Building, Construction and Maintenance.

Workers' delegate

HOWAYDI, Bashir Ihwege, Mr., General Secretary, General Conference of the Labour Union.

Advisers and substitute delegates

JALLOUD, Salem Ahmed, Mr., Deputy General Secretary, General Conference of the Labour Union.

ABUZEID, Mohamed, Mr., Director, Foreign Affairs Department; Substitute Member, Governing Body of the ILO.

IDRISS IBRAHIM, Abdallah, Mr.

LUXEMBOURG

LUXEMBOURG

LUXEMBURGO

MINISTRES ASSISTANT A LA CONFERENCE

BERG, Benny, M., ministre de la Sécurité sociale; ministre de la Santé.

JUNCKER, Jean-Claude, M., ministre du Travail; ministre délégué au Budget.

Délégués gouvernementaux

SCHINTGEN, Romain, M., administrateur général du ministère du Travail.

SCHUSTER, Arthur, M., directeur de l'Inspection du travail et des mines.

Conseillers techniques et délégués suppléants

MOUSEL, Jean-Marie, M., directeur de l'Administration de l'emploi.

DERATTE, Arthur, M., conseiller de gouvernement 1^{re} classe au ministère de la Sécurité sociale.

Conseillers techniques

ZAHLES, René, M., représentant permanent adjoint à Genève.

BICHELER, Claude, M., conseiller de direction à l'Administration de l'emploi.

GLODT, Marc, M., attaché de gouvernement 1^{er} en rang au ministère du Travail.

Délégué des employeurs

JUNG, Lucien, M., administrateur-directeur de la Fédération des industriels luxembourgeois.

Conseiller technique et délégué suppléant

SAUBER, Marcel, M., secrétaire général de la Fédération des artisans.

Conseillers techniques

BEFFORT, Romain, M., secrétaire général de la Fédération des industriels luxembourgeois.

OLINGER, Paul, M., secrétaire général adjoint de la Fédération des artisans.

Délégué des travailleurs

PIZZAFERRI, René, M., membre du comité exécutif de la Confédération générale du travail.

Conseiller technique et délégué suppléant

SCHWEITZER, François, M., secrétaire général de la Confédération luxembourgeoise des syndicats chrétiens.

Conseillers techniques

BAUSCH, Eugène, M., membre du comité national de la Confédération générale du travail.

DALEIDEN, Joseph, M., secrétaire général de la Confédération générale de la fonction publique.

DRUCKER, Léon, M., secrétaire syndical de la Confédération luxembourgeoise des syndicats chrétiens.

HAAS, Félix, M., trésorier fédéral de la Confédération générale de la fonction publique.

KONZ, Josy, M., secrétaire général de la Confédération générale du travail.

MARCUS, Jean, M., vice-président de la Fédération des employés privés - Fédération indépendante des travailleurs.

MERTEN, René, M., président national de la Fédération des employés privés - Fédération indépendante des travailleurs.

MADAGASCAR

MINISTRE ASSISTANT A LA CONFERENCE

RUPHIN, Georges, M., ministre de la Fonction publique, du Travail et des Lois sociales.

Délégués gouvernementaux

RAZAFIMANDRANTO, Razafimbelo, M., inspecteur du travail et chef du Service des études à la Direction du travail.

RAFENOMANANTSOA, Mamy, M., conseiller technique au ministère de la Fonction publique, du Travail et des Lois sociales.

Conseiller technique

ALLAOUIDINE, Koraiche, M., chef du protocole à la représentation de Madagascar.

Délégué des employeurs

ADRIANTSITOHAINA, Charles, M., du Groupement des entreprises de Madagascar (GEM).

Conseillers techniques et délégués suppléants

RAMANANKASINA, Michelson, M., administrateur du GEM.

RAMAROSON, André, M., du FIVMPAMA.

RABEMANANTSOA, Emile, M., du FIVMPAMA.

Délégué des travailleurs

RANAIVOJAONA, Jean-Stéphane, M., du syndicat SEREMA.

MALAISIE

MALAYSIA

MALASIA

MINISTER ATTENDING THE CONFERENCE

LEE KIM SAI,, Mr., Minister of Labour.

Accompanied by LOH KEE MING, Michael, Mr., Senior Private Secretary to the Minister of Labour.

Government delegates

NIK MOHAMED AMIN, Nik Abu Bakar, Mr., Secretary-General, Ministry of Labour;
Government Representative, Governing Body of the ILO.

ABDUL RAHMAN HARON,, Mr., Principal Assistant Secretary, Ministry of Labour.

Advisers

KIRUBANATHAN, J.D., Mr., Labour Attaché, Permanent Mission, Geneva; Substitute
Government Representative, Governing Body of the ILO.

IBRAHIM MAHAMOOD,, Mr., Second Secretary, Permanent Mission, Geneva.

ABDUL SAMAD OTHMAN,, Mr., Second Secretary, Permanent Mission, Geneva.

Employers' delegate

MOKZHANI ABDUL RAHIM, Datuk, Mr., President, Malaysian Employers' Federation
(MEF).

Adviser and substitute delegate

MOHD ZAIN ABDUL MAJID,, Mr., Executive Director, MEF.

Workers' delegate

RAGUNATHAN, A., Mr., President, Congress of Unions of Employees in the Public
and Civil Services.

Adviser and substitute delegate

ZAINAL RAMPAK,, Mr., President, Malaysian Trades Union Congress (MTUC).

Advisers

NARAYANAN, P.P., Mr., Honorary Life President, MTUC; Secretary-General,
National Union of Plantation Workers (NUPW).

ABDUL WAHAB, Samsuddin, Mr., Vice-President, MTUC.

MALAWI

Government delegates

MPATA, S.B., Mr., Principal Secretary, Ministry of Labour.

MAWINDO, B.B., Mr., Chief Labour Officer.

Adviser and substitute delegate

NDOVI, C.R., Mr., Principal Inspector of Factories and Explosives, Ministry of Labour.

Employers' delegate

MUYENZA, E., Mr., Executive Secretary, Employers' Consultative Association of Malawi (ECAM).

Workers' delegate

MVULA, L.Y., Mr., General Secretary, Trades Union Congress of Malawi.

MALI

MINISTRE ASSISTANT A LA CONFERENCE

MAHMOUD, Hamma Ag, M., ministre de l'Emploi et de la Fonction publique.

Délégués gouvernementaux

KOULIBALY, Bouno Sama, M., directeur national de l'emploi, du travail et de la sécurité sociale.

SIDIBE, Tall Penda, Mme, directeur général de l'Office national de la main-d'oeuvre et de l'emploi (ONMOE).

Conseiller technique et délégué suppléant

CAMARA, Alou, M., sous-directeur des affaires générales à l'Institut national de la prévoyance sociale (INPS).

Délégué des employeurs

TOURE, Ousmane, M., secrétaire permanent de la Fédération nationale des employeurs du Mali (FNEM); membre suppléant du Conseil d'administration du BIT.

Conseillers techniques et délégués suppléants

DIALLO, Mamadou Sada, M., membre de la FNEM.

COULIBALY, Balla, M., président de la FNEM.

Délégué des travailleurs

TRAORE, Boïssé, M., secrétaire aux relations extérieures de l'Union nationale des travailleurs du Mali (UNTM); membre suppléant du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

KARAMBE, Bakary, M., membre de l'UNTM.

MALTE

MALTA

MALTA

MINISTER ATTENDING THE CONFERENCE

GALEA, Louis, Mr., Minister for Social Policy.

Accompanied by VELLA, Anthony, Mr., Private Secretary to the Minister for Social Policy.

Government delegates

BORG CARDONA, George, Mr., Permanent Secretary, Ministry for Social Policy.

CILIA, Louis, Mr., Assistant Head, Ministry for Social Policy.

Adviser and substitute delegate

BELLIZZI, Alfred J., Mr., Ambassador; Permanent Representative, Geneva.

Employers' delegate

MALLIA MILANES, Alfred, Mr., Administrative Secretary, Employers' Association; Substitute Member, Governing Body of the ILO.

Adviser and substitute delegate

AQUILINA, Joseph, Mr., Honorary Secretary, Federation of Industries.

SCICLUNA, Victor, Mr., President, Employers' Association of Malta.

Workers' delegate

CALAMATTA, Jack, Mr., Assistant General Secretary, General Workers' Union.

Adviser and substitute delegate

SPITERI, Salvino, Mr., President, Confederation of Trade Unions (CMTU).

MAROC

MOROCCO

MARRUECOS

MINISTRE ASSISTANT A LA CONFERENCE

ABBADI, Hassan, M., ministre de l'Emploi.

Délégués gouvernementaux

BENHIMA, El Ghali, M., ambassadeur; représentant permanent à Genève.

KHALES, Abdellatif Ahmed, M., secrétaire général du ministère de l'Emploi.

Conseillers techniques

HAKKOU, Mahmoud, M., chef de la Division du travail; représentant gouvernemental au Conseil d'administration du BIT.

OUADGHIRI, Mohamed, M., inspecteur général à la Caisse nationale de la sécurité sociale.

JAOUADI, Benyouness, M., chef de cabinet du ministre de l'Emploi.

CHRAIBI, Mohamed, M., chef du Service des institutions spécialisées au ministère des Affaires étrangères et de la Coopération.

HALFAOUI, Mustafa, M., secrétaire des affaires étrangères à la mission permanente à Genève; représentant gouvernemental suppléant au Conseil d'administration du BIT.

LAGHRIFI, Abderrahmane, M., chef du Service de la législation du travail.

Délégué des employeurs

ABOU LAHCEN, Ahmed, M., président de la Chambre du commerce et de l'industrie de Settat.

Conseillers techniques

RAGY, Abdelbaqui, M., président de la commission sociale de la Confédération générale économique du Maroc.

BOULOUIZ, Allal, M., président de la Chambre du commerce et de l'industrie d'Oujda.

Délégué des travailleurs

BEN SEDDIK, Mahjoub, M., secrétaire général de l'Union marocaine du travail (UMT).

Conseillers techniques

ALFILAL, Abderrazak, M., secrétaire général de l'Union générale des travailleurs marocains (UGTM).

AWAB, Abdelkader, M., de l'UMT.

AMAOUI, Mohamed Noubir, M., secrétaire général de la Confédération démocratique du travail.

CHAHIR, Farouk, M., de l'UMT.

AFLAH, Mohamed, M., de l'UGTM.

BOUZIA, Mohamed, M., de la Confédération démocratique du travail (CDT).

MAURICE

MAURITIUS

MAURICIO

Government delegates

BAPPOO, Sheila Bai, Mrs., Minister of Labour and Industrial Relations, Women's Rights and Family Welfare.

TOOFANY, Motallib, Mr., Permanent Secretary, Ministry of Labour and Industrial Relations, Women's Rights and Family Welfare.

Employers' delegate

REY, Joseph Marcel Francis, Mr., Director, Mauritius Employers' Federation.

Workers' delegate

BHAGIRUTTY, Chandersendsing, Mr., President, Mauritius Labour Congress.

MAURITANIE

MAURITANIA

MAURITANIA

Délégués gouvernementaux

OULD AMAR CHEINE, Sidi Yeslem, M., conseiller du ministre de la Fonction publique, du Travail, de la Jeunesse et des Sports.

TRAORE, Ahmed, M., directeur du travail.

Délégué des employeurs

MOHAMED ALI OULD, Sidi Mohamed, M., secrétaire général de la Confédération centrale des employeurs de Mauritanie.

Délégué des travailleurs

OULD HMEITY, El Kory, M., secrétaire général de l'Union des travailleurs de Mauritanie.

MEXIQUE

MEXICO

MEXICO

MINISTRO ASISTENTE A LA CONFERENCIA

GOMEZPERALTA DAMIRON, Manuel, Sr., subsecretario "A" del Trabajo y Previsión Social, Secretaría del Trabajo y Previsión Social.

Delegados gubernamentales

TELLO, Manuel, Sr., Embajador; representante permanente en Ginebra.

NOVELO Von GLUMER, Gastón, Sr., asesor en asuntos internacionales de la Secretaría del Trabajo y Previsión Social.

Consejeros técnicos

MONTEMAYOR CANTU, Vicente, Sr., ministro de la misión permanente en Ginebra.

ARRIAZOLA PETORUEDA, Armando, Sr., tercer secretario de la misión permanente en Ginebra.

NAVEJA MACIAS, Ismael, Sr., tercer secretario de la misión permanente en Ginebra.

Delegado de los empleadores

ARROYO SAN MARTIN, Enrique, Sr., vicepresidente de la Confederación de Cámaras Industriales (CONCAMIN).

Consejero técnico y delegado suplente

CARVAJAL BUSTAMANTE, Octavio, Sr., vicepresidente de la Comisión de Trabajo y Previsión Social de la CONCAMIN.

Consejeros técnicos

VELAZCO ARZAC, Guillermo, Sr., secretario del Consejo de la Confederación Patronal (COPARMEX).

GARCIA LARA, César, Sr., asesor laboral de la Cámara Nacional de la Industria de Artes Gráficas, afiliada a la CONCAMIN.

ORTEGA SOLIS, Adalberto, Sr., presidente de la Comisión de Asuntos Laborales de la Cámara de la Industria Metálica de Guadalajara.

JAUREGUI MORALES, Jorge Andrés, Sr., Asociación Mexicana de Fabricantes de Productos de Asbesto Cemento, afiliada a la CONCAMIN.

DIAZ GUAJARDO, Amado R., Sr., Comisión de Asuntos Laborales de ANADE, Sección Nuevo León.

MACIAS-SANTOS, Eduardo, Sr., Comité Especial para la OIT de COPARMEX.

RODRIGUEZ, Belisario, Sr., de la COPARMEX.

Delegado de los trabajadores

SANCHEZ MADARIAGA, Alfonso, Sr., secretario de Relaciones del Comité Ejecutivo Nacional de la Confederación de Trabajadores de México (CTM); miembro del Consejo de Administración de la OIT.

Consejeros técnicos

SAN ROMAN ARRIAGA, Héctor, Dr., secretario sustituto de Previsión Social de la CTM.

ESPONDA ZEBADUA, Gonzalo, Sr., asesor jurídico del Sindicato de la Petroquímica.

LEAL GONZALEZ, Rafael, Sr., asesor en Asuntos Económicos de la CTM.

ROMERO RENDON, Manuel, Sr., secretario general del Sindicato Nacional de Guías de Turistas.

MONGOLIE

MONGOLIA

MONGOLIA

Government delegates

DAGVADORJ, Ravjaagiin, Mr., Vice-Chairman, State Planning and Economic Committee.

BALJINNYAM, Damdingiin, Mrs., First Secretary, Permanent Mission, Geneva.

Advisers and substitute delegates

ONON, Sodovyn, Mrs., Officer, State Committee on Labour and Social Security.

CHIMIDREGZEN, Oidovyn, Mr., Officer, Department of International Organisations, Ministry of Foreign Affairs.

Employers' delegate

TSEMBEL, Turmunkhiin, Mr., Vice-Chairman, Union of Coal-mining Enterprises.

Workers' delegate

TSAGAAN, Puntsagiin, Mr., Foreign Relations Department, Central Council of Mongolian Trade Unions.

MOZAMBIQUE

Délégués gouvernementaux

REAL MAZULA, Aguiar Jonassane Reginaldo, M., ministre du Travail.

JUSTINO, Adolfo Jorge, M., directeur du cabinet d'études du ministère du Travail.

Conseillers techniques et délégués suppléants

MIGUIGY MURARGY, Murade Isaac, M., ambassadeur extraordinaire et plénipotentiaire en Suisse.

DE DEUS, Clemente, M., sous-inspecteur du ministère du Travail.

Délégué des employeurs

MUSSANIANE, Egas, M., vice président de l'Association des entreprises du Mozambique.

Délégué des travailleurs

GANANCIO, José Correia, M., secrétaire général adjoint de l'Organisation des travailleurs du Mozambique (OTM).

Conseiller technique

MABUMO, Estevao Nwamushuate, M., chef du département des relations internationales de l'OTM; membre suppléant du Conseil d'administration du BIT.

NAMIBIE

NAMIBIA

NAMIBIA

Government delegate

BARRERO-STAHN, L.A., Mr.

Adviser

NAMASHULUA, Marcos, Mr.

Employers' delegate

TJIRIANGE, Ngarikutuke Ernest, Mr.

Workers' delegate

YA OTTO, John, Mr.

Adviser

AMUKONGO, Eddy, Mr.

NEPAL

Government delegates

CHAUDHARY, Parashu Narayan, Mr., Minister for Labour and Social Welfare and Commerce.

KIRAN, Chandra Kala, Mrs., Secretary, Ministry of Labour and Social Welfare.

Adviser

SHAH, Gobardhan Bikram, Mr., Chargé d'Affaires a.i., Permanent Mission, Geneva.

Employers' delegate

SHAH, Devendra Bahadur, Mr., Executive Director, Janakpur Cigarette Factory.

Workers' delegate

SHAH, Hari Narayan, Mr., President, Nepal Labour Organisation (NLO).

Advisers

KHADKA, Resham Bahadur Singh, Mr., Secretary, NLO.

PRADHAN, Bharat Kumar, Mr., Head Master, Nepal Laboratory School.

NICARAGUA

MINISTRO ASISTENTE A LA CONFERENCIA

MENESES FONSECA, Benedicto, Sr., Ministro del Trabajo.

Delegados gubernamentales

VARGAS ESCOBAR, Gustavo-Adolfo, Sr., Embajador; representante permanente en Ginebra; representante gubernamental, Consejo de Administración de la OIT.

MEZA SOZA, Adrián, Sr., director general del Ministerio del Trabajo.

Consejeros técnicos

GABUARDI IBARRA, Lombardo, Sr., director de relaciones internacionales y cooperación técnica.

ALEMAN BENAVIDES, Oscar, Sr., consejero de la misión permanente en Ginebra.

CASTELLON DUARTE, Mario, Sr., consejero de la misión permanente en Ginebra.

GUEVARA, Ramiro, Sr., consejero de la misión permanente ante la CEE.

WILSON, Minerva, Sra., miembro de la Comisión Paz y Autonomía de la Costa Atlántica.

Delegado de los empleadores

GONZALES PASTORA, Marcos, Sr., asesor jurídico UNAG.

Consejeros técnicos

LEIVA PEREZ, Antonio, Sr., director de la Cámara de Comercio; miembro del Consejo Superior de la Empresa Privada (COSEP).

GARACHE CASTELLON, Mario, Sr., jefe del Departamento Promoción y Servicios de la Cámara de Industria COSEP.

ARAGON MARIN, Juan Ramón, Sr., miembro del Consejo de la Unión Nacional de Agricultores y Ganaderos (UNAG).

Delegado de los trabajadores

TORREZ GAMEZ, Luciano, Sr., secretario nacional de la Central Sandinista de Trabajadores (CST) responsable de relaciones internacionales.

Consejero técnico

CANO TORRES, Francisco, Sr., secretario de relaciones internacionales; delegado de la Asociación de Trabajadores del Campo (ATC).

NIGER

MINISTRE ASSISTANT A LA CONFERENCE

ABOUBACAR, Abdou, M., ministre de la Fonction publique et du Travail.

Délégués gouvernementaux

YAHAYA, Cherif, M., directeur du travail et de la sécurité sociale.

DJIKA, Nomao, M., directeur de la Caisse nationale de sécurité sociale.

Conseiller technique

ALLOKE, Toussaint Arouna, M., chef de la division des relations internationales et études à la Direction du travail et de la sécurité sociale.

Délégué des employeurs

GEORGET, Henri, M., membre du bureau du Syndicat national des petites et moyennes entreprises et industries du Niger (SYNAPEMEIN); membre du Conseil d'administration du BIT.

Conseiller technique

IDE, Issaka, M., directeur général de la Société nigérienne d'industries alimentaires; délégué du Syndicat patronal des entreprises et industries du Niger (SPEIN) auprès du ministère du Travail.

Délégué des travailleurs

MAIYAKI, Ibrahim, M., secrétaire aux relations extérieures de l'Union des syndicats des travailleurs du Niger (USTN).

Conseillers techniques

MOUTARI, Laouali, M., secrétaire général adjoint de l'USTN.

MANSOUR, Mahaman, M., secrétaire adjoint aux relations extérieures de l'USTN.

MAINASSARA, Boureima, M.

NIGERIA

MINISTER ATTENDING THE CONFERENCE

UMAR, Alhaji Abubakar, Mr., Minister of Employment, Labour and Productivity.

Government delegates

OLUMIDE, A.A., Mr., Director-General, Federal Ministry of Employment, Labour and Productivity.

WILLIAMS, Fortunatus Oyeyinka, Mr., Director, Labour Relations Department, Federal Ministry of Employment, Labour and Productivity.

Advisers and substitute delegates

AZIKIWE, E.A., Mr., Ambassador; Permanent Representative, Geneva.

ABUBAKAR, Alhaji U.M., Mr., Special Assistant to the Minister, Federal Ministry of Employment, Labour and Productivity.

ADEWOYE, R.O., Mr., Director of Factories, Federal Ministry of Employment, Labour and Productivity.

CHUKU WACHUKU,, Mr., Director of Operations, National Directorate of Employment.

FASANYA, Jonathan O., Mr., Assistant-Director, Federal Ministry of Employment, Labour and Productivity.

OWOEYE, S.A., Mr., Senior Counsellor, Permanent Mission, Geneva.

AZIGBO, E.E., Mrs., Personal Assistant to the Minister, Federal Ministry of Employment, Labour and Productivity.

ONIWON, J.O., Mr., Second Secretary, Permanent Mission, Geneva.

Employers' delegate

UBEKU, A.K., Mr., President, Nigeria Employers' Consultative Association (NECA).

Advisers

OKOGWU, Gabriel Chike, Mr., Executive Director, NECA; Deputy Member, Governing Body of the ILO.

DAMACHI, U.G., Mr., Member, Governing Council, NECA.

LAWAL, A., Mr., Vice-Chairman, Industrial Relations Committee, NECA.

Workers' delegate

SANYAOLU, R.O., Mr., National President, Nigeria Union of Construction and Civil Engineering Workers.

Adviser

IRONDI, S.S., Mr., Acting General Secretary, National Union of Public Corporation Employees.

NORVEGE

NORWAY

NORUEGA

MINISTER ATTENDING THE CONFERENCE

ENGSETH, William, Mr., Minister of Local Government and Labour.

Accompanied by HUSLID, Martin, Mr., Ambassador; Permanent Representative, Geneva.

SAND, Ulf, Mr., Secretary General, Ministry of Local Government and Labour.

CHRISTOFFERSEN, Tore, Mr., Personal Adviser, Ministry of Local Government and Labour.

SOLBAKK, Regnor, Mr., Head of Division, Ministry of Local Government and Labour.

MEMBERS OF PARLIAMENT ATTENDING THE CONFERENCE

BERNTSEN, Thorbjorn, Mr.

HUSEBY, Magnar G., Mr.

Government delegates

RUGE, Mari Holmboe, Ms., Adviser for ILO Affairs, Ministry of Local Government and Labour.

BRUAAS, Odd, Mr., Senior Executive Officer, Ministry of Local Government and Labour.

Advisers and substitute delegates

HAAVIE, Helge, Mr., Director of Department, Ministry of Local Government and Labour.

STUB, Sverre, Mr., Counsellor, Permanent Mission, Geneva.

VOLLEBAEK, Knut, Mr., Head of Division, Ministry of Foreign Affairs.

Advisers

DALEN, Marit, Ms., Project Manager, Norwegian Centre for International Agricultural Development, Agricultural University of Norway.

FALCH, Gunnar, Mr., Head of Division, Directorate of Labour Inspection.

HOYLAND, Irvin, Mr., Senior Executive Officer, Ministry of Foreign Affairs.

KRAMER, Unni Paulsson, Ms., Adviser, Ministry of Development Co-operation.

LANDSVERK, Cecilie, Ms., Executive Officer, Ministry of Foreign Affairs.

MUNKEBYE, Henriette, Ms., Deputy Director General, Ministry of Local Government and Labour.

SARA, Aslak Nils, Mr., President, Norwegian Sami Council.

UTHEIM, Bjornar, Mr., Ambassador, Ministry of Foreign Affairs.

ARNESSEN, Arne G., Mr., Deputy Director, Ministry of Agriculture.

WILLE, Petter F., Mr., First Secretary, Permanent Mission, Geneva.

Employers' delegate

HOFF, Erik, Mr., Director, International Office, Norwegian Employers' Confederation.

Adviser and substitute delegate

SKAU-JACOBSEN, Jacob, Mr., Managing Director, Associated General Contractors of Norway.

Advisers

BJERKENG, Harry, Mr., Assistant Director, Norwegian Federation of Crafts.

RUD, Wenche, Ms., Editor, 'Norwegian Employers' Confederation.

HJELMAS, Bjorg, Ms., Head of Section, Norwegian Employers' Association for the Oil Industry.

THRANE-STEEN, Rolf, Mr., Managing Director, Gustav Thrane-Steen, Skoyen A/S.

BREVIG, Inger, Ms., Head of Section, Norwegian Employers' Confederation.

Workers' delegate

PEDERSEN, Evy Buverud, Ms., Secretary, Confederation of Trade Unions in Norway.

Adviser and substitute delegate

DAHL, Karl Nandrup, Mr., Legal Adviser, Confederation of Trade Unions in Norway.

Advisers

BRANNSTEN, Per, Mr., Economist, Confederation of Trade Unions in Norway.

BREKSTAD, Magne, Mr., Secretary, Norwegian Union of Building Workers.

HALONEN, Leif, Mr., Head of Division, Norwegian Union of Employees in the Civil Service.

SANDEGREN, Kaare, Mr., International Secretary, Confederation of Trade Unions in Norway.

OSMUNDSEN, Else-Marie, Ms., Project Manager, Confederation of Trade Unions in Norway.

NOUVELLE-ZELANDE

NEW ZEALAND

NUEVA ZELANDIA

MINISTER ATTENDING THE CONFERENCE

RODGER, S.J., Mr., Minister of Labour.

Accompanied by McKENZIE, C.J., Mr., Secretary, Department of Labour.

GALL, R.H., Mr., Private Secretary to the Minister of Labour.

Government delegates

WILLIAMS, S.D., Mr., Assistant Secretary of Labour (Safety, Health and Welfare), Department of Labour.

BUCHANAN, G.H., Mr., Office Solicitor, Department of Labour.

Advisers

FORTUNE, G.C., Mr., Permanent Representative, Geneva.

BRACEGIRDLE, A.M., Mr., First Secretary, Permanent Mission, Geneva.

Employers' delegate

JESSUP, R.A., Mr., Director-General, New Zealand Employers' Federation.

Advisers and substitute delegates

ROWE, J.W., Mr., Immediate Past Director-General, New Zealand Employers' Federation; Deputy Member, Governing Body of the ILO.

SMITH, W.A., Mr., Director, Otago-Southland Employers' Federation.

Workers' delegate

DOUGLAS, K.G., Mr., President, New Zealand Council of Trade Unions.

Advisers and substitute delegates

KNOX, W.J., Mr., Immediate Past President, New Zealand Federation of Labour; Substitute Member, Governing Body of the ILO.

MURRAY, T.K., Mr., Convenor, Maori Trade Union Committee.

UGANDA

UGANDA

UGANDA

MINISTER ATTENDING THE CONFERENCE

NYAKATURA, William Rwabukuba, Mr., Deputy Minister of Labour.

Government delegates

OLWENY, Claudius Mary, Mr., Acting Labour Commissioner; Substitute Government Representative, Governing Body of the ILO.

KAAHWA, Ivan Majara Rutoole, Mr., Principal Labour Officer, International Labour Affairs.

Adviser and substitute delegate

SETTENDA, Ahmed, Mr., Permanent Secretary, Ministry of Labour; Government Representative, Governing Body of the ILO.

Employers' delegate

KASWARRA, Joel Marx Rwamura, Mr., Executive Director, Federation of Uganda Employers.

Workers' delegate

BINDEEBA, Charles, Mr., Acting Secretary-General, National Organisation of Trade Unions.

PAKISTAN

Government delegates

MIRZA, Jawaid Ahmad, Mr., Secretary, Ministry of Labour and Manpower.

AHMAD, Mansur, Mr., Ambassador; Permanent Representative, Geneva.

Adviser and substitute delegate

ALI, Ashraf, Mr., Joint Secretary, Ministry of Labour and Manpower.

Advisers

EZDI, Asif, Mr., Minister and Acting Permanent Representative, Geneva.

GILANI, Shaheen A., Mr., Counsellor, Permanent Mission, Geneva.

KHAN, Muhammad Aslam, Mr., Third Secretary, Permanent Mission, Geneva.

Employers' delegate

TABBANI, Rauf, Mr., Managing Director, Shalimar Silk Mills, Karachi.

Adviser and substitute delegate

SAMEE, Mian Riaz, Mr., Chairman and Chief Executive, AREMAI Petroleum Ltd.

Workers' delegate

AHMED, Khurshid, Mr., General Secretary, All Pakistan Federation of Trade Unions; Deputy Member, Governing Body of the ILO.

Adviser and substitute delegate

CHAUDHRY, Rehmatullah, Mr., President, All Pakistan Federation of Labour.

Adviser

SHARIF, Mohammad, Mr., President, National Federation of Trade Unions.

PANAMA

MINISTRO ASISTENTE A LA CONFERENCIA

MARTANS V., Cesar A., Sr., Ministro de Trabajo y Bienestar Social.

Delegados gubernamentales

VILLARREAL, Marcos A., Sr., Embajador; representante permanente en Ginebra.

CALDERON, Leonor A., Sra., directora de la Asesoría de Asuntos Internacionales del Ministerio de Trabajo y Bienestar Social.

Consejero técnico

SAAVEDRA POLO, Mirta, Sra., consejera de primera clase de la misión permanente en Ginebra.

Delegado de los empleadores

DURLING C., Walter, Sr., Consejo Nacional de la Empresa Privada; miembro suplente del Consejo de Administración de la OIT.

Delegado de los trabajadores

MENESES A., José Manuel, Sr., secretario general de la Central Nacional de Trabajadores Panameños.

PAPOUASIE-NOUVELLE-GUINEE

PAPUA NEW GUINEA

PAPUA NUEVA GUINEA

MINISTER ATTENDING THE CONFERENCE

IANGALIO, Masket, Mr., MP, Minister for Labour and Employment.

Accompanied by PAIS, Tom, Mr., MP.

Government delegates

KEKEDO, Rose, Mrs.

ARUA, Patrick C., Mr.

Adviser and substitute delegate

KALI, John, Mr.

Employers' delegate

SALE, Norbert, Mr.

Workers' delegate

TITIMUR, Lawrence, Mr.

PAYS-BAS

NETHERLANDS

PAISES BAJOS

MINISTER ATTENDING THE CONFERENCE

DE KONING, Jan, Mr., Minister for Social Affairs and Employment.

Accompanied by BROUWER, Henk, Mr., Director-General, General Policy Matters,
Ministry for Social Affairs and Employment.

Government delegates

ROOD, Max, Mr., Professor of Labour Law, Leiden University; Former Minister of the Interior.

HAGEN, Kees, Mr., Deputy Head, International Social Affairs Division,
Ministry of Social Affairs and Employment.

Advisers and substitute delegates

VAN SCHAIK, Robert, Mr., Ambassador; Permanent Representative, Geneva.

VAN DIETEN, Leo, Mr., Director for International Affairs, Ministry of Social Affairs and Employment.

Advisers

BEELAERTS VAN BLOKLAND, Willem, Mr., Department for International Affairs,
Ministry of Foreign Affairs.

VAN DEN BERG, Kees, Mr., Directorate-General of Social Security, Ministry of Social Affairs and Employment.

VAN DEN BERG, Eric, Mr., First Secretary, Permanent Mission, Geneva.

VAN DONGEN, Antoine, Mr., Counsellor of Embassy, Permanent Mission, Geneva.

KORTMAN, Hans, Mr., Directorate-General of Labour, Ministry of Social Affairs and Employment.

PEYRA, Michiel, Mr., Department for International Affairs, Ministry of Social Affairs and Employment.

VAN RAALTE, Rob, Mr., Directorate for International Co-operation in Agriculture, Ministry of Agriculture.

STEEGHS, Gerard, Mr., Department of International Organisations, Ministry of Foreign Affairs.

DE LANOY, Sergio, Mr., Acting Director, Department of Labour and Social Affairs, Netherlands Antilles.

Employers' delegate

HAK, Cornélie, Miss, Head, International Social Affairs Division, Federation of Netherlands Industry; Deputy Member, Governing Body of the ILO.

Advisers

LIMBURG, Daan, Mr., Secretary, Horticulture and Development Co-operation, Netherlands Protestant Farmers' and Growers' Union.

NIEUWHART, Cees, Mr., Director, Employers' Organisations in the Construction Industry.

PAGANO-MIRANI, Hanso, Mr., Secretary, Royal Dutch Organisation of Employers in Small and Medium Enterprises.

SNELDERS, Theresia, Ms., Secretary, Federation of Netherlands Industry.

GOEDMAKERS, Frans, Mr., Adviser, Curacao Business Association, Netherlands Antilles.

DEKKERS, Gerd, Mr., Chief, Department of Labour Conditions, Netherlands Broadcasting Corporation (NOS).

Workers' delegate

HORDIJK, Arie, Mr., Vice-President, National Federation of Christian Trade Unions (CNV).

Adviser and substitute delegate

ETTY, Tom, Mr., Adviser, International Affairs, Confederation of the Netherlands Trade Union Movement (FNV).

Advisers

CLERX, Marijke, Ms., Adviser, Social Security and Public Health, FNV.

LETSCHERT, Henk, Mr., Adviser, Food and Allied Workers' Union, FNV.

PRONK, Bartho, Mr., Adviser, International Affairs, CNV.

SOETERBROEK, Frans, Mr., Adviser, Co-determination and Working Environment Affairs, Building and Woodworkers' Union, FNV.

SEMEREL, Oscar, Mr., Central General of Curacao Workers (CGTC).

PEROU

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PERU

MINISTRO ASISTENTE A LA CONFERENCIA

RODRIGUEZ CAMPOS, Orestes, Sr., Ministro de Trabajo y Promoción Social.

Acompañado de STIGLICH, Jaime, Sr., representante permanente interino en Ginebra.

Delegados gubernamentales

FERREYRA GARCIA, José, Sr., senador.

ALCABES VOTO BERNALES, Nancy, Sra., asesora técnica del Despacho Ministerial.

Consejero técnico y delegado suplente

CARRILLO VALDES, Ramón, Sr., segundo secretario de la misión permanente en Ginebra.

Consejeros técnicos

CHIANG CHIONG, Nemesio, Sr., asesor técnico del Despacho Ministerial.

GONZALES CHOCANO, Manuel, Sr., capitán de navio.

RUBIO CORREA, Jorge Felix, Sr., segundo secretario de la misión permanente en Ginebra.

MIEMBROS DEL PARLAMENTO ASISTENTES A LA CONFERENCIA

MORALES VEGA, Oscar, Sr.

BENDEZU CARPIO, Wilbert, Sr.

ALVARADO BRAVO, José Luis, Sr.

APAZA ORDONEZ, Justiniano Rómulo, Sr.

VALLAFUERTE PACHECO, Segundo, Sr.

OLIVERA VILA, Alejandro, Sr.

JIMENEZ MOSTAJO, José, Sr.

Delegado de los empleadores

RIO MALAGA, Felipe del, Sr., director de la Confederación Nacional de Instituciones Empresariales Privadas (CONFIEP).

Consejeros técnicos

IRIVARREN GIORZA, Miguel, Sr.

HARTLEY ROMAN, Percy, Sr.

Delegado de los trabajadores

PACHO QUISPE, Valentín, Sr., secretario general de la Confederación General de los Trabajadores (CGT).

Consejeros técnicos

CESPEDES PEREZ, Bernardino, Sr., secretario general de la Confederación de Trabajadores del Peru (CTP).

VALDIVIA AYALA, Sergio, Sr.

PHILIPPINES

PHILIPPINES

FILIPINAS

MINISTER ATTENDING THE CONFERENCE

DRILON, Franklin, Mr., Secretary of Labor and Employment.

Government delegates

VILLARROEL, Hector K., Mr., Minister-Counsellor; Acting Permanent Representative, Geneva.

DE LA SERNA, Dionisio, Mr., Under Secretary, Ministry of Labor and Employment.

Advisers

LOPEZ, José, Mr., Executive Director, Office for Southern Cultural Communities.

DE JESUS, Maria Leonora Vasquez, Mrs., Assistant Secretary of Labor and Employment.

CONFESOR, Maria Nieves R., Mrs., Executive Director, Institute for Labor Studies.

BALBIN, Filomeno, Mr., Regional Director.

PINEDA, Carmelita, Miss, Executive Director, National Wages Council.

KING, Amelita, Miss, Director, Bureau of Rural Workers.

BATACLAN, Victoria S., Mrs., Second Secretary, Permanent Mission, Geneva.

ALFONSO, Corazon C., Miss, Chief, International Labor Affairs Service.

GENUINO, Jacinto S. Junior, Mr., Labor Attaché.

GLORIA, Glenda, Miss, Technical Assistant to the Secretary of Labor and Employment.

BOCOBO, Israel C., Mr., Assistant Secretary, Department of Foreign Affairs.

Members of Congress attending the Conference

ANGARA, Edgardo, Mr., Senator.

RASUL, Santanina T., Mrs., Senator.

ROMULO, Alberto G., Mr., Senator.

ISIDRO, Martin, Mr., Congressman.

OCAMPO, Pablo, Mr., Congressman.

Employers' delegate

PERIQUET, Aurelio, Mr., Chairman, Employers' Confederation of the Philippines (ECOP); Member, Governing Body of the ILO.

Advisers

INOCENTES, Raoul M., Mr., President, ECOP.

VARELA, Miguel, Mr., Vice-President, ECOP.

HERNANDEZ, Benildo, Mr., Vice-President, ECOP.

TAN, Ancheta K., Mr., Vice-President, ECOP.

Workers' delegate

HERRERA, Ernesto, Mr., Senator, Congress of the Philippines;
Secretary-General, Trade Union Congress of the Philippines (TUCP).

Adviser and substitute delegate

TORRES, Ruben, Mr., Secretary-General, Public Sector Labor Integrative Center, TUCP.

Advisers

TAN, Juan C., Mr., President, Federation of Free Workers (FFW) and World Confederation of Labor.

DINGLASAN, Andres Jr., Mr., Vice-President, TUCP; National President, Philippine Transport and General Workers' Organisation-TUCP.

MALONZO, Cipriano, Mr., President, National Federation of Labor.

SENO, Cecilio, Mr., Vice-President, TUCP.

BATE, Vincente, Mr., President, National Association of Trade Unions.

DEL PRADO, Gregorio, Mr., President, Lakas Mangagawa Labor Center.

POLOGNE

POLAND

POLONIA

MINISTER ATTENDING THE CONFERENCE

SEKULA, Ireneusz, Mr., Minister of Labour and Social Policy.

Government delegates

BORAWSKI, Zbigniew, Mr., Director-General, Ministry of Labour and Social Policy.

TOWPIK, Andrzej, Mr., Counsellor-Minister Plenipotentiary, Permanent Mission, Geneva.

Advisers and substitute delegates

NAWROCKI, Witold, Mr., Director, Department of International Co-operation, Ministry of Labour and Social Policy.

MATELA, Ireneusz, Mr., Adviser to the Minister; Head of Section, Department of International Organisations, Ministry of Foreign Affairs.

Advisers

MATEY, Maria, Mrs., Professor/Scientist, Institute of Labour Law, Polish Academy of Sciences.

NOWICKI, Czeslaw, Mr., Senior Expert, Department of International Co-operation, Ministry of Labour and Social Policy.

STEFANSKA, Maria, Mrs., Senior Expert, Department of International Co-operation, Ministry of Labour and Social Policy.

ZALESKI, Krzysztof, Mr., Expert, Department of International Co-operation, Ministry of Labour and Social Policy.

WISZKIELIS, Jan, Mr., Consultant, Department of International Co-operation, Ministry of Labour and Social Policy.

Employers' delegate

NOWAK, Jerzy, Mr., President, Polish Employers' Bureau for International Co-operation, Polish Chamber of Foreign Trade; Deputy Director, Office of Investments and Experimental Production, Polish Academy of Sciences.

Adviser and substitute delegate

WILCZEK, Mieczyslaw Karol, Mr., Co-owner, "Labil" firm; Member, Private Industry Section, Polish Employers' Bureau for International Co-operation, Polish Chamber of Foreign Trade.

Workers' delegate

MIODOWICZ, Alfred, Mr., Chairman, Polish Trade Union Alliance.

Advisers and substitute delegates

UZIEBLO, Jerzy, Mr., Vice-Chairman, Polish Trade Union Alliance.

OBSADNY, Kazimierz, Mr., Chairman, Independent Self-Governing Trade Union of the Workers of the "Ponar Ostrzeszów".

Advisers

BOGUTYN, Jan, Mr., Senior Adviser to the Chairman, Polish Trade Union Alliance.

GONTAR, Beata, Mrs., Adviser to the Chairman, Polish Trade Union Alliance.

Members of the Permanent Mission, Geneva
accompanying the delegation

GRABOWSKI, Dariusz, Mr., First Secretary.

OLSZEWSKA, Anna, Miss, Trainee.

PORTUGAL

MINISTRE ASSISTANT A LA CONFERENCE

SILVA PENEDA, José Albino da, M., ministre de l'Emploi et de la Sécurité sociale.

Accompagné de COSTA LOBO, António, M., ambassadeur; représentant permanent à Genève.

AMOR, Joao M., M., chef de cabinet.

NASCIMENTO RODRIGUES, Henrique, M., directeur du Bureau de coopération avec l'Afrique, ministère de l'Emploi et de la Sécurité sociale.

SEVERINO de ANDRADE, José Manuel, M., adjoint au cabinet du ministre.

CARNEIRO DE ALMEIDA, José, M., conseiller pour les questions de la presse.

Délégués gouvernementaux

DIAS, Amadeu, M., directeur général du Travail au ministère de l'Emploi et de la Sécurité sociale.

VIEIRA BRANCO, José, M., représentant permanent adjoint à la mission permanente à Genève.

Conseillers techniques.

BORGES DA SILVEIRA, Luís Filipe S., M., directeur régional du travail, secrétariat régional du travail, gouvernement régional des Açores.

GONCALVES DA SILVA, Rui, M., directeur régional du travail, secrétariat régional du travail, gouvernement régional de Madère.

PINTO BAPTISTA, Augusto, M.

CARDOSO PINTO, Cipriano, M., directeur des services techniques à la Direction générale de l'hygiène et de la sécurité du travail, ministère du Travail et de la Sécurité sociale.

BACAO, Maria Luís, Mme, chef de division à la Direction générale de la sécurité sociale.

ROBERT LOPES, Maria Helena, Mme, de la Direction générale du travail du ministère du Travail et de la Sécurité sociale.

MASCARENHAS NETO, Liliana, Mme, troisième secrétaire d'ambassade, ministère des Affaires étrangères.

MARTINS GOMES, Ana, Mme, deuxième secrétaire d'ambassade.

Représentants des régions autonomes accompagnant la délégation

RIBEIRO ARRUDA, Manuel, M., secrétaire régional du travail de la région autonome des Açores.

BAZENGA MARQUES, Manuel Jorge, M., secrétaire régional des affaires sociales de la région autonome de Madère.

Délégué des employeurs

PINTO CARDOSO, António Morgado, M., administrateur d'entreprise.

Conseillers techniques

SALGUEIRO, Heitor Flávio Fernandes, M., directeur général adjoint de la Confédération de l'industrie portugaise (CIP).

COSTA ARTUR, Alexandra, Mme, Confédération portugaise du commerce (CCP).

PEREIRA FERNANDES, Rui Manuel, M., secrétaire général de l'Association commerciale et de l'industrie de Funchal.

DA ROCHA NOVO, Gregório, M., CIP.

RODRIGUES MACHADO, Mario Jorge, M., secrétaire général de la Chambre de commerce et de l'industrie (Açores).

Délégué des travailleurs

SEQUEIRA, Victor Hugo, M., de l'Union générale des travailleurs (UGT).

Conseillers techniques

SANTOS NUNES, Antonio José, M., de la Confédération des travailleurs portugais (CGTP-IN).

DO VALE, Ana Feio, Mme, du département d'études de la CGTP-IN.

MARTINS, Joaquim, M., de l'UGT.

DA CRUZ LUIS, José Anibal, M., membre du Secrétariat de l'UGT.

QATAR

MINISTER ATTENDING THE CONFERENCE

AL-ANSARI, Ali Bin Ahmed, Mr., Minister of Labour and Social Affairs.

Government delegates

AL-MAHMOOD, Mohamed Saad, Mr., Director, Department of Labour.

MUBARAK, Nejib Salem, Mr., Inspector, Department of Labour.

Advisers

ABOU SHERBAK, Ali Saeed, Mr., Director, International Relations and Technical Affairs.

AZZAM, Mohamad Ali, Mr., Director of the Minister's Office, Ministry of Labour and Social Affairs

ABDUL-GHANI, Motasim Hassan, Mr., Legal Researcher, Ministry of Labour and Social Affairs.

Employers' delegate

AL-NUAIMI, Ali Ahmed, Mr., Deputy-Director of Public Relations, Qatar General Petroleum Corporation.

Workers' delegate

BU-AINAIN, Abdul Rahman Nasser, Mr., Head, Workers' Committee, Qatar General Petroleum Corporation.

REPUBLIQUE DEMOCRATIQUE ALLEMANDE
GERMAN DEMOCRATIC REPUBLIC
REPUBLICA DEMOCRATICA ALEMANA

MINISTER ATTENDING THE CONFERENCE

BEYREUTHER, Wolfgang, Mr., Secretary of State for Labour and Wages.

Government delegates

NOACK, Ingolf, Mr., Deputy Secretary of State for Labour and Wages; Government Representative, Governing Body of the ILO.

HERTEL, Lothar, Mr., Minister Plenipotentiary; Deputy Permanent Representative, Geneva; Substitute Government Representative, Governing Body of the ILO.

Advisers and substitute delegates

GRUBER, Hans, Mr., Head, International Division, State Secretariat for Labour and Wages.

ZENKER, Jürgen, Mr., Counsellor, Head of Sector, Ministry of Foreign Affairs.

BIENERT, Ernst, Mr., Head of the Office of the Secretary of State.

Advisers

KUNZ, Frithjof, Mr., Professor of Labour Law, Academy of Law and Political Sciences.

PANZKE, Juergen, Mr., Director, Scientific-Technological Centre for Labour Safety, Ministry of Construction.

BORCHERT, Hans-Joachim, Mr., Third Secretary, Permanent Mission, Geneva.

SALM, Rainer, Mr., Ministry of Foreign Affairs.

ZIEGENHAGEN, Ronald, Mr., State Secretariat for Labour and Wages.

STOECKER, Klaus, Mr., First Secretary, Permanent Mission, Geneva.

Employers' delegate

MARX, Ulrich, Mr., Production Manager, Central Engineering Enterprise (Metallurgy).

Adviser and substitute delegate

RUBEN, Rainer, Mr., Head of the President's Office, Bruno Leuschner School of Economics.

Workers' delegate

BOCHOW, Frank, Mr., Member of the Governing Board and Secretary of the National Council, Confederation of Free German Trade Unions (FDGB).

Adviser and substitute delegate

LAMPRECHT, Max, Mr., Deputy Head of Department, National Council of the FDGB.

Advisers

HANTSCHKE, Walter, Mr., Head, Department of Labour Law, Fritz Heckert Trade Union College.

STOECKEL, Hans, Mr., National Council of the FDGB.

GOLDBERG, Guenter, Mr., National Council of the FDGB.

ROUMANIE

ROMANIA

RUMANIA

Délégués gouvernementaux

DOLGU, Gheorghe, M., ambassadeur.

PACURARU, Ion, M., directeur général, membre du Bureau exécutif du Conseil de direction du ministère du Travail.

Conseillers techniques et délégués suppléants

FAUR, Virgiliu, M., conseiller à la mission permanente à Genève.

ATANASIU, Coriolan, M., chef du Département des relations extérieures au ministère du Travail.

RADU, Constantin, M., premier secrétaire à la mission permanente à Genève.

Délégué des employeurs

BURADA, Florin, M., membre du Comité de la section des dirigeants des unités économiques auprès de la Chambre de commerce et d'industrie; directeur de l'entreprise pour le commerce extérieur "ROMCONSULT".

Délégué des travailleurs

FLOREA, Gheorghe, M., membre de la commission nationale du Conseil central de l'Union générale des syndicats de Roumanie.

ROYAUME-UNI

UNITED KINGDOM

REINO UNIDO

MINISTER ATTENDING THE CONFERENCE

FOWLER, Norman, Mr., MP, Secretary of State for Employment.

Accompanied by WILSON, N., Mr., Private Secretary to the Secretary of State for Employment.

Government delegates

ROBINSON, W.R.B., Mr., Head, Overseas Division, Department of Employment;
Government Representative, Governing Body of the ILO.

ALEXANDER, D.C., Mr., Head of Section, Department of Employment.

Advisers and substitute delegates

SANKEY, J.A., Mr., Ambassador; Permanent Representative, Geneva.

SIRETT, R.G., Mr., Head of Section, Department of Employment.

Advisers

HEWITT, G.W., Mr., Deputy Permanent Representative, Geneva.

SMITH, A.E., Mr., International Labour Adviser, Foreign and Commonwealth Office.

KING, J., Mr., Head of Section, Health and Safety Executive.

JAMES, E., Mr., Head of Section, Department of Health and Social Security.

O'DOHERTY, G., Mr., Statistician, Department of Economic Development, Northern Ireland.

ROBSON, E.C., Miss, First Secretary, Permanent Mission, Geneva.

COOPER, A., Mr., First Secretary, Permanent Mission, Geneva.

NORTHERN, R., Mr., United Nations Section, Foreign and Commonwealth Office.

MANN, S., Miss, Third Secretary, Permanent Mission, Geneva.

BUTTERWORTH, A., Miss, Overseas Division, Department of Employment.

ELLIS, T., Mr., Assistant International Labour Adviser, Foreign and Commonwealth Office.

CAVEY, V.W., Mr., Industrial Relations Advisory Officer, States of Jersey.

GALE, W.G., Mr., Industrial Relations Officer, Manx Industrial Relations Service.

YAN-NANG, Yiu, Mr., Assistant Commissioner for Labour, Labour Department, Hong Kong.

Employers' delegate

MACKIE, A., Miss, Employee Relations Adviser, Unilever PLC; Confederation of British Industry (CBI) Consultant on International Labour Affairs; Member, CBI International Labour Affairs Panel; Member, Governing Body of the ILO.

Advisers

CASTLE, C.H.A.F., Mr., Manager, Employee Relations, British Petroleum PLC; Member, CBI International Employment Affairs Panel.

CHESHIRE, D., Mr., Director, Organisation Resources Counsellors (ORC); Member, CBI International Employment Affairs Panel.

HEALY, T.P.A., Mr., Employment Affairs Directorate, Confederation of British Industry.

NORTON, B.R., Mr., Solicitor-General; Secretary, Federation of Civil Engineering Contractors.

RIDDLES, M., Mr., Head of Retirement Benefits, Shell International Petroleum Co. Ltd.

LUI, Ming-Wah, Mr., Employer Member, Labour Advisory Board; Member, Committee on Training of Technologists, Vocational Training Council; Chairman, Electronics Subcommittee and Labour Affairs Committee, Chinese Manufacturers' Association of Hong Kong.

Workers' delegate

MORTON, J.T., Mr., Member, General Council of the Trades Union Congress; General Secretary, Musicians' Union; Member, Governing Body of the ILO.

Adviser and substitute delegate

WILSON, S., Mr., Assistant, International Department, TUC.

Advisers

LLOYD, G., Mr., Former Member, General Council of the TUC; Former Member, Executive Council, Union of Construction, Allied Trades and Technicians.

MORGAN, G., Mrs., Member, General Council of the TUC; Executive Member, Amalgamated Engineering Union.

BODDY, J.R., Mr., Former Member of the General Council and Former Secretary-General, Agricultural Workers' Union; Former National Officer, Transport and General Workers Union.

THOMAS, K., Mr., Former Member, General Council of the TUC; Former General Secretary, Civil and Public Services Association.

WALSH, M., Mr., Secretary, International Department, TUC.

WILLIS, N., Mr., General Secretary, TUC.

WONG, Wai-Hung, Mr., Chairman, Federation of Civil Service Unions, Hong Kong; Employee Member, Labour Advisory Board, Hong Kong.

ARTHUR, D., Mr., Member of the Executive Committee, Inland Revenue Staff Federation.

RAPECKI, L., Ms., Member of the Executive Committee, Inland Revenue Staff Federation.

RWANDA

MINISTRE ASSISTANT A LA CONFERENCE

HABIYAKARE, François, M., ministre de la Fonction publique et de la Formation professionnelle.

Délégués gouvernementaux

HABIYAMBERE, Joseph, M., directeur général de l'emploi et de la sécurité sociale au ministère de la Formation publique et de la Formation professionnelle.

RUSHINGABIGWI, Aloys, M., directeur de la sécurité sociale et de l'hygiène du travail.

Délégué des employeurs

KANYARWANDA, C., M., directeur général adjoint des Magasins généraux du Rwanda (MAGERWA).

Délégué des travailleurs

RUHIGIRA, E., M., secrétaire général de la Centrale syndicale des travailleurs du Rwanda (CESTRAR).

Conseiller technique

NTABANGANYIMANA, Jean, M., secrétaire général adjoint pour l'administration et les finances à la CESTRAR.

SAINT-MARIN

SAN MARINO

SAN MARINO

Délégués gouvernementaux

CECHETTI, Domenico, M., directeur du Département du travail.

THOMAS, Dieter, M., ambassadeur; représentant permanent à Genève.

Conseiller technique et délégué suppléant

ZEILER WERBRUCK, Huguette, Mme, premier secrétaire à la mission permanente à Genève.

Délégué des employeurs

MORRI, Alessandro, M., secrétaire général de l'Association nationale de l'industrie de Saint-Marin.

Conseiller technique et délégué suppléant

CHEZZI, Alberto, M., consultant de l'Union nationale des artisans (UNA).

Conseillers techniques

GIORGI, Carlo, M., secrétaire de l'Association nationale de l'industrie.

ALVISI, Mario, M.

ZAFFERANI, Enzo, M., président de l'Association nationale de l'industrie.

TERENZI, Gianfranco, M., président de l'UNA.

GATTI, Leo, M., secrétaire général de l'UNA.

Délégué des travailleurs

CHIARUZZI, Pio, M., du secrétariat de la Confédération du travail.

Conseiller technique et délégué suppléant

MAURIACA, Carlos, M., du bureau international de la Confédération du travail.

Conseillers techniques

BECCARI, Marco, M., secrétaire général adjoint de la Confédération démocratique des travailleurs.

GIARDI, Maurizio, M., secrétaire général adjoint de la Confédération démocratique des travailleurs.

SAO TOME-ET-PRINCIPE

SAO TOME AND PRINCIPE

SANTO TOME Y PRINCIPE

MINISTRE ASSISTANT A LA CONFERENCE

VAZ D'ALMEIDA, Armindo, M., ministre du Travail et de la Sécurité sociale.

Délégué gouvernemental

ESPIRITO SANTO, Juvenal, M., chef du Département des relations internationales du ministère du Travail et de la Sécurité sociale.

Délégué des travailleurs

ESPIRITO SANTO, Avelino do, M., responsable des relations internationales à l'Organisation nationale des travailleurs de Sao Tomé-et-Principe.

SENEGAL

MINISTRE ASSISTANT A LA CONFERENCE

NDOYE, Moussa, M., ministre de la Fonction publique et du Travail.

Accompagné de LO, Farba, M., ministre délégué auprès du Président de la République chargé des relations avec l'Assemblée nationale.

Délégués gouvernementaux

SENE, Alioune, M., ambassadeur; représentant permanent à Genève.

THIAM, Oumar Diagne, M., directeur du travail et de la sécurité sociale.

Conseiller technique et délégué suppléant

CISSE, Alassane, M., secrétaire d'ambassade à Berne.

Conseillers techniques

FALL, Couty, Mme, conseiller technique au ministère de la Fonction publique et du Travail.

KEBE, Amadou, M., conseiller à la Délégation à l'emploi.

FALL, Saliou, M., conseiller à la mission permanente à Genève.

KONATE, Samba Cor, M., conseiller à la mission permanente à Genève.

GAYE, Assane, M., secrétaire d'ambassade, mission permanente à Genève.

SANE, Moussa, M., secrétaire à la mission permanente à Genève.

Délégué des employeurs

SOW, Amadou Moctar, M., président du Conseil national du patronat (CNP).

Conseillers techniques

WADE, Youssoupha, M., vice-président du CNP.

SECK, Cheikh, M., secrétaire général du CNP.

SAKHO, M., M., conseiller au CNP.

Délégué des travailleurs

DIOP, Madia, M., secrétaire général de la Confédération nationale des travailleurs du Sénégal (CNTS); membre du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

LO, Farba, M., du Bureau confédéral de la CNTS.

Conseillers techniques

NIASSE, Doudou Issa, M., membre du Bureau confédéral de la CNTS.

GUEYE, Cheikh, M., membre du Bureau confédéral de la CNTS.

TALL, Oumar, M., membre du Bureau confédéral de la CNTS.

SIERRA LEONE

SIERRA LEONE

SIERRA LEONA

Government delegates

MAMBU, V.J.V., Mr., Minister of Works and Labour.

MAHOI, J.B., Mr., Commissioner of Labour, Ministry of Labour.

Employers' delegate

BENJAMIN, A.E., Mr., Executive Officer, Employers' Federation.

Workers' delegate

YILLAH, K.B., Mr., Secretary General, Sierra Leone Labour Congress.

SINGAPOUR

SINGAPORE

SINGAPUR

MINISTER ATTENDING THE CONFERENCE

LEE, Yock Suan, Mr., Minister for Labour.

Government delegates

LAI, Tat Yuen, Mr., Deputy Director, Labour Relations Department, Ministry of Labour.

SEE, Chak Mun, Mr., Ambassador; Permanent Representative, Geneva.

Advisers

LIANG, Margaret, Ms., Counsellor, Permanent Mission, Geneva.

TONG, Tek Liong, Mr., Third Secretary, Permanent Mission, Geneva.

Employers' delegate

MAH, Lawrence Christopher, Mr., Executive Director, Singapore National Employers' Federation; Substitute Member, Governing Body of the ILO.

Workers' delegate

OLIVERIO, Oscar, Mr., President, National Trade Union Congress (NTUC); President, Union of Telecoms Employees of Singapore.

Advisers

LIM, Boon Heng, Mr., Deputy Secretary, NTUC.

SIM, Alex Chong Tee, Mr., General Treasurer, Food, Drinks and Allied Workers' Union.

LEW, Syn Pau, Mr., Secretary for Co-operatives, NTUC; General Manager, NTUC Comfort.

LING, Yin Fong, Mrs., Secretary for Administration, NTUC.

SUE-WONG, Evelyn, Mrs., NTUC.

SOMALIE

SOMALIA

SOMALIA

Government delegates

AHMED, Mohamed Yusuf, Mr., Vice-Minister of Labour.

BIHI, Faduma Isak, Ms., Ambassador; Permanent Representative, Geneva.

Advisers and substitute delegates

MOHAMED, Abdullahi M., Mr., Director General, Ministry of Labour.

KEYNAN, Hassan Ali Mohamed, Mr.

Advisers

MADAR, Ali A., Mr.

HUSSEIN, Ali Hasan, Mr.

NOOR, Abdirahman Ahmed, Mr.

SERRAR, Amina Aden, Mrs.

Employers' delegate

DERIA, Abdullahi, Mr.

Adviser and substitute delegate

ALI, Mohamed Abdulle, Mr., General Manager, Somali Social Security Agency.

Workers' delegate

ABDI, Khalif Abderahman, Mr., Secretary for Foreign Relations, General Federation of Somali Trade Unions (GFSTU).

Adviser and substitute delegate

ISMAIL, Mohamed Shire, Mr., Chairman, GFSTU.

Adviser

HUSSEIN, Ali Abdullahi, Mr.

SOUDAN

SUDAN

SUDAN

MINISTER ATTENDING THE CONFERENCE

ABOR, Matthew, Mr., Minister of Labour and Social Security.

Government delegates

SHUMMENA, Kamal Eldin Hassan, Mr., Under-Secretary, Ministry of Labour and Social Security.

EL HASSAN, El Sabty Mohamed, Mr., Director, International Relations, Ministry of Labour and Social Security.

Advisers and substitute delegates

HASSAN, Abdel Magied Ali, Mr., Ambassador; Permanent Representative, Geneva.

YOUSIF, Abdel Rahman, Mr., Director of Employment, Ministry of Labour and Social Security.

ELAMIN, Abdel-Moniem Mustafa, Mr., Minister Plenipotentiary, Permanent Mission, Geneva.

EL SHEIKH, Ahmed El Motassim, Mr., First Secretary, Permanent Mission, Geneva.

Advisers

OSMAN, Daffa'alla Elhag Ali, Mr., Second Secretary, Permanent Mission, Geneva.

EL-TURABI, Omer Ibrahim Hamad, Mr., Second Secretary, Permanent Mission, Geneva.

Employers' delegate

MUSTAFA, Mohamed El Makkawi, Mr., Member of the Executive Office, Sudan Employers' and Businessmen's Federation.

Workers' delegate

GAMAA, Mohamed Osman, Mr., President, Sudan Workers' Trade Unions Federation.

Advisers and substitute delegates

ABDOON, Tag Elsir Mohamed, Mr., Foreign Relations Secretary, Sudan Workers' Trade Unions Federation.

ABU SHAMA, Yousif, Mr., Secretary, Sudan Workers' Trade Unions Federation.

SRI LANKA

MINISTER ATTENDING THE CONFERENCE

PERERA, Joseph Michael, Mr., MP, Minister of Labour.

Accompanied by PERERA, W.P.A.M.K., Mrs., Secretary to the Minister of Labour.

RODRIGO, D.E.N., Mr., Ambassador, Permanent Representative, Geneva.

NAGARATNAM, P. Mr., Minister (Commercial and Economic), Permanent Mission, Geneva.

FERNANDO, W.P.E.A., Mr., Public Relations Officer to the Minister of Labour.

Government delegates

DASANAYAKE, D.M.P.B., Mr., Secretary, Ministry of Labour; Government Representative, Governing Body of the ILO.

WEERAKOON, G., Mr., Commissioner of Labour, Ministry of Labour.

Advisers

WIJESINGHE, F.E.A., Mr., Assistant Secretary (Foreign Relations), Ministry of Labour.

PALIHAKKARA, H.M.G.S., Mr., First Secretary, Permanent Mission, Geneva.

JAYASINGHE, C.R., Mr., First Secretary, Permanent Mission, Geneva.

Employers' delegate

DE SILVA, S.R., Mr., Secretary, Employers' Federation of Ceylon.

Workers' delegate

SUNDERAM, J.P., Mr., Vice-President, Ceylon Workers' Congress.

Advisers

PERERA, W.A. Neville, Mr., President, Jathika Sevaka Sangamaya.

SENEWIRATNE, Raja, Mr., General Secretary, Lanka Jathika Estate Workers' Union.

PUTHIRASIGAMONEY, V., Mr., Deputy General Secretary, Lanka Jathika Estate Workers' Union.

SUNDARAM, M.P., Mr., International Representative, Ceylon Workers' Congress;
Substitute Member, Governing Body of the ILO.

SENAWEERA, L., Mr., Assistant Secretary, Jathika Sevaka Sangamaya.

SUEDE

SWEDEN

SUECIA

MINISTER ATTENDING THE CONFERENCE

THALEN, Ingela, Mrs., Minister of Labour.

Accompanied by WESTERBERG, Ulf, Mr., Under-Secretary, Ministry of Labour.

FORSBERG, Anders, Mr., Head, Secretariat of the Standing
Committee on Labour Market Affairs of the Swedish Parliament.

BAER, Lars-Ande, Mr., Lawyer, National Union of the Swedish
Sami People.

Government delegates

ETTARP, Lars, Mr., Assistant Under-Secretary, Ministry of Labour; Government
Representative, Governing Body of the ILO.

WIKLUND, Kerstin, Ms., Head of Section, Ministry of Labour; Substitute
Government Representative, Governing Body of the ILO.

Advisers and substitute delegates

JONZON, Björn, Mr., Deputy Assistant Under-Secretary, Ministry of Labour;
Substitute Government Representative, Governing Body of the ILO.

DANIELSSON, Lars, Mr., First Secretary, Permanent Mission, Geneva; Substitute
Government Representative, Governing Body of the ILO.

Advisers

ERIKSSON, Christer, Mr., Head of Section, Ministry of Labour.

WAHLQVIST, Sten, Mr., Legal Officer, Ministry of Justice.

HOLTSBERG, Christer, Mr., Head of Section, Swedish International Development
Authority.

CORP, Lars, Mr., Head of Construction Division, National Board of Occupational
Safety and Health.

Employers' delegate

VON HOLTEN, Johan, Mr., Director, Swedish Employers' Confederation; Member,
Governing Body of the ILO.

Advisers

BERGLUND, Gösta, Mr., B.Sc.Eng., Employers' Federation of the Swedish Construction Industry.

LAURENT, Birgitta, Ms., International Secretary, Swedish Employers' Confederation.

LJUNGSTROEM, Göran, Mr., Director-General, Swedish Motor Trade Employers' Association.

MYRDAL, Hans-Göran, Mr., Director, Swedish Employers' Confederation.

REGNELL, Margareta, Ms., Director, Swedish Employers' Confederation.

SVENSSON, Inge, Mr., Director, Swedish Employers' Confederation.

Workers' delegate

KARLSSON, Erik, Mr., International Secretary, Swedish Trade Union Confederation.

Adviser and substitute delegate

GUSTAFSSON, Kerstin, Ms., Legal Adviser, Central Organisation of Salaried Employees in Sweden.

Advisers

BAECKSTROEM, Anders, Mr., Economist, Swedish Trade Union Confederation.

JEPPSON, Anders, Mr., Lawyer, Swedish Building Workers' Union.

EDSTROEM, Ulf, Mr., International Secretary, Swedish Trade Union Confederation.

EBBESKOG, Christina, Ms., Ombudsman, Central Organisation of Salaried Employees in Sweden.

MOLIN, Lennart, Mr., Ombudsman, Swedish Union of Foremen and Supervisors.

SUISSE

SWITZERLAND

SUIZA

Délégués gouvernementaux

HUG, Klaus, M., directeur de l'Office fédéral de l'industrie, des arts et métiers et du travail (OFIAMT).

ELMIGER, Jean-Jacques, M., chef du Service des affaires internationales de l'OFIAMT; représentant gouvernemental au Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

VETTOVAGLIA, Jean-Pierre, M., ministre; représentant permanent adjoint à Genève; représentant gouvernemental suppléant au Conseil d'administration du BIT.

Conseillers techniques

SCHNEUWLY, Jean-Claude, M., adjoint scientifique, OFIAMT.

NAF, Félix, M., ingénieur, adjoint auprès de la Caisse nationale suisse en cas d'accidents.

SENN, Emil, M., adjoint scientifique, Office fédéral de l'agriculture.

BAUTY, Anne, Mlle, premier secrétaire d'ambassade, mission permanente à Genève.

REICHLIN, Andrea, Mlle, attachée, mission permanente à Genève.

Délégué des employeurs

DECOSTERD, Roger, M., conseiller de Nestlé SA en affaires sociales; membre suppléant du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

DUC, Edouard, M., secrétaire de l'Union centrale des associations patronales suisses.

Conseillers techniques

DISERENS, Jean-Jacques, M., Fédération des syndicats patronaux.

KOSTLER, Helmut, M., spécialiste de la sécurité du travail, département technique et d'économie d'entreprise de la Société suisse des entrepreneurs.

STRECKEISEN, Willy, M., directeur de la Chambre genevoise d'agriculture.

TELEKI, Gezá, M., directeur de l'Union économique de Bâle.

Délégué des travailleurs

DREIFUSS, Ruth, Mme, secrétaire de l'Union syndicale suisse; membre suppléant du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

SCHMID, Pierre, M., secrétaire central de la Fédération des travailleurs de la métallurgie et de l'horlogerie (FTMH).

Conseillers techniques

CRIDAZZI, Ursula, Mme, secrétaire de la Fédération des sociétés suisses d'employés (FSE).

PORTNER, François, M., vice-président et secrétaire central du Syndicat du bâtiment et du bois (FOBB).

SCHERRER, Jakob, M., Schweizerischer Baükader-Verband.

VITTORI, Jacques, M., administrateur du Centre de coopération technique et de recherche pour l'éducation des travailleurs dans les pays en voie de développement.

WEBER, Alexander, M., avocat, ancien secrétaire juridique du Syndicat du bâtiment et du bois.

SURINAME

MINISTER ATTENDING THE CONFERENCE

VANRUSSEL, R., Mr., Minister of Labour.

Government delegates

McLEOD, D.A., Mr., Permanent Secretary of Labour.

GREP, E.H., Mr., Adviser to the Minister of Labour.

Employers' delegate

BYNOE, G., Mr., Secretary of the Surinam Trade and Industry Association

Adviser

DE VRIES, F.H., Mr., Association of Surinam Manufacturers.

Workers' delegate

KROSS, J.R.C., Mr., Secretary for Internal and External Affairs of the Progressive Trade Union "C-47".

Adviser

BLANKER, H.L., Mr., Secretary-General, Federation of Civil Servants.

SWAZILAND

SWAZILAND

SWAZILANDIA

MINISTER ATTENDING THE CONFERENCE

NSIBANDZE, B.M., Mr., Minister.

Government delegates

BEMBE, R.C.M., Mr., Commissioner of Labour.

SHABANGU, N.M., Mr., Chief Executive Officer, Swaziland National Provident Fund.

Advisers

MBOTTONI, A.M., Mr., Occupational Health Specialist.

QWABE, W.M., Mr., Senior Labour Officer.

Employers' delegate

DODDS, P., Mr.

Workers' delegate

SITHOLE, J., Mr.

REPUBLIQUE ARABE SYRIENNE SYRIAN ARAB REPUBLIC REPUBLICA ARABE SIRIA

MINISTRE ASSISTANT A LA CONFERENCE

BOZO, Haydar, M., ministre des Affaires sociales et du Travail.

Délégués gouvernementaux

GHALIL, Sami, M., ambassadeur; représentant permanent à Genève.

AL-SABBAGH, Ahmed Yassin, M., directeur des relations publiques au ministère des Affaires sociales et du Travail.

Conseillers techniques et délégués suppléants

BITAR, Elias, M., directeur de la législation et des études juridiques au ministère des Affaires sociales et du Travail.

KASSAB, Abdul Sattar, M., directeur du travail au ministère des Affaires sociales et du Travail.

CHAALAN, Nabila, Mlle, ministre conseiller à la mission permanente à Genève.

PHARAON, Moukhless, M., premier secrétaire à la mission permanente à Genève.

CHAHABI, Sawsan, Mlle, troisième secrétaire à la mission permanente à Genève.

AL-CHAWA, Najmuddin, M., de la Chambre d'industrie de Syrie.

Délégué des employeurs

KOUSA, Nazyr, M., directeur général de l'Etablissement général de l'industrie chimique.

Conseillers techniques et délégués suppléants

MALAKANY, Abdul Hamid, M., directeur général de la Chambre de l'industrie.

AL-CHAWA, Najmuddin, M., membre de la Chambre de l'industrie.

Délégué des travailleurs

ISSA, Moustafa, M., secrétaire des affaires arabes et internationales à la Fédération générale des syndicats de travailleurs.

Conseillers techniques et délégués suppléants

LOZI, Ibrahim, M., secrétaire des services sanitaires à la Fédération générale des syndicats de travailleurs.

REPUBLIQUE-UNIE DE TANZANIE
UNITED REPUBLIC OF TANZANIA
REPUBLICA UNIDA DE TANZANIA

MINISTER ATTENDING THE CONFERENCE

KISANJI, C.T., Mr., Minister of Labour and Manpower Development.

Government delegates

MULOKOZI, Bernard, Mr., Principal Secretary, Ministry of Labour and Manpower Development.

JAMAL, Amir H., Mr., Permanent Representative, Geneva.

Advisers and substitute delegates

NDONDE, G.E., Mr., Assistant Labour Commissioner, Ministry of Labour and Manpower Development.

USSI, Zaidu Juma, Mr., Director of Labour, Zanzibar.

MTANGO, E.E.E., Mr., Minister Counsellor, Permanent Mission, Geneva.

Advisers

LUKINDO, Julian K., Mr., Personal Assistant to the Minister of Labour and Manpower Development.

NJAU, E.E., Mr., Senior Labour Officer, Ministry of Labour and Manpower Development.

SHIKELY, A.Y., Mr., Labour Officer, Ministry of Labour and Manpower Development.

MAPURI, Iddi, Mr., Labour Officer, Zanzibar.

MISIKRY, Ahmed Masoud, Mr., State Attorney, Zanzibar.

Employers' delegate

NAMATA, Joseph A., Mr., Executive Director, Association of Tanzania Employers, Substitute Member, Governing Body of the ILO.

Adviser

KASSEMBE, Emmanuel V., Mr., Executive Chairman, Association of Tanzania Employers.

Workers' delegate

MASHASI, E.J., Mr., Deputy Secretary-General, National Union of Tanzania Workers (JUWATA).

Adviser

MANYANDA, Cryspin, Mr., Assistant Secretary-General, Foreign Affairs Department (JUWATA).

TCHAD

CHAD

CHAD

MINISTRE ASSISTANT A LA CONFERENCE

YOMA GOLOM, Routouang, M., ministre du Travail et de l'Emploi.

Délégués gouvernementaux

HISSENE, Oumar, M., directeur général au ministère du Travail et de l'Emploi.

IDABAYE, Daba, M., directeur du travail.

Délégué des employeurs

SALEH, Rahama, M., secrétaire général de la Chambre consulaire.

Délégué des travailleurs

BARKA, Boukar, M., syndicaliste.

TCHECOSLOVAQUIE

CZECHOSLOVAKIA

CHECOSLOVAQUIA

MINISTER ATTENDING THE CONFERENCE

BODA, Miloslav, Mr., Minister of Labour and Social Affairs.

Government delegates

MOLKOVA, Dagmar, Mrs., Deputy Minister of Labour and Social Affairs;
Government Representative, Governing Body of the ILO.

VEJVODA, Milos, Mr., Ambassador; Permanent Representative, Geneva.

Advisers and substitute delegates

SIKTANC, Josef, Mr., Director of Department, Federal Ministry of Labour and
Social Affairs.

CHLUMSKY, Pavel, Mr., Deputy Permanent Representative, Geneva.

Advisers

BERANEK, Milan, Mr., Federal Ministry of Foreign Affairs.

DRABES, Zdenek, Mr., Federal Ministry of Labour and Social Affairs.

TUKA, Vladimír, Mr., Attaché, Permanent Mission, Geneva.

VENEROVA, Ludmila, Mrs., Presidium of the Government of the Czechoslovak
Socialist Republic.

Employers' delegate

CIGANIK, Josef, Mr., Deputy President, Czechoslovak Chamber of Commerce and
Industry.

Adviser

VITEK, Josef, Mr., Czechoslovak Chamber of Commerce and Industry.

Workers' delegate

KOZIK, Viliam, Mr., Secretary, Central Council of Czechoslovak Trade Unions.

Advisers

BERAN, Vlastimil, Mr., Central Council of Czechoslovak Trade Unions.

RYCHLY, Ludek, Mr., Central Council of Czechoslovak Trade Unions.

THAILANDE

THAILAND

TAILANDIA

Government delegates

KALAYANAMIT, Chalong, Mr., Deputy Permanent Secretary, Ministry of the Interior.

KEIWALINSRIT, Siri, Mr., Director-General, Department of Labour, Ministry of the Interior.

Advisers and substitute delegates

POSAYANOND, Surapong, Mr., Minister Counsellor, Permanent Mission, Geneva.

JUNENANOND, Amporn, Mrs., Director, National Institute for Skill Development, Ministry of the Interior.

PAYAKANITI, Supatra, Mrs., Director, International Labour Affairs Division, Department of Labour, Ministry of the Interior.

CHAVALITNITHIKUL, Chaiyuth, Mr., Director, National Institute for the Improvement of Working Conditions and Environment, Ministry of the Interior.

DEVAHASTIN, Snanchart, Mr., Counsellor, Permanent Mission, Geneva.

Adviser

SAICHEUA, Chao, Mr., Ambassador; Permanent Representative, Geneva.

Employers' delegate

NAKORNSRI, Sompong, Mr., Vice-President and General Secretary, Employers' Confederation of Thailand (ECOT).

Adviser and substitute delegate

HANCHAREONSUK, Vipanee, Miss, Member, Advisory Board, ECOT.

Adviser

TANNGARM, Somkid, Mr., Acting Executive Director, ECOT.

Workers' delegate

IEUMBUMROONG, Wattana, Mr., President, Thai Trade Union Congress (TTUC).

Adviser and substitute delegate

PODHIARN, Thanong, Mr., President, Labour Congress of Thailand (LCT).

Adviser

SRI-ART, Att, Mr., President, National Congress of Thai Labour (NCTL).

TOGO

Délégués gouvernementaux

YAGNINIM, Bitokotipou, M., membre du Bureau politique, ministre du Travail et de la Fonction publique.

BLEDJE, Djifa, M., directeur général adjoint du travail, de la main-d'oeuvre et de la sécurité sociale.

Conseiller technique et délégué suppléant

KABOUA, Adamou, M., représentant par intérim à Genève.

Délégué des employeurs

ASSIH, Hao Kayè, M., directeur général de l'UAC-Togo.

Délégué des travailleurs

BARNABO, Nangbog, M., secrétaire général de la CNTT.

Conseiller technique

KOLANI, Bombome, M., secrétaire confédéral chargé des relations extérieures de la Confédération nationale des travailleurs du Togo (CNTT).

TRINITE-ET-TOBAGO

TRINIDAD AND TOBAGO

TRINIDAD Y TABAGO

MINISTER ATTENDING THE CONFERENCE

RICHARDS, Albert, Mr., Minister of Labour, Employment and Manpower Resources.

Accompanied by WILLIAMS, Lyle E., Mr., Ambassador; Permanent Representative, Geneva.

Government delegates

ALLEYNE, Pamela, Mrs., Senior Counsellor and Deputy Permanent Representative, Permanent Mission, Geneva.

HENRY, André-Vincent, Mr., First Secretary, Permanent Mission, Geneva.

Employers' delegate

HILTON-CLARKE, W. Allison, Mr., President, Employers' Consultative Association (ECA)

Adviser

THOMPSON-BODDIE, Ruby, Mrs., Assistant Director, ECA.

Workers' delegate

GLEAN, Vernon, Mr., President-General, Trinidad and Tobago Labour Congress.

TUNISIE

TUNISIA

TUNEZ

MINISTRE ASSISTANT A LA CONFERENCE

CHEIKHROUHOU, Taoufik, M., ministre des Affaires sociales.

Accompagné de ALLOUCHE, Sadok, M., président de la Commission sociale au Conseil économique et social.

ENNACEUR, Mohamed, M., président du Conseil économique et social.

Délégués gouvernementaux

HAMZAOUI, Abdelaziz, M., ambassadeur; représentant permanent à Genève.

MABROUK, Abdelmajid, M., directeur de la coopération internationale au ministère des Affaires sociales.

Conseillers techniques et délégués suppléants

BACCAR, Taoufik, M., président directeur général de l'Office de la formation professionnelle et de l'emploi.

MOKADDEM, Youssef, M., représentant permanent adjoint à Genève.

Conseillers techniques

SOUISSI, Fredj, M., directeur des salaires et des conditions du travail.

KCHAOU, Mohamed, M., directeur général du travail.

JENDOUBI, Ajmi, M., directeur.

CHAABANE, Mohamed, M., directeur de la sécurité sociale.

MANJOUR, Raouf, M., président directeur général de la Caisse nationale de sécurité sociale.

SANAA, Ali, M., directeur des études et de la planification.

BEN NEFISSA, Sarra, Mme, administrateur conseiller.

MECHRI, Farouk, M., professeur à la faculté des Sciences juridiques.

TLILI, Mustapha, M., secrétaire d'ambassade à la mission permanente à Genève.

KHADI, Mokhtar, M., directeur de l'ATSACT.

CHOUBA, Samia, Mme, chef du Service de la coopération multilatérale au ministère des Affaires sociales.

MAALOUL, Abdelkader, M., sous directeur de l'hygiène et de la sécurité au ministère de la Santé publique.

Délégué des employeurs

BEL HADJ AMMAR, Ferjani, M., président de l'Union tunisienne de l'industrie, du commerce et de l'artisanat (UTICA).

Conseillers techniques et délégués suppléants

ESSID, Taoufik, M., président de l'Union nationale des agriculteurs (UNA).

SAID, Néjib, M., conseiller juridique de l'UTICA; membre du Conseil d'administration du BIT.

Conseillers techniques

BEN M'BAREK, Khaled, M., membre du bureau exécutif de l'UTICA.

M'KAISSI, Ali, M., membre du bureau exécutif de l'UTICA.

Délégué des travailleurs

TLIBA, Habib, M., président de la Commission nationale syndicale de l'Union générale tunisienne du travail (UGTT).

Conseillers techniques et délégués suppléants

BOUSLAH, Khereddine, M., membre de la Commission nationale syndicale de l'UGTT.

GMAR, Moncef, M., membre de la Commission nationale syndicale de l'UGTT.

Conseiller technique

SALHI, Khiareddine, M., membre de la Commission nationales syndicale de l'UGTT.

TURQUIE

TURKEY

TURQUIA

MINISTER ATTENDING THE CONFERENCE

AYKUT, Imren, Miss, MP, Minister of Labour and Social Security.

Government delegates

YAVUZALP, Ercüment, Mr., Ambassador, Permanent Representative, Geneva.

INAL, Mehmet Ali, Mr., Head, Research, Planning and Co-ordination Council (RPCC), Ministry of Labour and Social Security.

Advisers and substitute delegates

CANKOREL, Bilge, Mr., Head of Department, Ministry of Foreign Affairs.

DEMIRALP, Oguz, Mr., Counsellor, Permanent Mission, Geneva.

Advisers

EKONOMI, Münir, Mr., Faculty of Management, Istanbul Technical University.

KUTAL, Metin, Mr., Faculty of Economic Sciences, Istanbul University.

EKIN, Nusret, Mr., Faculty of Economic Sciences, Istanbul University.

TANRIVERDI, Nail, Mr., Deputy Director General for Labour, Ministry of Labour and Social Security.

PEKIN, Hüseyin, Mr., Counsellor for Labour Affairs, Permanent Mission, Geneva.

YAZIR, Süleyman, Mr., Head, International Relations Department, RPCC, Ministry of Labour and Social Security.

GORAL, Hicran, Mrs., Expert, International Relations Department, RPCC, Ministry of Labour and Social Security.

BASARAN, Güngör, Mr., Labour Inspector, Labour Inspection Board, Ministry of Labour and Social Security.

KATLANDUR, Sacit, Mr., Chief of Section, Directorate General for Migrant Workers, Ministry of Labour and Social Security.

TERZI, Osman, Mr., Chief of Section, Directorate General for Migrant Workers, Ministry of Labour and Social Security.

ERCAN, Haldun, Mr., Expert, International Relations Department, RPCC, Ministry of Labour and Social Security.

KALELI, Bahadır, Mr., First Secretary, Permanent Mission, Geneva.

ULKER, Lale, Mrs., Third Secretary, Permanent Mission, Geneva.

Employers' delegate

ATASAYAR, Kubilay, Mr., Secretary-General, Turkish Confederation of Employers' Associations (TİSK).

Advisers

OGUZMAN, Kemal, Mr., Faculty of Law, Istanbul University.

CELIK, Nuri, Mr., Faculty of Law, Marmara University.

EVIN, Vefik, Mr., Deputy Secretary-General, Metal Industries Employers' Union.

OZUSTUN, Engür, Mr., Industrial Relations Director, Akçimento Commerce Co.

ALTINBASAK, Talha, Mr., Deputy Chairman, Executive Council, Textile Industries Employers' Union.

KUDATGOBILIK, Tugrul, Mr., Member, Executive Council, Chemical, Petroleum, Rubber and Plastic Industries Employers' Union.

DUZENLI, Nazim, Mr., Chairman, Executive Council, Food Industries Employers' Union.

BAYDUR, Zuhale, Ms., Counsellor, Executive Council, Chemical, Petroleum, Rubber and Plastic Industries Employers' Union.

ARSLAN, Türker, Mr., Deputy Secretary-General, Textile Industries Employers' Union.

ULUCA, A. Feridun, Mr., Acting Chairman, Executive Council, Heavy Industries and Services Sector Public Employers' Union.

GOCER, İlhan, Mr., Deputy Secretary-General, TISK.

AKTUG, İnci, Ms., Research Officer, TISK.

Workers' delegate

YILMAZ, Sevkettin, Mr., President, Workers' Trade Union Confederation (TURK-IS).

Advisers

BASOGLU, Mustafa, Mr., General Education Secretary, TURK-IS.

BALTA, Orhan, Mr., President, Tobacco, Beverages, Food and Related Industries Workers' Trade Union (TEK GIDA IS).

ERCAKIR, Güral, Mr., President, Wood Industry Workers' Trade Union (AGAC-IS).

OZBEK, Mustafa, Mr., President, Metal, Steel, Munition, Machinery, Metallic Products and Automobile Assembly Industries Workers' Trade Union (TURK METAL).

CEYLAN, Münir, Mr., President, Petroleum, Chemical, Rubber and Caoutchouc Industries Workers' Trade Union (PETROL-IS).

KURT, Ahmet, Mr., President, Port and Land Transportation and Disembarkation Workers' Trade Union (LIKAT-IS).

BARUT, Faruk, Mr., President, Energy, Water and Gas Workers' Trade Union (TES-IS).

YALCINOGLU, Ibrahim, Mr., General Secretary for Finance, Textile, Weaving and Clothing Industries Workers' Trade Union (TEKSIF).

TIRYAKIOGLU, Metin, Mr., President, Banking and Insurance Workers' Trade Union (BASISEN).

AKER, Onder, Mr., Adviser to the President, TURK-IS.

TAYSI, Sanar, Mr., Director for External Relations, TURK-IS.

ALBAYRAK, Dervis, Mr., Deputy Director for External Relations, TURK-IS.

RSS D'UKRAINE

UKRAINIAN SSR

RSS DE UCRANIA

Government delegates

LIPATOV, Valentin N., Mr., Deputy Minister for Foreign Affairs.

OZADOVSKI, Andrei A., Mr., Permanent Representative, Geneva.

Advisers and substitute delegates

FRANDIOUK, I.V., Mr., Head of Department, State Committee for Labour.

MALKO, Yuri F., Mr., First Secretary, Ministry of Foreign Affairs.

MAIMESKOUL, Nikolai I., Mr., Second Secretary, Permanent Mission, Geneva.

Employers' delegate

CHILO, Piotr A., Mr., Director-General, Totchelectroprylad Industrial Group, Kiev.

Workers' delegate

KOVALEVSKI, Anatoli M., Mr., Secretary, Council of Trade Unions of the Ukrainian SSR.

Adviser and substitute delegate

KOVIAZIN, Serguei B., Mr., Deputy Chief, Department of International Relations, Council of Trade Unions of the Ukrainian SSR.

URSS

USSR

URSS

Délégés gouvernementaux

KOSTINE, Leonid Alekseievitch, M., premier vice-président du Comité d'Etat de l'URSS du travail et des questions sociales; représentant gouvernemental au Conseil d'administration du BIT.

BORCHTCHEVSKY, E.I., M., chef adjoint du Département des relations économiques internationales, ministère des Affaires étrangères de l'URSS.

Conseillers techniques et délégués suppléants

JOUKOV, Alexeï Dmitrievitch, M., représentant permanent adjoint à Genève.

DAVYDOV, Evgueny Mikhaïlovitch, M., conseiller à la mission permanente à Genève.

ZVENIGORODSKY, You. G., M., spécialiste en chef du Comité d'Etat de l'URSS du travail et des questions sociales.

GUERBOV, V.M., M., expert au Département des relations économiques internationales, ministère des Affaires étrangères de l'URSS.

Conseillers techniques

CHEREMET, Constantine Filippovitch, M., rédacteur en chef du journal "L'Etat et le droit soviétiques" de l'Académie des sciences de l'URSS.

GONTCHAROUK, P. Ye., M., spécialiste en chef au Comité d'Etat de l'URSS du travail et des questions sociales.

SIZOV, A.P., M., économiste en chef au Comité d'Etat de l'URSS du travail et des questions sociales.

PANKOV, V. You., M., économiste en chef au Comité d'Etat de l'URSS du travail et des questions sociales.

POLYAKOV, V.A., M., deuxième secrétaire à la mission permanente à Genève.

MENSHOV, V.A., M., chercheur supérieur à l'Académie des sciences de l'URSS.

ALEXANDROVA, Nina Dmitrievna, Mme, troisième secrétaire du Département des relations économiques internationales, ministère des Affaires étrangères de l'URSS.

KRASILNIKOV, S.R., M., attaché à la mission permanente de Genève.

Délégué des employeurs

GAIDAIENKO, I.I., M., secrétaire général de la Chambre de commerce et d'industrie de l'URSS.

Conseillers techniques

YOUNOUSOV, I.V, M., chef de département à la Chambre de commerce et d'industrie de l'URSS.

PLETNEV, E.P., M., conseiller à la Chambre de commerce et d'industrie de l'URSS.

Délégué des travailleurs

YANAIEV, G.I., M., secrétaire du Conseil central des syndicats de l'URSS; membre du Conseil d'administration du BIT.

Conseiller technique et délégué suppléant

KANAIEV, Georguy Elisseievitch, M., chef adjoint du Département des relations internationales du Conseil central des syndicats de l'URSS.

Conseillers techniques

YURGENS, I. You., M., chef adjoint du Département des relations internationales du Conseil central des syndicats de l'URSS.

MININE, E.V., M., chef adjoint du Département de la production, du personnel et des salaires du Conseil central des syndicats de l'URSS.

POTAPOV, Albert Mikhaïlovitch, M., chef de service au Département des relations internationales du Conseil central des syndicats de l'URSS.

BOTVINOV, Anatoli Ivanovitch, M., chef de service au Département des relations internationales du Conseil central des syndicats de l'URSS.

ZVEREV, A.G., M., chef du Département de la protection du travail du Comité central des travailleurs dans la construction et l'industrie des matériaux de construction.

VERETENNIKOV, V.G., M., du Département interdépartemental du Conseil central des syndicats de l'URSS.

URUGUAY

Delegados gubernamentales

LABAT, Juan Pedro, Sr.

LERENA, Andrés, Sr.

Consejeros técnicos

HINTERMEISTER, Alberto, Sr.

CALLORDA SALVO, Ariel, Sr.

PACHECO EGEA, Susana, Sra.

Delegado de los empleadores

BARRENECHEA, Rafael, Sr.

Consejeros técnicos

JIMENEZ, Elbio, Sr.

VARELA TRAVERSO, Jacobo, Sr.

Delegado de los trabajadores

PEREYRA, Juan Carlos, Sr.

Consejeros técnicos

MURRO, Ernesto, Sr.

VARELA, Raúl, Sr.

VENEZUELA

Delegados gubernamentales

ANTONI PAVAN, Simón, Sr., Embajador Extraordinario y Plenipotenciario,
Embajada de Venezuela en Italia.

ROJAS, Oscar R. de, Sr., Embajador; representante permanente alterno en
Ginebra.

Consejeros técnicos

SALAZAR CUERVO, César, Sr., asesor del Ministerio del Trabajo.

OROPEZA, José Angel, Sr., director general sectorial de economía y empleo del
Ministerio del Trabajo.

BATISTA LORENZO, Mary, Sra., directora de Relaciones Internacionales y Enlace
con la OIT del Ministerio del Trabajo.

RUESTA DE FURTER, María Esperanza, Sra., primer secretario de la misión
permanente en Ginebra.

HERNANDEZ, Ana Esther, Sra., primer secretario de la misión permanente en
Ginebra.

CLAUWAERT GONZALEZ, Jenny, Sra., segundo secretario de la misión permanente en
Ginebra.

NIÑO, Luis, Sr., tercer secretario de la misión permanente en Ginebra.

Delegado de los empleadores

VILLALOBOS, Horacio Guillermo, Sr., presidente de la Comisión Laboral de la
Federación Venezolana de Cámaras y Asociaciones de Comercio y Producción
(FEDECAMARAS); miembro suplente del Consejo de Administración de la OIT.

Consejeros técnicos

PARISCA MENDOZA, Carlos, Sr., Comisión Laboral FEDECAMARAS.

GARRIDO SOTO, Alexis, Sr., Comisión Laboral FEDECAMARAS.

ARBELOA, Binger de, Sr., Comisión Laboral FEDECAMARAS.

VERA, Juan Vicente, Sr., Comisión Laboral FEDECAMARAS.

CABRICES, Grecia, Sra., Comisión Laboral FEDECAMARAS.

FITZGERALD, Lya, Sra., Comisión Laboral FEDECAMARAS.

ROJAS LOPEZ, Simón, Sr., Comisión Laboral FEDECAMARAS.

Delegado de los trabajadores

DELPINO, Juan José, Sr., presidente de la Confederación de Trabajadores de Venezuela (CTV); miembro del Consejo de Administración de la OIT.

Consejero técnico y delegado suplente

CABRERA, Aníbal, Sr.

Consejeros técnicos

RIOS, Antonio, Sr., jefe de relaciones internacionales de la CTV.

CASTRO, Pablo, Sr., secretario general del Sindicato de Bebida; miembro del Departamento de Contratación y Conflicto de la CTV.

TERRALOBORO, Viola, Sra., subdirectora del Centro de Documentación y Análisis para los Trabajadores (CENDA).

ORTIZ B., Laureano, Sr., presidente de la Confederación de Sindicatos Autónomos (CODESA).

TRUJILLO, Pedro León, Sr., presidente de la Confederación General de Trabajadores (CGT).

IBARRA, José Gregorio, Sr., presidente de la Central Unitaria de Trabajadores de Venezuela (CUTV).

OJEDA, Luis Marcial, Sr.

COLINA, Rafael, Sr.

YEMEN

MINISTER ATTENDING THE CONFERENCE

AL-ALAFI, Mohsen Mohamed, Mr., Minister of Social Affairs and Labour.

Government delegates

JAGHMAN, Yahya Hamoud, Mr., Ambassador; Permanent Representative, Geneva.

OBAD, Ali Saleh, Mr., Director-General, Planning Department, Ministry of Social Affairs and Labour.

Adviser and substitute delegate

AL-HAMDANI, Abdullah Ahmed, Mr., Director-General, Labour Department.

Advisers

AL-QOTEYSH, Mohamed Saleh, Mr., Ambassador/Consultant.

AL-SHAMI, Mohammed Nagi, Mr., Director-General, Minister's Bureau.

Employers' delegate

AL-AHLASI, Najib Ismaïl, Mr., Deputy Director-General, Chamber of Commerce and Industry, Sanaa.

Workers' delegate

AL-NA'AMI, Yahya Ahmed, Mr., Secretary-General, Yemen Trade Union Confederation (TUC).

Adviser and substitute delegate

AL-JADARI, Mohamed Mohamed, Mr., Director, Department of Culture, TUC.

Adviser

AL-HAMDANI, Mohamed Mohamed, Mr.

YEMEN DEMOCRATIQUE

DEMOCRATIC YEMEN

YEMEN DEMOCRATICO

MINISTER ATTENDING THE CONFERENCE

ABDULGABBAR, Othman, Mr., Minister of Labour and the Civil Service.

Government delegates

SAEED, Mohammed Abdulla, Mr.

HAZZA'A, Abdulla, Mr.

Advisers,

BAISSA, Abdullaziz, Mr., Ambassador, Permanent Mission, Geneva.

OBADI, Hamed Mohammed, Mr., Adviser, Permanent Mission, Geneva.

Employers' delegate

BAMASMOOS, Mohammed Omer Barahim, Mr.

Workers' delegate

ABDULLAH, Feisal Mohamed, Mr., Secretary for Foreign Relations, General Union.

YUGOSLAVIE

YUGOSLAVIA

YUGOSLAVIA

MINISTER ATTENDING THE CONFERENCE

OBOCKI, Janko, Mr., Member of the Federal Executive Council; President of the Federal Committee on Labour, Health and Social Welfare.

Accompanied by STENEK, Zvonimir, Mr., Member of the Executive Council of the Republic of Bosnia-Herzegovina.

Government delegates

KOSIN, Marko, Mr., Ambassador; Permanent Representative, Geneva.

TOMASEVIC, Dusan, Mr., Senior Adviser, Federal Committee on Labour, Health and Social Welfare.

Adviser and substitute delegate

RADIC, Mirjana, Miss, Counsellor, Permanent Mission, Geneva.

Adviser

SUC, Vojislav, Mr., Third Secretary, Permanent Mission, Geneva.

Employers' delegate

JESIC, Mileta, Mr., Vice-President, Federal Chamber of Economy.

Adviser and substitute delegate

BOROJA, Zdravko, Mr., Senior Adviser, Federal Chamber of Economy.

Workers' delegate

TODOROVIC, Marija, Mrs., Member of the Presidency, Council of the Yugoslav Trade Union Confederation.

Adviser and substitute delegate

KRSIKAPA, Savo, Mr., Director, International Department, Yugoslav Trade Union Confederation.

ZAIRE

MINISTRE ASSISTANT A LA CONFERENCE

KISOLOKELE, Wamba, M., commissaire d'Etat au Travail et à la Prévoyance sociale.

Accompagné de M'BUZE-NSOMI, Lobwanabi, M., ambassadeur; représentant permanent à Genève.

Délégués gouvernementaux

KUMBU-KI-LUTETE, Thamba Ravana, M., ministre plénipotentiaire; représentant permanent adjoint à Genève.

LONGANGE, Kamlong, M., inspecteur général du travail.

Conseillers techniques et délégués suppléants

MUKADI, Bonyi, M., conseiller à la présidence.

KINA, Kuntala, M., conseiller au cabinet du secrétaire d'Etat à la Coopération internationale.

Conseillers techniques

KWEBATUKA, Bidanda Mfuzi, M., directeur des études au Département du travail et de la prévoyance sociale.

KIRONGOZI, Maliyabwana, Mme, premier conseiller, mission permanente à Genève.

BAKARI, Kabwe, M.

MPINDU, Mbwabwa, M., président directeur général de l'Institut national de sécurité sociale (INSS).

MPIANA, Kalala Mukaya Ndobolo, M., directeur à l'INSS.

VIANDA, Kioto, M., directeur à l'INSS.

Délégué des employeurs

MAKENDA, Voka, M., administrateur délégué à l'Association nationale des entreprises du Zaïre.

Conseillers techniques

MUKADI, Mulumba, M.

KIWAKANA, Kimayala, M.

Délégué des travailleurs

KOMBO, Ntonga Booke, M., membre du Comité central; secrétaire général de l'Union nationale des travailleurs du Zaïre (UNTZA); membre suppléant du Conseil d'administration du BIT.

Conseillers techniques

KATALAY, Muleli Sangole, M., secrétaire national général adjoint chargé des finances de l'UNTZA.

DIPESA NGOMBA, Wa Botoma, M., secrétaire national aux Relations extérieures de l'UNTZA.

NDONGALA, N'Sibu, M., secrétaire national adjoint aux Relations extérieures de l'UNTZA.

ZAMBIE

ZAMBIA

ZAMBIA

MINISTER ATTENDING THE CONFERENCE

MWILA, Unia G., Mr., MP, Minister of Labour and Social Services.

Government delegates

PHIRI, E.J., Mr., Labour Commissioner, Ministry of Labour and Social Services.

SIWALE, M.V., Mr., Permanent Secretary, Ministry of Labour and Social Services.

Employers' delegate

MAMBWE, C.C.F., Mr., Chairman, Zambia Federation of Employers (ZFE); Managing Director, National Imports and Exports Co.

Advisers and substitute delegates

SUMBWE, Fanuel C., Mr., Executive Director, Zambia Federation of Employers (ZFE); Deputy Member, Governing Body of the ILO.

NYIRONGO, J.B., Mr., Trustee, ZFE; Director, Zambia National Provident Fund Control Board.

Workers' delegate

CHILUBA, F.J., Mr., Chairman-General, Zambia Congress of Trade Unions (ZCTU).

Adviser and substitute delegate

ZIMBA, N.L., Mr., Secretary-General, ZCTU; Deputy Member, Governing Body of the ILO.

ZIMBABWE

Government delegates

NKOMO, J.L., Mr., Minister of Labour, Manpower Planning and Social Welfare.

MAWANDE, N.K., Mr., Secretary for Labour, Manpower Planning and Social Welfare.

Advisers

MUGOMBA, A.T., Mr., Ambassador; Permanent Representative, Geneva.

BALOYI, R.S., Mr., Director, Occupational Health, Safety and Workers' Compensation.

SIMBA, S.C., Mr., Principal Labour Relations Officer, Ministry of Labour, Manpower Planning and Social Welfare.

MWALO, M., Ms., Acting Director, Department of Resources and Planning.

MURENHA,, Mrs., Acting Assistant Director, Department of Occupational Health, Safety and Workers' Compensation.

KITIKITI, N.D., Mr., Counsellor (Economic), Permanent Mission, Geneva.

MHONDIWA, J., Mr., Counsellor, Permanent Mission, Geneva.

NHENGU, T., Mr., First Secretary (Legal), Permanent Mission, Geneva.

CHISOROCHENGWE, S., Mr., First Secretary (Political), Permanent Mission, Geneva.

Employers' delegate

CHADZAMIRA, P.M., Mr., President, Employers' Confederation of Zimbabwe.

Advisers

CHANAIWA, D., Mr., Executive Director, Employers' Confederation of Zimbabwe; Substitute Member, Governing Body of the ILO.

KUIPA, S., Mr., First Vice-President, Employers' Confederation of Zimbabwe.

JOHNSTON, P., Mr., Executive Committee Member, Employers' Confederation of Zimbabwe.

Workers' delegate

MUTANDARE, J., Mr., President, Zimbabwe Congress of Trade Unions.

Advisers

NEDZIWE, I.M., Mr., Acting Secretary-General, Zimbabwe Congress of Trade Unions.

JARICHA, J., Mr., Vice-President, Zimbabwe Congress of Trade Unions.

CHIFAMBA, S., Mr., Assistant Secretary-General, Zimbabwe Congress of Trade Unions.

NJEKESA, Edward Ticharwa, Mr., Third Vice-President, Zimbabwe Congress of Trade Unions.

OBSERVATEURS

OBSERVERS

OBSERVADORES

BERMUDES

BERMUDA

BERMUDAS

GOVERNMENT REPRESENTATIVES

SHARPE, John, Sir, Minister of Labour and Home Affairs.

BASSETT, Gladstone R., Mr., Labour Relations Officer.

EMPLOYERS' REPRESENTATIVES

DIXON, Malcolm, Mr., Executive Director, Bermuda Employers' Council.

MELLO, Carolyn, Miss, Executive Assistant.

WORKERS' REPRESENTATIVE

BALL, Barbara, Mrs., Research Officer, Bermuda Industrial Union.

REPUBLIQUE DE COREE

REPUBLIC OF KOREA

REPUBLICA DE COREA

GOVERNMENT REPRESENTATIVES

CHOI, Myung-Hun, Mr., Minister of Labour.

LEE, Sang Ock, Mr., Ambassador, Permanent Mission, Geneva.

CHOI, Seung Boo, Mr., Director-General, Labour Policy Bureau, Ministry of Labour.

LEE, Ryang, Mr., Counsellor, Permanent Mission, Geneva.

HAHN, Jae Chol, Mr., Director, International Organisations Division, Ministry of Foreign Affairs.

PARK, Chung-Kyu, Mr., Labour Attaché, Embassy in the Federal Republic of Germany.

JEON, Jin-Hee, Mr., Secretary to the Minister of Labour.

CHUNG, Tae Chul, Mr., Second Secretary, Permanent Mission, Geneva.

KONG, Deok Soo, Mr., Assistant Director, Labour Policy Division, Ministry of Labour.

EMPLOYERS' REPRESENTATIVES

HONG, Dae-Shik, Mr., Head, Committee on Labour Law, Korea Employers' Federation.

WHANG, Jung-Hyun, Mr., Managing Director, Korea Employers' Federation.

LEE, Bo-Sang, Mr., Research Fellow, Institute of Labour Economics.

WORKERS' REPRESENTATIVES

LEE, Si-Woo, Mr., Acting President, Federation of Korean Trade Unions (FKTU).

KIM, Bong-Suk, Mr., Chief, Education and International Affairs, FKTU.

PARK, Fun Koo, Mr., Fellow, Korean Development Institute.

REPUBLIQUE POPULAIRE DEMOCRATIQUE DE COREE
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
REPUBLICA POPULAR DEMOCRATICA DE COREA

GOVERNMENT REPRESENTATIVES

HAN, Chang On, Mr., Deputy Permanent Representative, Geneva.

PAK, Dok Hun, Mr., Counsellor, Permanent Mission, Geneva.

KIM, Chol Su, Mr., First Secretary, Permanent Mission, Geneva.

SAINT-SIEGE

THE HOLY SEE

SANTA SEDE

REPRESENTATIVES

MULLOR GARCIA, Justo, Monseigneur, Nonce apostolique, observateur permanent à Genève.

CAUSERO, Diego, Monseigneur, conseiller à la mission permanente à Genève.

ROCH, Raymond, R.P.

MARELLE, André, M.

LOSADA, Angel, M.

REPRESENTANTS DES NATIONS UNIES,
DES INSTITUTIONS SPECIALISEES ET D'AUTRES
ORGANISATIONS INTERNATIONALES OFFICIELLES

REPRESENTATIVES OF THE UNITED NATIONS,
SPECIALISED AGENCIES AND OTHER
OFFICIAL INTERNATIONAL ORGANISATIONS

REPRESENTANTES DE LAS NACIONES UNIDAS,
DE LOS ORGANISMOS ESPECIALIZADOS Y DE OTRAS
ORGANIZACIONES INTERNACIONALES OFICIALES

Nations Unies

United Nations

Naciones Unidas

ZOUPANOS, T.S., Mr., Chief, External Relations and Inter-Agency Affairs.

RAADI-AZARAKHCHI, S., Mrs., Human Rights Officer, Centre for Human Rights.

GAHAM, Hamid, Mr., Human Rights Officer, Centre for Human Rights.

DJERMAKOYE, Aminata, Mrs., External Relations and Inter-Agency Affairs Officer.

KEILAU, R., Mr., Human Rights Officer, Research, Studies and Prevention of Discrimination Branch, Centre for Human Rights.

ALFREDSSON, G., Mr., Human Rights Officer, Research, Studies and Prevention of Discrimination Branch, Centre for Human Rights.

Conférence des Nations Unies sur le commerce et le développement
United Nations Conference on Trade and Development
Conferencia de las Naciones Unidas sobre Comercio y Desarrollo

HOFFMANN, L., Mr., Director, Programme Co-ordination and Evaluation Unit (PCEU).

DOMMEN, E., Mr., Senior Economic Affairs Officer, PCEU.

BENELMOUFFOK, A., Mr., Economic Affairs Officer, Manufacturers Division.

FERNANDEZ SANTIS, E., Mrs., Assistant Economic Affairs Officer, PCEU.

Organisation des Nations Unies pour le développement industriel
United Nations Industrial Development Organisation
Organización de las Naciones Unidas para el Desarrollo Industrial

MEHDI, Hayat, Mr., Director, Liaison Office in Geneva.

PAPULI, G., Mr.

Programme des Nations Unies pour l'environnement
United Nations Environment Programme
Programa de las Naciones Unidas para el Medio Ambiente

MERANI, Neelam S., Mr., Director for Policy Development and External Relations; Special Representative of the Executive Director for Inter-organizational Affairs.

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

AJELLO, Aldo, Mr., Assistant Administrator and Director, European Office.

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PEREZ-ARGUELLO, Guillermo, Mr., External Relations Officer, European Office.

Haut Commissariat des Nations Unies pour les réfugiés
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McNAMARA, D., Deputy Director, Division of Refugee Law and Doctrine.

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WITSCHI-CESTARI, A., Mr., Senior Inter-Agency Co-ordination Officer.

Fonds des Nations Unies pour les activités en matière de population
United Nations Fund for Population Activities
Fondo de las Naciones Unidas para Actividades en Materia de Población

MUNTASSER, Bashir S., Mr., Senior Liaison Officer, Geneva.

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

PURCELL, A., Mr., Economist, Geneva Office.

Organisation des Nations Unies pour l'éducation, la science et la culture
United Nations Educational, Scientific and Cultural Organisation
Organización de las Naciones Unidas para la Educación,
la Ciencia y la Cultura

RAFFRAY, Alain, Mr., Head, Liaison Office in Geneva.

GUILLOT-PINGUE, Alain, Mr., Associate Liaison Officer.

Organisation mondiale de la santé
World Health Organisation
Organización Mundial de la Salud

PIEL, A., Mr., Director, Support Programme Co-ordination.

BEKELE, Maaza, Dr., Chief, Collaboration with the United Nations System,
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GOELZER, B., Mrs., Scientist, Office of Occupational Health.

DEVLIN, D., Mr., Senior Legal Officer, Office of the Legal Counsel.

SHUBBER, S., Dr., Senior Legal Officer, Office of the Legal Counsel.

WEBSTER, E., Mr., Technical Officer, Division of Strengthening of Health
Services.

Banque mondiale
World Bank
Banco Mundial

SIEBECK, Wolfgang E., Mr., Representative to the UN Organisations in Geneva.

Fonds monétaire international
International Monetary Fund
Fondo Monetario Internacional

WIESNER, Eduardo, Mr., Special Trade Representative and Director.

BARNOUIN, Jack P., Mr., Geneva Office.

KRONENBERG, Roger P., Mr., Geneva Office.

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

OPELZ, Merle S., Mrs., Head of the Geneva Office.

WEBSTER, Aileen B., Miss, Geneva Office.

Accord général sur les tarifs douaniers et le commerce
General Agreement on Tariffs and Trade
Acuerdo General sobre Aranceles Aduaneros y Comercio

FRANK, Alain, Mr., Director, External Relations Division.

WEIGEL, B., Miss, External Relations Officer.

Organisation mondiale du tourisme
World Tourism Organisation
Organización Mundial del Turismo

PAHR, Willibold, M., secrétaire général.

Comité intergouvernemental pour les migrations
Intergovernmental Committee for Migration
Comité Intergubernamental para las Migraciones

HABENICHT, H., Mr., Director, Department of Planning, Liaison and Research.

TROELSTRUP, Bodil M., Mrs., Liaison and Seminars Officer, Department of Planning, Liaison and Research.

Centre régional africain d'administration du travail (CRADAT)
African Regional Centre for Labour Administration
Centro Regional Africano de Administración del Trabajo

GUESSOGO NKONO, Thomas, M., directeur.

Communauté économique des pays des Grands Lacs
Economic Community of the Countries of the Great Lakes
Comunidad Económica de los Países de los Grandes Lagos

NDAGIJIMANA, Wenceslas, M., directeur, Secrétariat exécutif permanent.

Communautés européennes
European Communities
Comunidades Europeas

Commission/Comisión:

MARIN, M., M., vice-président.

DEGIMBE, J., M., directeur général de l'emploi, des affaires sociales et de l'éducation.

VAN THINH, Tran, M., chef de la délégation à Genève.

GOMMERS, N.P., M., directeur à la Direction générale de l'emploi, des affaires sociales et de l'éducation.

GOMEZ-REINO LECOQ, M., chef de cabinet du vice-président.

DEVONIC, F., Mlle, chef de division à la Direction générale de l'emploi, des affaires sociales et de l'éducation.

BERLIN, A., M., chef de service spécialisé à la Direction générale de l'emploi, des affaires sociales et de l'éducation.

DUTAILLY, L., M., administrateur principal à la Direction générale de l'emploi, des affaires sociales et de l'éducation.

HERCE SAN MIGUEL, J.A., M., administrateur.

LEBRUN, J.F., M., administrateur à la Direction générale de l'emploi, des affaires sociales et de l'éducation.

DUFOUR, Christian, M., attaché à la délégation à Genève.

Conseil/Council/Consejo:

EISENBERG, Reinhart, M., chef de service.

SENTENSTEIN, Egon, M., administrateur.

HUGILL, Lene, Mme, assistante.

BERIE, A., M.

Conseil de l'Europe
Council of Europe
Consejo de Europa

WIEBRINGHAUS, Hans, Mr., Deputy Director of Social and Economic Affairs.

NAGEL, S., Mr., Head of the Social Security Section.

Institut interaméricain des affaires indigènes
Inter-American Indian Institute
Instituto Indigenista Interamericano

ARZE QUINTANILLA, Oscar, Sr., Director.

Ligue des Etats arabes
League of Arab States
Liga de Estados Arabes

TRIKI, Mahmoud, M., ambassadeur; représentant permanent à Genève.

EL-HAJJE, Osman, M., attaché juridique du bureau de Genève.

CHAKROUN, Najib, M., attaché.

Organisation arabe du travail
Arab Labour Organisation
Organización Árabe del Trabajo

BENNANI, El-Hachemi, M., directeur général.

EL TELAWI, Adnan, M., chef de la délégation permanente à Genève.

AHMED, Soliman Ali, M., directeur du Département des relations internationales.

Organisation de l'Unité africaine
Organization of African Unity
Organización de la Unidad Africana

MAPURANGA, M.T., Mr., Assistant Secretary-General.

HACHED, Nouredine, Mr., Executive Secretary, Geneva.

NTANDAYARWO, V.K., Mr., Chief, Labour and Population Section.

FARAG, Aziz, Mr., Senior Labour Officer, Geneva.

TUNIS, Mohamed H., Mr., Counsellor.

NEGOUSSE, Desta, Mr., Attaché.

Union douanière et économique de l'Afrique centrale
Central African Customs and Economic Union
Unión Aduanera y Económica de Africa Central

PERKS, René Gabriel, M., chef du Département de la main-d'oeuvre, du travail
et de la sécurité sociale.

REPRESENTANTS D'ORGANISATIONS
INTERNATIONALES NON GOUVERNEMENTALES

REPRESENTATIVES OF NON-GOVERNMENTAL
INTERNATIONAL ORGANISATIONS

REPRESENTANTES DE ORGANIZACIONES
INTERNACIONALES NO GUBERNAMENTALES

Alliance coopérative internationale
International Co-operative Alliance
Alianza Cooperativa Internacional

PELICHET, Jacques, Mr., Liaison Officer.

Alliance internationale des femmes - Droits égaux, Responsabilités égales
International Alliance of Women - Equal Rights, Equal Responsibilities
Alianza Internacional de Mujeres - Igualdad de Derechos Igualdad de Responsabilidades

RIMONDINI, Irmgard, Mrs., Permanent UN Representative.

PETERS, Maryke, Mrs., Convener of the Permanent International Economic Commission.

DONNET, Rose, Mrs., Director of "Femmes et Profession" school, Geneva.

Alliance mondiale des Unions chrétiennes féminines
World Young Women's Christian Association
Asociación Cristiana Femenina Mundial

JOHNSTONE, E., Mme.

Amnesty International

NAIR, Ravi, Mr.

JAMES, Mel, Ms.

Association du monde indigène
Indigenous World Association
Asociación del Mundo Indígena

ROZAS CAMPOS, Ulises, Sr.

Association internationale contre la torture
International Association against Torture
Asociación Internacional contra la Tortura

PURY, Sylvain de, M., chargé des relations avec les organisations internationales.

Association internationale de la mutualité
International Association for Mutual Assistance
Asociación Internacional para la Asistencia Mútua

BESSI, René-Noël, M., secrétaire général.

Association internationale de la sécurité sociale
International Social Security Association
Asociación Internacional de la Seguridad Social

ENGELLEN-KEFER, Ursula, Mme, vice-présidente de l'Institut fédéral de l'Emploi, RFA; présidente de la Commission permanente de l'assurance chômage et du maintien de l'emploi de l'AISS.

RYS, Vladimir, M., secrétaire général.

THIEL, Wilhelm, M., directeur général, Institut général d'assurance contre les accidents du travail et les maladies professionnelles (Autriche); président de la Commission permanente de prévention des risques professionnels de l'AISS.

Association internationale de l'inspection du travail
International Association of Labour Inspection
Asociación Internacional de la Inspección de Trabajo

HAMMER, J.D.G., M., président.

ESCHENBRENNER, Roger, M., vice-président secrétaire général.

Association internationale de radioprotection
International Radiation Protection Association (IRPA)
Asociación Internacional de Protección contra las Radiaciones

BRESSON, Gilbert, Mr., Executive Officer.

Association internationale des étudiants en sciences économiques
et commerciales
International Association of Students in Economics and Management
Asociación Internacional de Estudiantes de Ciencias Económicas y Comerciales

POZO LEDESMA, Alfredo, Sr.

Association internationale d'orientation scolaire et professionnelle - AIOSP
International Association of Educational and Vocational Guidance - IAEVG
Asociación Internacional de Orientación Profesional

DUPONT, Jean Blaise, M.

PELLERANO, Jean, M.

Association internationale pour le progrès social
International Association for Social Progress
Asociación Internacional para el Progreso Social

BERENSTEIN, A., M., président.

Caritas Internationalis

BOUVIER, Paul, Mgr.

Centrale latino-américaine de travailleurs
Latin American Central of Workers
Central Latinoamericana de Trabajadores

TRUJILLO, Pedro León, Sr., miembro del Comité Ejecutivo; presidente de la CGT de Venezuela.

Comité international de la Croix-Rouge
International Committee of the Red Cross
Comité Internacional de la Cruz Roja

VEUTHEY, Michel, M., chef de la Division des organisations internationales.

BIELER, Jean-Daniel, M., chef adjoint de la Division des organisations internationales.

NEF, Robert, M., assistant.

Comité permanent des syndicats de l'industrie graphique
Standing Committee of Trade Unions of the Graphic Industries
Comité permanente de los sindicatos de las industrias gráficas

PEPLOWSKI, Werner, M., président.

KLABUNDE, Walter, M., directeur du Bureau du travail.

KAMISCHKE, Birgit, Mme.

Commission électrotechnique internationale
International Electrotechnical Commission
Comisión Electrotécnica Internacional

BROTONS-DIAS, Jean-Pierre, M.

Commission internationale de juristes
International Commission of Jurists
Comisión Internacional de Juristas

SHERWOOD, Lesley, Mrs., Personal Assistant to the Secretary-General.

DIENG, Adama, Mr., African Legal Officer.

RAVINDRAN, Daniel, Mr., Asian Legal Officer.

MENDEZ-MADRIGAL, Luis, Mr.

BRODY, Reed, Mr.

BERMAN, Howard R., Mr.

Commission internationale de la médecine du travail - CIMI
International Commission on Occupational Health - ICOH
Comisión Internacional de Medicina del Trabajo - CIMI

PARMEGGIANI, Luigi, Dr., Secretary-Treasurer

Commission syndicale consultative auprès de l'organisation
de coopération et de développement économiques
Trade Union Advisory Committee to the Organisation for Economic
Co-operation and Development
Comisión Sindical Consultative cerca de la OCDE

EVANS, John, Mr., General Secretary.

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POESE, Thomas, Mr., Assistant to the General Secretary.

Confédération des employeurs des Caraïbes
Caribbean Employers' Confederation
Confederación de Empleadores del Caribe

MELLO, Caroline, Ms.

Confédération européenne des syndicats
European Trade Union Confederation
Confederación Europea de Sindicatos

HINTERSCHIED, Mathias, Mr., General Secretary.

Confédération internationale des cadres
International Confederation of Executive Staff
Confederación Internacional de Técnicos

FREY, Raymond, M., délégué permanent auprès du BIT.

Confédération internationale des entreprises de travail temporaire
International Confederation of Temporary Work Organisations
Confederación Internacional de las Empresas de Trabajo Temporero

MUELLER, Peter, Mr.

GARRITSEN, W.G.H., Mr.

CROPPER, Donald, Mr., Secretary General.

RUEGGENBERG, W., Mr.

Confédération internationale des fonctionnaires
International Confederation of Public Service Officers
Confederación Internacional de Funcionarios

KENTNER, Lucas, M., président.

TRAUSCH, Pierre, M., vice-président.

DALEIDEN, Jos, M.

DALEIDEN, Christiane, Mme.

Confédération internationale des syndicats arabes (CISA)
International Confederation of Arab Trade Unions
Confederación Internacional de Sindicatos Arabes

JALLOUD, Ahmed Abou Baker, M., secrétaire général.

DJEMAM, Hassein, M., secrétaire.

AL NAJI, Fathi, M., conseiller.

JAMIL, Aouni, M.

MUKBEL, Ali Sef, M.

SKOUTI, Nouri Eddine, M.

Confédération internationale des syndicats libres
International Confederation of Free Trade Unions
Confederación Internacional de Organizaciones Sindicales Libres

VANDERVEKEN, John, Mr., General Secretary.

FRISO, E., Mr., Assistant General Secretary.

ANDERSON, Luis, Mr., General Secretary, Inter-American Regional Organisation (ORIT).

MATHUR, V.S., Mr., General Secretary, ICFTU Asian and Pacific Regional Organisation (APRO).

VRIES REILINGH, Oscar de, Mr., Director, Geneva Office.

LAURIJSEN, Edouard, Mr., Assistant Director, Geneva Office.

DEMARET, Luc, Mr., Head, Information Department.

KAILEMBO, Andrew, Mr., Head, Africa Desk.

OULATAR, Anna, Mrs., Assistant, Africa Desk.

STEWART, Lois, Mrs., Head, Women's Bureau.

WALESA, Lech, Mr.

MILEWSKI, Jerzy, Mr.

CRIADO REYES, José, Mr.

VAZQUEZ, Marcial, Mr.

GHEBRE, Ghidey, Mr.

OSMAN, Mohamed N., Mr.

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BLONAY, Victoria de, Mrs., Geneva Office.

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Confédération internationale des travailleurs intellectuels
International Confederation of Professional and Intellectual Workers
Confederación Internacional de los Trabajadores Intelectuales

LOEB, Raoul, M.

Confédération mondiale des organisations de la profession enseignante
World Confederation of Organisations of the Teaching Profession
Confederación Mundial de Organizaciones de Profesionales
de la Enseñanza

GOBLE, Norman M., Mr., Secretary-General.

DLAMLENZE, H.H., Mr., Secretary-General, African Teachers' Association of
South Africa (ATASA).

HARRIS, Robert, Mr., Secretary-General Designate.

BERBERAT, Marc-Alain, Mr., Deputy Secretary-General.

REHULA, Thomas, Mr., Co-ordinator, Teachers' Rights.

PEPIN, Luce, Mrs., Programme Assistant.

FOWELL, Pat, Mrs., Aboriginal Education Officer, Australian Teachers'
Federation.

Confédération mondiale du travail
World Confederation of Labour
Confederación Mundial del Trabajo

TAN, Johny C., M., président.

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Confédération nordique des cadres, techniciens et autres responsables
Nordic Confederation of Supervisors, Technicians and Other Managers (NAU)
Confederación Nórdica de Supervisores, Técnicos y Otros Responsables

ARO, Esko, Mr., General Secretary, Technical Employees' Federation (Teknisten Liitto).

Confédération syndicale mondiale des enseignants
World Confederation of Teachers
Confederación Sindical Mundial de la Enseñanza

BENEDEN, Louis van, président.

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Conférence circumpolaire inuit
Inuit Circumpolar Conference
Conferencia Circumpolar Inuit

SIMON, Mary, Ms., President (Canada).

SAMBO, Dalee, Mr., Special Assistant (Alaska).

JOFFE, Paul, Mr., Legal Adviser (Canada).

ANAYA, James, Mr., Professor, University of Iowa College of Law.

Congrès juif mondial
World Jewish Congress
Congreso Judío Mundial

LACK, Daniel, Mr., Legal Adviser and Permanent Representative in Geneva.

Congrès permanent de l'unité syndicale des travailleurs de l'Amérique latine
Permanent Congress of Trade Union Unity of the Workers of Latin America
Congreso Permanente de Unidad Sindical de
los Trabajadores de América Latina (CPUSTAL)

IBARRA, José Gregorio, Sr.

PONCE, Edgar, Sr.

Conseil de coordination syndicale de l'Afrique australe
Southern African Trade Union Co-ordination Council (SATUCC)
Consejo de Coordinación Sindical de Africa austral

CHIHANA, Chakufwa, Mr., Executive Secretary.

Conseil des points cardinaux
Four Directions Council
Consejo de los Cuatro Vientos

BARSH, Russel, Mr.

Conseil indien sud-américain (CISA)
Indian Council of South America (CISA)
Consejo Indio de Sud America (CISA)

CONDORI, Tomas, Sr., representante oficial permanente ante las Naciones Unidas.

Conseil international d'éducation des adultes
International Council for Adult Education
Consejo Internacional de Educación de Adultos

WHITEHOUSE, John R.W., Mr., Special Representative in Ottawa.

FINGER, Matthias, Mr.

Conseil international des agences bénévoles
International Council of Voluntary Agencies
Consejo Internacional de Entidades Benéficas

WARLINGCOURT, Jean-Pierre de, Mr., Senior Programme Associate.

FREEMAN, Jo Anne, Ms., Programme Associate.

Conseil international des femmes
International Council of Women
Consejo Internacional de Mujeres

GAILLARD, Rolande, Mlle, représentante permanente auprès des Nations Unies à Genève.

PASCHOUD van de KERCHOVE, Francine, Mme, représentante auprès des Nations Unies à Genève.

Conseil international des femmes juives
International Council of Jewish Women
Consejo Internacional de Mujeres Judías

FARHI, Andrée, Mme.

BENSOUSSAN, Jocelyne, Mme.

Conseil international des infirmières
International Council of Nurses
Consejo Internacional de Enfermeras

KINGMA, Mireille, Mrs.

McINERNEY, Katherine, Miss, Nurse Consultant.

Conseil mondial de peuples indigènes
World Council of Indigenous Peoples
Consejo Mundial de Pueblos Indígenas

ROJAS, Donald, Mr., President.

BURGESS, Hayden F., Mr., Vice-President.

TRESIERRA, Julio C., Mr., Presidential Adviser.

SANDERS, Joseph A., Mr.

LECLAIR, Marc, Mr.

CHARTRAND, Paul, Mr.

SIOUI, Conrad, Mr.

WATTS, George, Mr.

RAMIREZ, Rolando, Mr.

BELLEGARDE, Vernon, Mr.

AHENEKEW, Wayne, Mr.

Conseil Same nordique
Nordic Sami Council
Consejo Nórdico Same

DUNFJELD, Leif, Mr.

SMUK, Odd Erling, Mr.,

GAUP, Ole, Mr.

Conseil syndical du Commonwealth
Commonwealth Trade Union Council
Consejo Sindical del Commonwealth

CLEMENT, David, Mr., Education Officer.

FAULKNER, Stephen, Mr., Education Officer.

WATSON, Annie, Mrs., Administrator.

PETERSEN, Graham, Mr., Project Co-ordinator.

LEHOKO, Khetsi, Mr.

LUNA, Fred, Mr.

SKHOSANA, Mahcomula, Mr.

Fédération arabe des employés des banques, assurances et affaires financières
Arab Federation of Employees in Banking, Insurance and Finance
Federación Árabe de Empleados de la Banca, Seguros y Negocios Financieros

GLIAH, Salah Salem, M., secrétaire général.

Fédération arabe des travailleurs de l'alimentation
Arab Federation of Food Workers
Federación Arabe de los Trabajadores de la Alimentación

DALI, El Fituri M., Mr., General Secretary.

Fédération arabe des travailleurs de l'imprimerie et de l'information
Arab Labour Federation of Printing and Information Workers
Federación Arabe de Trabajadores de las Artes Gráficas y la Información

ABOUHULIA, Abdul Hamid, Mr., General Secretary.

Fédération arabe des travailleurs des transports
Arab Federation of Transport Workers
Federación Arabe de los Trabajadores del Transporte

AL CHARIF, Bachir, Mr., General Secretary.

Fédération arabe des travailleurs du pétrole, des mines et
des produits chimiques
Arab Federation of Petroleum, Mines and Chemical Workers
Federación Arabe de los Trabajadores del Petróleo, de las Minas y
de los Productos Químicos

EL HALLOUDI, Sifawi Yakhlev, M., secrétaire générale

ELHAJ SASSI, Sadee, M., conseiller juridique.

Fédération démocratique internationale des femmes
Women's International Democratic Federation
Federación Democrática Internacional de Mujeres

DOURTCHEVA, Anna, Mrs.

Fédération des associations de fonctionnaires internationaux
Federation of International Civil Servants' Associations
Federación de Asociaciones de Funcionarios Internacionales

SALA, Françoise, Mme, présidente.

BEATTIE, Roger A., M., secrétaire général.

Fédération graphique internationale
International Graphical Federation
Federación Gráfica Internacional

KAUFMANN, Alfred, Mr., General Secretary.

Fédération internationale de la vieillesse
International Federation on Ageing
Federación Internacional de la Vejez

DENNING, John, Mr., President of the American Association of Retired Persons.

MACKARONIS, Christopher, Mr., Technical Adviser.

Fédération internationale des associations
pour l'éducation des travailleurs
International Federation of Workers' Educational Associations
Federación Internacional de Asociaciones
para la Educación de Trabajadores

PROKOP, Kurt, Mr., President.

FARAN-FRANKFURTER, David, Mr., Secretary-General.

Fédération internationale des droits de l'homme
International Federation of Human Rights
Federación Internacional de Derechos Humanos

KADJAR-HAMOUDA, Eylah, Mme.

TEITELBAUM, Alejandro, M.

Fédération internationale des employés, techniciens et cadres (FIET)
International Federation of Commercial, Clerical Professional
and Technical Employees
Federación Internacional de Empleados, Técnicos y Profesionales

MAIER, Heribert, Mr., General Secretary.

CAMMELL, Helga, Mrs., Trade Section Secretary.

FURSTENBORG, J., Mr., Secretary for Education.

JENNINGS, Philip, Mr., Executive Secretary.

ROBADEY, Irène, Mrs., ISETU/FIET Secretary.

RYDER, Guy, Mr., Industrial Trade Section Secretary.

SCHWASS, Hans-Jürgen, Mr., Secretary for Regional Activities.

NG, Christopher, Mr., APRO-FIET Regional Secretary.

Fédération internationale des femmes de carrières libérales et commerciales
International Federation of Business and Professional Women
Federación Internacional de Mujeres de Negocios y Profesiones Liberales

BUTLER, Angela, Miss, Permanent Representative.

CRAMPIN, Yvonne, Mrs.

Fédération internationale des femmes diplômées des universités
International Federation of University Women
Federación Internacional de Mujeres Universitarias

JONES, Constance, Mrs.

Fédération internationale des femmes juristes
International Federation of Women Lawyers
Federación Internacional de Abogadas

STOEDTER, Helga, Mrs.

Fédération internationale des journalistes
International Federation of Journalists
Federación Internacional de Periodistas

WHITE, Aidan, Mr., General Secretary.

Fédération internationale des organisations des travailleurs de la métallurgie
International Metalworkers' Federation
Federación Internacional de Trabajadores de las Industrias Metalúrgicas

REBHAN, Herman, Mr., General Secretary.

THONESSEN, Werner, Mr., Assistant General Secretary.

CASSERINI, Karl, Mr., Assistant General Secretary.

FOWLER, David, Mr., Assistant to the General Secretary.

MALENTACCHI, Marcello, Mr., Health and Safety Department.

GONZE, Collin, Mr., Automotive and Aerospace Department.

KAMADA, Hiroshi, Mr., Special Projects Department.

MacSHANE, Denis, Mr., Press and Publications Department.

Fédération internationale des ouvriers du transport (ITF)
International Transport Workers' Federation (ITF)
Federación Internacional de Trabajadores del Transporte (ITF)

DUNNING, Harold, Mr.

Fédération internationale des syndicats de travailleurs de la chimie,
de l'énergie et des industries diverses
International Federation of Chemical, Energy and
General Workers' Unions (ICEF)
Federación Internacional de Sindicatos de Trabajadores
de la Química, de la Energía e Industrias diversas

BOGGS, Michael D., Mr., General Secretary.

ARO, Pekka O., Mr., Deputy General Secretary.

RICE, Annie, Mrs., Occupational Safety and Health Officer.

Fédération internationale des travailleurs des plantations,
de l'agriculture et des secteurs connexes
International Federation of Plantation, Agricultural and Allied Workers
Federación Internacional de los Trabajadores de las Plantaciones,
Agrícolas y Similares

SVENSSON, Börje, Mr., President.

GOODSON, Elizabeth, Mrs., Assistant to the General Secretary.

PIERSON, Ross, Mr.

ROOS, Christine, Ms.

UDOKPORO, Ben, Mr.

NAIDU, D.P.A., Mr.

CARRERA ORMAZA, José, Mr.

SOLINAP, Carmen, Mrs.

MALOBA, Kathini, Mr.

TAYSI, Sanar, Mr.

Fédération internationale des travailleurs du bâtiment et du bois
International Federation of Building and Woodworkers
Federación Internacional de Trabajadores de la Construcción y la Madera

LOFBLAD, John, Mr., General Secretary.

ASP, Ulf, Mr., Education Officer.

LAUB, Ernst, Mr., Secretary.

NATHAN, Christina, Mrs.

Fédération internationale des travailleurs du textile,
de l'habillement et du cuir
International Textile, Garment and Leather Workers' Federation
Federación Internacional de Trabajadores del Textil,
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FORD, Charles, Mr., General Secretary.

KEARNEY, Neil, Mr.

SAMPSON, Desmond, Mr.

Fédération mondiale des travailleurs de l'industrie
World Federation of Industry Workers
Federación Mundial de Trabajadores de la Industria

MOLANO, Ernesto, M., secrétaire général.

Fédération mondiale pour la santé mentale
World Federation for Mental Health
Federación Mundial de Salud Mental

FLACHE, S., Dr., President-elect.

Fédération syndicale de la fonction publique internationale
Federation of Associations and Unions of the International Civil Service
Federación Sindical de Funcionarios Internacionales

SOW, Salif, M., secrétaire général adjoint.

VOLKOV, Konstantin A., M., membre du conseil fédéral.

CAMPANELIS, Yannis, M.

FRAGA RIBEIRO, Josephina, Mme.

Fédération syndicale mondiale
World Federation of Trade Unions
Federación Sindical Mundial

GASPAR, Sandor, M., président.

FRYBORTOVA, Marie, Mme, secrétaire.

MOZHAYEV, Vsevolod, M., secrétaire.

HAMERNIK, Emil, M., chef du Département des relations avec les Nations Unies.

MARUSAK, Josef, M., conseiller.

LABRUNE, Lucien, M., représentant permanent à Genève.

MITIAIEV, Ivan, M., représentant permanent à Genève.

SADILOVA, Jana, Mlle, secrétaire de délégation.

RETUREAU, Daniel, M., conseiller.

PINTO de COLAS, Carmen, Mme.

CARO, Raul, M.

WEMA, Claude, M.

Groupement international de travail pour les affaires indigènes
International Work Group for Indigenous Affairs (IWGIA)
Grupo Internacional del Trabajo sobre Asuntos Indígenas

GRAY, Andrew, Mr., Executive Director.

SKOTVEDT, Tove, Mr.

Internationale démocrate-chrétienne
Christian-Democrat International
Internacional Cristiana Democrática

STAME CERVONE, Anna Maria, Mme.

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GONZALEZ, José Esteban, M.

Internationale des services publics
Public Services International
Internacional de Servidores Públicos

ENGELBERTS, Hans, Mr., General Secretary.

BATCHELOR, Harry L., Mr., Assistant General Secretary.

HUMPHRIES, Colin, Mr., Assistant to the General Secretary.

FISCHBACH-PYTTEL, Carola, Mrs., Regional Secretary for Europe.

LEATHER, Alan, Mr., Education Officer.

GRISEWOOD, Nick, Mr., Administrative Assistant.

TOP, Yücel, Mr.

ONAL, Ismail Hakker, Mr.

TOURNEAU, Guy, Mr.

LATIF, Yektas, Mr.

Internationale du personnel des Postes, Télégraphes et Téléphones
Postal, Telegraph and Telephone International
Internacional de Correos, Telégrafos y Teléfonos

NEDZYNSKI, Stefan, Mr., General Secretary.

AUBRY, Jean-Michel, Mr., Executive Assistant to the General Secretary.

BOWYER, Philip C., Mr., Organisation and Research Director.

HASHEM, Mohamed Khairy, Mr., Member, Executive Committee.

Jaycees International

MURJAS, Jean-François, M., délégué international.

ROMANET, Pierre Arnold de, M.

SAPIN, Françoise, Mlle.

Jeunesse ouvrière chrétienne internationale
International Young Christian Workers
Juventud Obrera Cristiana Internacional

OLLARVES, Felix, Mr., International President.

CLOETE, Glynn, Mr., General Secretary.

ST-GERMAIN, Jean-Paul, Mr., International Treasurer.

PRADEL, Wenilou, Mr.

Ligue internationale de femmes pour la paix et la liberté
Women's International League for Peace and Freedom
Liga Internacional de Mujeres pro Paz y Libertad

KOLTHOFF, Kirsti, Ms.

BLOSSER, Ellen, Ms.

GARDNER, Paula, Ms.

LARTEY, Joyce, Ms.

BRUIN, Janet, Ms.

Mouvement international ATD Quart Monde
International Movement ATD Fourth World
Movimiento Internacional ATD Cuarto Mundo

VOS van STEENWIJK, Alwine de, Mme, présidente.

REDEGELD, Ton, M., conseiller.

Mouvement international des jeunes et des étudiants
pour les Nations Unies (ISMUN)
International Youth and Student Movement for the United Nations (ISMUN)
Movimiento Internacional de Jóvenes y Estudiantes sobre Asuntos
de las Naciones Unidas (ISMUN)

GIACOSA, Juan Carlos, M., secrétaire général.

FINCH, Margaret, Mlle.

Organisation de l'unité syndicale africaine (OUSA)
Organisation of African Trade Union Unity (OATUU)
Organización para la Unidad Sindical Africana (OUSA)

JALLOUD, Salem, Mr., President.

SUNMONU, Hassan A., Mr., Secretary-General.

SIKAZWE, Robinson, Mr., Treasurer-General.

IBRAHIM, Ali, Mr., Assistant Secretary-General (International).

DIOP, Assane, Mr., Assistant Secretary-General (Education).

BENAISSA, Guessis, Mr., Assistant Secretary-General (Economics, Research and Documentation).

KOSSI, Assih, Mr., Assistant Secretary-General (Administration).

DIOP, Demba, Mr., Assistant Secretary-General (Organisation).

MOUTARI, Laouali, Mr., Secretary-General, Organisation of Trade Unions of West Africa (OTUWA).

MOUSSEVENI, Jean Jules, Mr., Secretary-General, Organisation of Trade Unions of Central Africa (OTUCA).

CHIHANA, Chakufwa, Mr., Executive Secretary, Southern African Trade Union Co-ordination Council (SATUCC).

BEDIAKO, T.A., Mr., Secretary-General, All Africa Teachers' Organisation (AATO).

MISAWED, Salem, Mr., President, Pan-African Federation of Trade Unions of Food Industries.

ABDELKARIM, Kheloufi, Mr., Secretary-General, Pan-African Federation of Trade Unions of Food Industries.

KHALIFA, Muftah A., Mr.

DIALLO, Moustafa, Mr.

SHAEED, Salem, Mr., Secretary-General, Pan-African Federation of Trade Unions of Banks and Financial Institutions.

NIANG, Ibrahima, Mr., Assistant Secretary-General.

Organisation des travailleurs de l'Afrique centrale (OTAC)
Organisation of Workers of Central Africa
Organización de Trabajadores de Africa Central

MOUSSENI, André Jules, M., secrétaire général.

MOMBOUNOU, Joseph, M., secrétaire général adjoint.

Organisation des travailleurs de l'Afrique de l'Ouest
Organisation of Trade Unions of West Africa
Organización de Sindicatos de Africa Occidental

MOUTARI, Laouali, M., secrétaire général.

AHO, Gaston, M., secrétaire général adjoint.

YANKEY, Auguste, M., secrétaire général adjoint.

MOHAMED, Salissu, M., secrétaire général adjoint.

Organisation internationale des employeurs
International Organisation of Employers
Organización Internacional de Empleadores

LAGASSE, Raphaël, Mr., Secretary-General.

KAPARTIS, Costas, Mr., Deputy Secretary-General.

ALAGAPPAN, M.A., Mr., President, All-India Organisation of Employers.

PEÑALOSA, Antonio, Mr., Executive Secretary.

CHACKO, Roy, Mr., Executive Secretary.

ULBRICHT, Jutta, Miss, Executive Secretary.

PERKINS, Barbara, Miss, Assistant to the Secretary-General.

OZAINNE, Béatrice, Miss, Assistant to the Secretary-General.

DAN, Charles, Mr., Assistant to the Secretary-General.

DEJARDIN, Jean, Mr., Assistant to the Secretary-General.

Organisation internationale des mineurs (OIM)
International Mineworkers' Organisation (IMO)
Organización Internacional de Mineros (OIM)

SIMON, Alain, M., secrétaire générale.

ANTINAO, Juan, M., président de la Commission des transnationales.

Secrétariat professionnel international de l'enseignement
International Federation of Free Teachers' Unions
Secretariado Profesional Internacional de la Enseñanza

LEEUVEN, Fred van, Mr., General Secretary.

JOVEN, Elie, Mr., Assistant to the General Secretary.

MITCHELL, Peter, Mr., Assistant to the General Secretary.

MOUCHOUX, Alain, Mr. (France).

SMITHIES, Fred, Mr. (United Kingdom).

LOERCHER, Klaus, Mr. (Federal Republic of Germany).

VANDERSCHAFT, Walter, Mr. (Netherlands).

Service international pour les droits de l'homme
International Service for Human Rights
Servicio Internacional para los Derechos Humanos

MARTEL, Catherine, Mme.

ZOLLER, Adrien Claude, M.

AGUILAR, Evangelina M., Mme.

Socialist International Women

STASIUS, Karin, Mme.

Société internationale de droit du travail et de la sécurité sociale
International Society for Labour Law and Social Security
Sociedad Internacional de Derecho del Trabajo y de la Seguridad Social

BERENSTEIN, Alexandre, M., président d'honneur.

SCHREGLE, Johannes, M., secrétaire général.

AUBERT, Gabriel, M., trésorier.

Société internationale pour le développement
Society for International Development
Sociedad Internacional para el Desarrollo

GRANGER, J., Mme, représentante auprès du BIT.

Soroptimist International

HEPTONSTALL, Sonia, Dr.

HERTZ, Kirsten, Mme.

Survival International

BURGER, Julian, Mr.

DAVIES, Maureen, Mrs.

Union européenne des fédérations du personnel communal
European Union of Local Authority Staffs (EULAS)
Unión Europea de Federaciones de Personal Comunal

RICHARDS, Louise, Mrs., International Relations Officer.

VAN DER HOEK, Kees, Mr., Vice-President.

Union générale des chambres de commerce, industrie et agriculture
des pays arabes
General Union of Chambers of Commerce, Industry and Agriculture
for Arab Countries
Unión General de Cámaras de Comercio, Industria y Agricultura
de los Países Arabes

GHANTUS, Elias, Dr., Assistant Secretary General.

Union internationale chrétienne des dirigeants d'entreprise (UNIAPAC)
International Christian Union of Business Executives
Unión Internacional Cristiana de Dirigentes de Empresa

FLORINETTI, André, M.

Union internationale de l'artisanat et des petites et moyennes entreprises
International Association of Crafts and Small and Medium-Sized Enterprises
Unión Internacional de la Artesanía y de las Pequeñas y Medianas Empresas

DISERENS, Jean-Jacques, M.

Union internationale des syndicats des industries chimiques,
du pétrole et similaires
Trade Unions International of Chemical, Oil and Allied Workers
Unión Internacional de los Sindicatos de la Industria Química, del
Petróleo y Similares

GERGELY, Pal, M., secrétaire.

Union internationale des syndicats des travailleurs de
l'agriculture, des forêts et des plantations
Trade Unions International of Agricultural, Forestry and
Plantation Workers
Unión Internacional de Sindicatos de Trabajadores de la Agricultura,
de los Bosques y de las Plantaciones

HEMMERLE, André, M., secrétaire général.

FERNANDEZ, Mario, M., collaborateur politique.

GONZALEZ, Gerardo, M.

Union internationale des syndicats des travailleurs
de la fonction publique et assimilés
Trade Unions International of Public and Allied Employees
Unión Internacional de Sindicatos de Trabajadores
de Servicios Públicos y Similares

MEINEL, Jochen, M., secrétaire général.

GALKINE, Serguei, M., secrétaire.

BOULIN, Franck, M., secrétaire.

ZAMORA, Andrés, M., secrétaire.

Union internationale des syndicats des travailleurs de la métallurgie
Trade Unions International of Workers in the Metal Industry
Unión Internacional de Sindicatos de Trabajadores de la Metalurgia

BAILLY, Daniel, M., secrétaire général.

GOCHTCHINSKI, Valentin, M., secrétaire.

ROMERO, Joaquin, M., secrétaire.

JESCHKE, Konrad, M., responsable des relations avec l'OIT.

DACHKO, Vladimir, M.

Union internationale des syndicats des travailleurs de l'énergie
Trade Unions International of Workers in Energy
Unión Internacional de Sindicatos de Trabajadores Energéticos

JUREK, Mieczyslaw, M., secrétaire général.

Union internationale des syndicats des travailleurs
des industries alimentaires, tabacs, hôtels et branches connexes (FSM)
Trade Unions International of Food, Tobacco, Hotel and
Allied Industries Workers (WFTU)
Unión Internacional de Sindicatos de Trabajadores
de las Industrias Alimentaria, Tabacalera, Hotelera y Similares (FSM)

ROSA, Luis Martell, M., secrétaire général.

VARLAMOV, Bogomil, M., conseiller.

Union internationale des syndicats des travailleurs des transports
Trade Unions International of Transport Workers
Unión Internacional de Sindicatos de Trabajadores del Transporte

MATHEW, K.C., Mr., General Secretary.

Union internationale des syndicats des travailleurs du bâtiment,
du bois et des matériaux de construction
Trade Unions International of Workers in the Building,
Wood and Building Materials Industries
Unión Internacional de Sindicatos de Trabajadores de la Construcción,
Madera y Materiales de Construcción

PERA, Mauri, M., secrétaire général.

BROTHERUS, Matti, M.

Union internationale des syndicats des travailleurs du commerce
Trade Unions International of Workers in Commerce
Unión Internacional de Sindicatos de los Trabajadores del Comercio

MOROZOV, Anatol, M., secrétaire.

VILLAMARIN, Alvaro, M., secrétaire.

VESELA, Zdenka, Mme, collaboratrice.

Union internationale des syndicats du textile, de l'habillement
et des cuirs et peaux
Trade Unions International of Textile, Clothing, Leather and Fur Workers
Unión Internacional Sindical de Trabajadores del Textil,
Vestido, Cuero y Piel

HUBNER, Jan, Mr., General Secretary.

VAISOVA, Marta, Mrs., Adviser.

Union internationale des travailleurs de l'alimentation
et des branches connexes
International Union of Food and Allied Workers' Associations
Unión Internacional de Trabajadores de la Alimentación y Afines

BAM, Brigalia, Ms.

GALLIN, Dan, Mr., General Secretary.

NIEUWENHUIZE, Jaap, Mr.

OSWALD, Ron, Mr.

SONDERLING, Gudrun, Ms.

STASIUS, Horst, Mr.

AUBERT, Piedad, Ms.

BUDIN-HAKSTEN, Barbro, Ms.

DALBAN-MOREYNAS, Patrick, Mr.

von HOFÉ, Amanda, Ms.

JANTZ, Bärbel, Ms.

LLEONART, Maria-Rosa, Ms.

RAMSEY, Bob, Mr.

STASIUS, Karin, Ms.

TAYLOR, Adrienne, Ms.

WILSON, Jim, Mr.

Union interparlementaire
Inter-Parliamentary Union
Unión Interparlamentaria

CORNILLON, Pierre, Mr., Secretary-General.

KLIOUKINE, Yuri, Mr., Assistant Secretary-General.

Union mondiale des organisations féminines catholiques
World Union of Catholic Women's Organizations
Unión Mundial de las Organizaciones Femeninas Católicas

DURRER, Maryse, Mme.

Union mondiale ORT
World ORT Union
Unión Mundial ORT

HARMATZ, Joseph, Mr., Director-General.

FELDMAN, Simon, Mr., Director of International Co-operation Department.

KASTEL, Samy, Mr., Deputy Director of International Co-operation Department.

Zonta International

BRIDEL, Danielle, Mme, représentante auprès des Nations Unies.

MOUVEMENTS DE LIBERATION

LIBERATION MOVEMENTS

MOVIMIENTOS DE LIBERACION

Congrès national africain (CNA) - (Afrique du Sud)
African National Congress (ANC) - (South Africa)
Congreso Nacional Africano (CNA) - (Sudáfrica)

NKADIMENG, John, Mr., Member of the National Executive Committee and General Secretary of the South African Congress of Trade Unions (SACTU).

PEMBA, Aaron, Mr., Member of the National Executive Committee and Head of the Department of International Affairs, SACTU.

Congrès panafricain d'Azanie
Pan-Africanist Congress of Azania
Congreso Panafricano de Azania

MOSAKA, Elias, Mr., Labour Officer.

GQOBOSE, Mfanasekhaya, Mr.

MKWANAZI, Joseph, Mr.

Organisation de libération de la Palestine
Palestine Liberation Organisation
Organización de Liberación de la Palestina

AHMAD, Abdul Rahim, Mr., Member of the Executive Committee; Head of the Popular Organisations Department.

AL-SABBAH, Mohammad Mahmoud, Mr., Director-General of the Popular Organisations Department.

RAMLAWI, Nabil, Mr., Permanent Observer in Geneva.

AL-ADJOURI, Tayssir, Mr.

ABU ALLAIL, Mohammad, Mr.

ABDULGHANI, Khaled, Mr.

JERIES, Mousa, Mr.

SHROUF, Habes, Mr.

IBRAHIM, Haidar, Mr.

BUREAUX DE LA CONFERENCE, DES COMMISSIONS ET DES GROUPES

OFFICERS OF THE CONFERENCE, THE COMMITTEES AND THE GROUPS

MESAS DE LA CONFERENCIA, DE LAS COMISIONES Y DE LOS GRUPOS

Bureau de la Conférence

PRESIDENT

BEYREUTHER, W., M., secrétaire d'Etat du Travail et des Salaires (République démocratique allemande).

VICE-PRESIDENTS

SMITH, J.A.G., M., ministre du Travail (Jamaïque) (jusqu'au 9 juin 1988).
AITKEN, Probyn W., M., délégué gouvernemental (Jamaïque) (à partir du 13 juin 1988).

TSUJINO, H., M., délégué des employeurs (Japon).

ADIKO NIAMKEY, H., M., délégué des travailleurs (Côte d'Ivoire).

SECRETAIRE GENERAL

BLANCHARD, Francis, M., Directeur général du Bureau international du Travail.

Bureaux des commissions

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